

Zoning Regulations

Introduction

Only limited Zoning Ordinances exist within the city; currently, "spot zoning" exists within the city and is allegedly unenforceable. This document is not intended to be a *legally binding document* at this stage; although the content has been reviewed by the Planning Commission, it should be reviewed by the City Attorney before continuing the adoption process.

Table of Contents

<i>Introduction</i>	1
TABLE OF CONTENTS	2
ARTICLE I.	4
IN GENERAL	4
SECTION 1. SHORT TITLE	4
SECTION 2. PURPOSE	4
SECTION 3. ORDINANCES REPEALED AND SCOPE	4
SECTION 4. ADOPTION OF LEGISLATIVE GRANT OF POWER	5
SECTION 5. RULES OF ORDINANCE CONSTRUCTION	5
SECTION 6. DEFINITIONS.....	5
SECTION 7. VIOLATIONS	16
SECTION 8. REMEDIES.....	16
SECTION 9. SEVERABILITY	16
SECTION 10. EFFECTIVE DATE	16
ARTICLE II	17
ADMINISTRATION.....	17
SECTION 1. ROLES OF CITY OFFICIALS AND AGENCIES	17
SECTION 2. DETERMINATION OF LAND USE CLASSIFICATION.....	18
SECTION 3. CERTIFICATES OF OCCUPANCY and BUILDING PERMIT	18
ARTICLE III	20
GENERAL PROHIBITIONS AND REQUIREMENTS.....	20
SECTION 1. GENERAL REGULATIONS.....	20
SECTION 2. ILLUMINATION OF USES.....	20
SECTION 3. TEMPORARY USE OF TRAVEL TRAILERS.....	20
SECTION 4. HOME OCCUPATIONS.....	20
SECTION 5. HEIGHT, YARD, IDENTIFICATION AND AREA REQUIREMENTS	21
SECTION 7. STANDARDS.....	23
SECTION 6. OFF-STREET PARKING REQUIREMENTS	23
SECTION 7. OFF-STREET TRUCK LOADING REQUIREMENTS.....	23
SECTION 9. NON-CONFORMING USES, STRUCTURES, AND LOTS.....	23
SECTION 10. ZONING DISTRICTS ESTABLISHED	24
SECTION 11. MAP OF DISTRICT BOUNDARIES (ZONING MAP).....	25
SECTION 12. RULES FOR INTERPRETATION OF ZONING MAPS	25
SECTION 13. ZONING OF NEWLY ANNEXED TERRITORY	25
ARTICLE IV	26
LANDSCAPE REQUIREMENTS.....	26
ARTICLE V.	27
ZONING DISTRICT USE REGULATIONS.....	27
SECTION 1. INTERPRETATION OF TABLES OF PERMITTED USES.....	27
SECTION 2. PROCEDURE FOR COUNCIL APPROVAL OF CERTAIN USES.....	27
SECTION 3. TABLE FOR PERMITTED USES – RESIDENTIAL DISTRICTS	29
SECTION 4. (R-A) SINGLE FAMILY RESIDENTIAL, AGRICULTURAL DISTRICT.....	31
SECTION 5. (R-1) LOW DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT	32
SECTION 6. (R-2) HIGH DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT.....	33

SECTION 7. (R-M) MOBILE HOME RESIDENTIAL DISTRICT.....	35
SECTION 8. (B-1) HISTORIC CENTRAL BUSINESS DISTRICT.....	37
SECTION 9. (B-2) GENERAL BUSINESS DISTRICT.....	38
SECTION 10. (I) INDUSTRIAL DISTRICT.....	39
SECTION 12. MHC- MANUFACTURED HOME COMMUNITY.....	41
SECTION 13. (H) HISTORIC DISTRICT OVERLAY.....	43
SECTION 14. (CPE) CIVIC/PUBLIC USE/ENTERTAINMENT DISTRICT.....	45
ARTICLE VI.	49
PLANNING AND ZONING COMMISSION.....	49
SECTION 1. ESTABLISHMENT OF COMMISSION.....	49
SECTION 2. POWERS AND DUTIES OF COMMISSION.....	49
SECTION 3. RULES AND PROCEDURES OF THE COMMISSION.....	49
SECTION 4. ZONING CHANGES AND ORDINANCE AMENDMENTS.....	49
SECTION 5. PROCEDURE FOR ZONING ORDINANCE AMENDMENTS.....	49
ARTICLE VII.....	50
BOARD OF ADJUSTMENT.....	50

ZONING ORDINANCE OF THE CITY OF JEFFERSON, TEXAS

A COMPREHENSIVE ORDINANCE REGULATING AND RESTRICTING:

THE **USE** OF LAND,

or THE **USE** AND LOCATION OF **BUILDINGS** AND **STRUCTURES**.

or THE **HEIGHT**, NUMBER OF **STORIES**, AND SIZE OF **BUILDINGS** AND OTHER **STRUCTURES**.

or THE CONSTRUCTION, RECONSTRUCTION, ALTERATION OR REPAIR OF **BUILDINGS** AND **STRUCTURES**,

or THE PERCENTAGE OF A **LOT** THAT MAY BE OCCUPIED,

or THE SIZE OF **YARDS** AND OTHER **OPEN SPACES**, AND

or THE DENSITY OF POPULATION.

DIVIDING THE CITY OF JEFFERSON INTO **DISTRICTS** FOR SUCH PURPOSE, ADOPTING MAPS OF SAID CITY SHOWING THE BOUNDARIES AND CLASSIFICATION OF SUCH **DISTRICTS**, ESTABLISHING A PLANNING AND ZONING COMMISSION, A BOARD OF ADJUSTMENT AND AN LANDMARK COMMISSION, AND PRESCRIBING PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE ORDINANCE.

ARTICLE I. **IN GENERAL**

SECTION 1. SHORT TITLE

This ordinance shall be known and may be cited as the "Zoning Ordinance" of the City of Jefferson

SECTION 2. PURPOSE

The zoning regulations and **districts** as herein established have been made in accordance with a comprehensive plan for the purpose of promoting health, safety, quality of life and the general welfare of the City, and for the protection and preservation of places and areas of historical and cultural importance and significance therein.

They have been designed to:

lessen congestion in the **streets**,

secure safety from fire, panic, and other dangers,

provide adequate light and air,

prevent the overcrowding of land,

avoid undue concentration of population,

facilitate the adequate provision of transportation, water, sewerage, schools, parks, brick streets, and other public requirements.

They have been made with reasonable consideration, among other things:

for the character of the **district** and its peculiar suitability for particular **uses**,

and with a view to conserving the value of **buildings**, **brick streets**, and other improvements,

and encouraging the most appropriate **use** of the land throughout the City consistent with comprehensive planning.

SECTION 3. ORDINANCES REPEALED AND SCOPE

The following ordinances are hereby repealed, to-wit:

- A. All other ordinances or parts of ordinances inconsistent herewith, but only to the extent of such inconsistency; provided, however, that whenever higher or more restrictive standards are established by the provisions of any other applicable statute, ordinance or regulation that are established by the provisions of this ordinance, the provisions of such other statute, ordinance or regulation shall govern. Specifically, this chapter serves to replace City of Jefferson Ordinances, Chapter 18 Buildings and Building Regulations enacted prior to 2023.
- B. Other Ordinances modified or replaced by this Ordinance
 - a. Mobile Home Zoning Section 18, replaced with Article V Section 7 and Article V Section 13 of this Ordinance,
 - b. Jefferson Historic District, Ordinance 2023-11-1, replaced with Article V Section H of this Ordinance.

SECTION 4. ADOPTION OF LEGISLATIVE GRANT OF POWER

Texas Local Government Code, Chapter 211, is hereby adopted, and the provisions of this ordinance are adopted in the exercise of the power granted to municipalities by such statutes and pursuant to any and all other applicable laws.

See: <https://statutes.capitol.texas.gov/SOTWDOCS/LG/htm/LG.211.htm>

SECTION 5. RULES OF ORDINANCE CONSTRUCTION

Words, phrases, and terms defined herein shall be given the defined meaning, unless the context clearly indicates a different meaning.

Words, phrases, and terms not defined herein shall be given their usual and customary meanings.

The text of the ordinance shall control captions, titles, and maps.

The word "**shall**" is **mandatory** and not permissive. The word "**may**" is **permissive** and not mandatory.

Words used in the singular include the plural and words used in the plural include the singular. Words used in the present tense include the future tense and words used in the future tense include the present tense.

SECTION 6. DEFINITIONS

For the purpose hereof, certain words and terms in this ordinance are defined as follows:

Accessory Building or Accessory Structure: A subordinate **building or structure** on the **lot** occupied by the main **building** having an incidental **use** in connection with the main **building**.

Administrative Office: An office which is not an accessory to another **use** and which is devoted primarily to the management of the affairs of a business or other organization, as distinguished from the actual production of goods or services by that business or organization.

Adult Bookstore: A business which has a substantial or significant portion of its stock in trade in, or which has as its main purpose the offering for sale or rent of books, magazines, pamphlets, pictures, drawings, photographs, motion picture films, video or sound recordings, or printed, visual or audio material of any kind, which are characterized by their emphasis on the description or depiction of specified anatomical areas or specified sexual activities; or a business which offers for sale books, magazines, pamphlets, pictures, drawings, photographs, motion picture films, or sound recordings, or printed, visual or audio material of any kind, which entire business establishment, because of the depiction or descriptions of specified anatomical areas or specified sexual activities in the materials offered for sale or rent, is restricted to adults, or is advertised or promoted as being restricted to adults.

Adult Entertainment Establishment: A business where live entertainment is provided for patrons, or a portion of a business set aside for providing live entertainment to patrons, in which a significant portion of the entertainment is characterized by an emphasis on the exhibition, depiction, or description of specified anatomical areas or specified sexual activities; or a place where entertainment is provided to patrons wherein, because of the exhibition of specified anatomical areas or specified sexual activities, admittance is limited to adults, or admittance is advertised or promoted as being restricted to adults.

Adult Motion Picture Theater: A business where motion pictures are shown to paying customers when such place is used for presenting material having as its dominant theme, or distinguished or characterized by, an emphasis on the depiction or description of specified anatomical areas or specified sexual activities for observation by patrons, and where admittance to such showings is totally limited to adults.

Adult or Sexually Oriented Business: An adult bookstore, adult entertainment establishment, or adult motion picture theater.

Agriculture: A farm, orchard, or similar use of land in horticulture, or a ranch or similar use of land to raise animals as livestock, including as an accessory use, the seasonal or incidental sale of products grown or raised on the property, but excluding retail plant nurseries, kennels, and stables. See City of Jefferson Ordinances, Chapter 14 – Animals.

AirBnB: See **Short Term Rental**

Alley: A minor way which is used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.

Alteration: See "Structural Alteration."

Americans with Disabilities Act: See City of Jefferson Ordinances, Chapter 50, Article II, Discrimination

Automobile Parts Sales: A business selling parts and accessories for automobiles or other motor vehicles, provided that no installation of the parts and accessories and no servicing of vehicles is conducted on the premises.

Automobile Rental, Sales and Service: A business renting, leasing, repairing, servicing or selling automobiles, motorcycles or light trucks, or selling, installing and servicing their parts and accessories, but excluding gas stations and large vehicle and machinery rental, sales and service establishments.

Bed & Breakfast: Providing tourist lodging services within rooms of a residence or within a separate accessory structure. See **Short Term Rental.**

Building: A structure designed, built, or occupied as a shelter or roofed enclosure for persons, animals, or property, except such structures as may be otherwise specifically defined herein. See also "Accessory Building" and "Office Building."

Building Code: See City of Jefferson Ordinances, Chapter 18 Buildings and Building Regulations. *This document replaces Chapter 18 of existing ordinances.*

Building Line: A line, established by law, beyond which a building shall not extend, except as specifically provided by law.

Business Park: A mixed-use development which includes a number of separate offices, commercial, wholesaling, and compatible laboratory, industrial and other uses, and which is designed and developed as an integrated unit. Each of the individual establishments or uses contained within the business park must be a permitted use in the district in which the business park is located, and all on-site functions or operations of these uses must be conducted entirely inside a building.

Church: A building designed for public worship, including a separate parsonage or rectory and/or a community meeting hall, but excluding a school, a community athletic field, or a developed athletic field or stadium, all of which are considered distinct uses.

Clinic: See "Health Clinic" and "Veterinary Clinic."

Club or Lodge: A **building** housing an association of persons for the promotion of some non-profit common object, as literature, science, politics, good fellowship, etc., meeting periodically, limited to members, with residential occupancy accounting for not more than one-third of the **gross floor area** occupied by the **use**.

Commercial Communications System: Any installation such as a radio, microwave or cellular telephone tower, antenna, or related switching equipment in which the principal **use** is the transmission of information as a business, as distinguished from an antenna which is incidental to the remote monitoring or operation of a utility plant, industrial site or governmental facility.

Commercial Office: A **retail** service business in which the service is produced or delivered in an office setting rather than a store or shop setting, such as a real estate office, travel agency, insurance agency, or property management business.

Community Athletic Field: A noncommercial facility for active outdoor recreation and organized sports, including a facility which is an accessory **use** to a **school**, but excluding any facility with lighted fields or permanent **buildings** for refreshment stands, locker rooms or shower facilities.

Condominium: A multifamily dwelling unit, within which designated units or apartments are conveyed fee simple title, with an undivided interest in the building's common elements, to include, but not be limited to, halls, stairs, elevators, roof, parking space, and the land when the building is not constructed on leased land.

Contractor: A business site which involves the outdoor storage of materials for use at another location, or the outdoor storage of equipment which is intended for use by the business at another location or for rent, as distinguished from any trade in which all activity on the site is conducted inside a **building**.

Convenience Restaurant: A **restaurant** such as a soda fountain, ice cream parlor, sandwich **shop**, cafe, or coffee **shop**, excluding any **restaurant** offering live entertainment or alcoholic beverages for on-premises consumption.

Convenience Store: A **retail store** of no more than 3,600 square feet specializing in a limited selection of food and personal and home care items, or a combination of such items and the sale of automotive fuels but excluding any business selling alcoholic beverages for on-site consumption.

Convenience Store, Neighborhood: See "Neighborhood Convenience Store."

Corner lot: A **lot** at the point of intersection of and abutting on two or more intersecting **streets**, the angle of intersection being not more than 135 degrees. It is the land occupied or to be occupied by the corner **building** and its **accessory buildings**. A **corner lot**, the rear of which abuts upon the side of another **lot**, whether across an **alley**, is a "reversed corner lot."

Day Care Nursery: A business or institution where organized care or instruction is imparted to children under the age of seven years.

Depth: As applied to the dimensions of a **lot**, the average horizontal distance between the front and rear **lot lines**; as applied to a **front, side or rear yard**, the average horizontal distance between the front, side or rear wall of a **building**, other than an **accessory building**, and the front, side or rear **lot line**, as appropriate,

Detached: As applied to a **building or structure**, one having no party or common wall with another **building or structure** except an **accessory building or structure**.

Developed Athletic Field or Stadium: A facility for active outdoor recreation and organized sports which is operated as a business or which includes lighted fields, permanent grandstands, or permanent **buildings** for refreshment stands, locker rooms or shower facilities.

District, or Zoning District: A section of the City for which regulations governing the area, height, design or **use of buildings** and **structures** and **the-uses** of land are established by this ordinance.

District, Historic: See "Historic District."

Duplex: A two-family **dwelling**.

Dwelling or Dwelling Unit: A **building** designed or used as the living quarters for one or more **families**. See "Single Family Dwelling," "Two-Family Dwelling," "Multi-Family Dwelling," "Garden Home," "Townhouse," "Mobile Home" and "Modular Home."

Easement: An acquired right to use land owned by another for a limited purpose, or an interest or privilege short of ownership in land owned by another, such as easement of light, of building support or maintenance, or right of way.

Enclosed Retail Store or Shop: Any individual business, store, or shop
(1) which is not either defined separately in this ordinance or enumerated as a distinct **use** in a Table of Permitted Uses, and
(2) in which
(a) services are performed, or goods are rented or sold exclusively at **retail**,
(b) no **wholesaling, manufacturing or processing** is carried on, other than repair services or incidental packaging,
(c) no goods, materials, equipment, or supplies are stored or displayed outside a **building**, other than incidental sidewalk display during business operating hours, and
(d) all operations on the site are conducted inside a **building**.

Examples of **uses** which are intended to be encompassed by this definition are antique stores, art galleries, bookstores, dance studios, drugstores, flower shops, gift shops, interior decorating studios, retail laundries and dry cleaners, opticians, physical fitness studios, reducing salons, tailor shops, radio and television studios, and studios for artists, musicians and photographers.

Extended Retail Store or Shop: Any individual business, store, or shop
(1) which is not either defined separately in this ordinance or enumerated as a distinct **use** in a Table of Permitted Uses, and
(2) in which
(a) services are performed, or goods are rented or sold exclusively at **retail**,
(b) no **wholesaling, manufacturing, or processing** is carried on, other than repair services or incidental packaging,
(c) sales and service operations on the site are conducted inside a **building**,
(d) merchandise for rent or sale is stored or displayed either inside or outside a **building**, but
(e) no other materials, equipment or supplies are stored or displayed outside a **building**.

Examples of **uses** which are intended to be encompassed by this definition are boat and marine sales, lawn and garden supply stores, residential accessory portable building sales, and retail building material supply and lumber yards.

Family: A single individual, living upon the premises as a separate housekeeping unit, or a collective body of persons living together upon the premises as a separate housekeeping unit, whether or not they are living in a domestic relationship based upon birth, marriage, or other domestic bond. A family is distinguished from a group occupying a **rooming or boarding house, club or lodge**, or living in a

hotel or motel or other arrangement by the fact that they function together as a single housekeeping unit.

Fire Safety: Definitions on required safety measures to protect structures. See **Height**. See City of Jefferson Ordinances, Chapter 42 Fire Prevention and Protection.

Food Truck As defined by Texas Administrative Code 228.2.A.(85) Mobile Food Unit (MFU)--A vehicle mounted, self or otherwise propelled, self-contained food service operation, designed to be readily movable (including, but not limited to catering trucks, trailers, push carts, and roadside vendors) and used to store, prepare, display, serve or sell food. Mobile units must always retain their mobility. A Mobile Food Unit does not include a stand or a booth. A roadside food vendor is classified as a MFU. Must comply with Texas Department of State Health Services and be licensed and permitted. A City of Jefferson Itinerant Merchant Permit is also required. See **City of Jefferson Ordinances Chapter 22, Article III Itinerant Merchants, Vendors and Peddlers**

Front Yard: A **yard** between the front **building line** and the **street line** of the **lot**.

Garage: See "Private Garage" and "Parking Lot or Parking Garage."

Garden Home: A **dwelling** designed to be occupied by a single **family**, built on a **lot line** but separated from any other **building by open space** on all sides.

Gas Station: A **retail** business which is principally devoted to the sale of motor vehicle fuels, and which may include as accessory **uses** the sale of automotive lubricants, tires, batteries and accessories, automotive service, short term rental of light trucks and trailers, and the sale of a limited range of food and consumer items for the convenience of travelers, but excluding any sale of alcoholic beverages for on-site consumption.

General Restaurant: A **restaurant** which offers live entertainment with amplified sound or sells alcoholic beverages as an accompaniment to meals, provided that such beverages produce less than 50 percent of the gross revenue of the business. A business in which the sale of alcoholic beverages produces 50 percent or more of gross revenue is a bar or nightclub.

Gross Floor Area: The sum of the gross horizontal area of the several floors of a **building**, including interior balconies and mezzanines. All horizontal dimensions are to be measured between the exterior faces of walls, including the walls of roofed porches having more than one wall. The floor area of a **building** shall include the floor area of **accessory buildings**, on the same **lot**, measured in the same manner.

Health Clinic: An establishment in which one or more physicians, dentists, or other health care professionals and their allied professional assistants are associated for the purpose of carrying on their professions. A health clinic may include a dental or medical **laboratory**, but it may not include in-patient care or operating rooms for major surgery.

Height: As applied to a **building**, the vertical dimension measured from the average elevation of the finished lot grade at the front of the **building** to the highest point of the ceiling of the top **story** in the case of a flat roof, to the deck line of a mansard roof, and to the average height between the plate and ridge of a gable, hip or gambrel roof.

Historic District: A **district** designated by City Council or Landmark Commission under this ordinance as an area containing significant concentrations, linkage or continuity of **buildings, structures,** sites, areas or lands which are united by architectural, historical, archaeological or cultural importance or significance such that the area requires protection and preservation.

Historic Landmark: Any **building, structure,** site, area, or land of architectural, historical, archeological or cultural importance or value, which the City Council or Landmark Commission has determined to have sufficient significance, balancing public and private interests, to require that it be protected and

preserved.

Home Occupation: A business which is carried on entirely within a **dwelling** as an accessory **use** to the resident's principal **use** of the **dwelling** as a home.

Hospital: An institution providing health services, primarily for inpatients, and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities as **laboratories**, outpatient departments, training facilities, central service facilities and staff offices.

Hotel or Motel: A business other than a **bed & breakfast, Airbnb, VRBO**, or a **rooming or boarding house** in which rooms are rented, generally for short-term occupancy by transient guests, together with incidental meeting rooms, **restaurants** and recreation facilities for the primary benefit of the guests. Must be registered with the City of Jefferson.

Household Care Facility: A facility which provides residence and care to not more than nine persons, regardless of legal relationship, who are either elderly, or disabled, or orphaned, abandoned, abused or neglected children, or victims of domestic violence, or temporarily homeless due to fire, natural disaster or financial setbacks, living together with not more than two supervisory personnel as a single housekeeping unit.

Included Structure: Any **building or structure** which is in whole or in part in any **historic district**, whether or not the **building or structure** itself is designated as an **historic landmark**.

Industrialized Home: See **Modular Home**

Industrial Park: A development which is intended to be the site for several **manufacturing, industrial, warehousing**, and related **uses**, and which is designed and developed as an integrated unit. Each of the individual establishments or **uses** contained within the industrial park must be a permitted **use** in the **district** in which the industrial park is located.

Industry, or Industrial: A land **use** involving **processing, manufacturing, or warehousing**, or the outdoor storage of goods or materials intended for **processing or manufacturing**, or the outdoor storage of machinery or equipment to be used by the business at another location rather than being offered for sale or rent, all as distinguished from **wholesale or retail** trade and services. A **laboratory** which is not incidental or accessory to another **use**, such as a **health clinic** or a **hospital**, is also an industrial **use**.

Junk: Any worn out, cast off, or discarded article or material which is ready for destruction or has been collected or stored for salvage, recycling, or conversion to some use. Any article or material which, unaltered or unchanged and without further reconditioning, can be used for its original purpose as readily as when new shall not be considered junk.

Junk Yard: The **use** of any **lot** for the storage, keeping or abandonment of **junk**, whether inside or outside a **building**.

Kennel: Any **lot** or premises, other than a **veterinary clinic**, on which four or more domestic animals more than four months of age are housed, groomed, bred, boarded, trained or sold.

Laboratory: Any business or free-standing establishment in which the principal activity involves testing or analysis of any material, and which is not an accessory to another **use**, such as an accessory to a **manufacturing or processing** plant or a **hospital or health clinic**. **No manufacturing** is conducted on the premises except for experimental or testing purposes.

Landmark: See "Historic Landmark."

Large Vehicle and Machinery Rental, Sales, and Service: A business renting, leasing, repairing, servicing or selling buses, motor homes, trucks larger than standard pickup trucks, or off-road machinery or equipment of any character, or selling, installing or servicing parts and accessories for such vehicles, machinery or equipment.

Limited Restaurant: A restaurant which offers live entertainment without amplified sound or which sells beer or wine but no other alcoholic beverages as an accompaniment to meals, provided that at least 75% of the gross floor area of the business including preparation and serving area is dedicated to the retail sale of food.

Lodge: See "Club or Lodge."

Long Term Care Facility: An institution such as a hospice, nursing home, sanitarium or rehabilitation center, in which patients are attended for a relatively extended period, as distinguished from a hospital or other institution for acute care and short-term therapy.

Lot: An undivided tract or parcel of land having frontage on a public street and which is, or in the future may be, offered for sale, conveyance, transfer or improvement, which is designated as a distinct and separate tract; and/or which is identified by a tract or lot number or symbol in a duly approved subdivision plat which has been properly filed on record. See also "Corner Lot."

Lot Line: A property boundary line separating one lot from another or from a street or alley. Any lot line which is not a street line or a rear lot line is a side lot line.

Manufactured House: Manufactured home--A HUD-code manufactured home that has a label or decal issued by the U.S. Department of Housing and Urban Development and the Texas Department of Housing and Community Affairs permanently affixed to each section, industrialized housing that has a label or decal issued by the Texas Department of Licensing and Regulations permanently affixed to each module or modular component, or a mobile home. A manufactured home does not include a recreational vehicle, park model, or house trailer, as those terms are defined in this section. Further, the term does not include a structure designed as a residence and constructed since June 15, 1976, that lacks a label or decal issued by the U.S. Department of Housing and Urban Development and the Texas Department of Housing and Community Affairs or by the Texas Department of Licensing and Regulations permanently affixed to each section, module, or modular component. This is separate from a Modular Home. See **Mobile Home or Modular Home**

Manufactured Housing Community: See **Mobile Home Park**

Manufacturing: All operations of fabrication, such as assembling, stamping, cutting or otherwise shaping processed material into useful objects, as opposed to the refining or other initial processing of basic raw materials such as metal ores, lumber or rubber.

Mini-Warehouse: A business in which separate storage units are rented to individuals who are entitled to exclusive and independent access to their respective units.

Mobile Home: A structure constructed before June 15, 1976; transportable in one or more sections, which in the traveling mode is eight body feet or more in width or 40 body feet or more in length, or when erected on site is 320 or more square feet; built on a permanent chassis; designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities; and that includes the plumbing, heating, air conditioning, and electrical systems.

Mobile Home Park: Any premises where one or more mobile homes or manufactured homes are parked for living and sleeping purposes, or where they are connected to any utility, or any premises used or set apart for the purpose of supplying to the public parking space for one or more mobile homes or manufactured homes for long-term living and sleeping purposes, including any buildings, structures, vehicles, or enclosures used or intended for use as a part of the equipment of such mobile home park.

Modular/Industrialized Home: A dwelling that:

- a. Is manufactured in two or more modules at a location other than the home site;
- b. Is designed to be used as a residence when the modules are transported to the home site, joined together and installed on a permanent foundation in accordance with the Building Code Requirements of the City of Jefferson;
- c. Meets all the requirements of the Texas Manufactured Housing Standards Act;
- d. Contains the plumbing, heating/air conditioning and electrical systems within the structure;
- e. Meets all applicable local codes and zoning regulations that pertain to construction of traditional site-constructed homes; **and**
- f. When installed, sits on a fixed foundation and cannot be readily moved or relocated.
- g. The term "modular home" does not apply to a mobile home as defined in this ordinance and the Texas Manufactured Housing Standards Act, nor does it include building modules incorporating concrete or masonry as a primary component.

Multi-Family Dwelling: A dwelling or group of dwellings on one lot containing separate living units for two or more families. A multi-family dwelling may have joint services or facilities, but it is distinguished from other forms of housing by the fact that each family lives as an independent housekeeping unit with separate kitchen and bathroom facilities.

Museum: A nonprofit, noncommercial establishment operated as a repository for a collection of natural, scientific, or literary curiosities or objects of interest or works of art, not including the regular sale or distribution of the objects collected.

Nameplate: A sign indicating the name and/or address of a building, or the name of an occupant thereof, and/or the practice of a permitted home occupation therein and utilizes the locations Designed 9-1-1 Address.

Neighborhood Convenience Store: A retail store of no more than 2,000 square feet specializing in a limited selection of food and personal and home care items but excluding any business selling automotive fuels or alcoholic beverages for on-site consumption.

Non-Conforming Structure: A structure or part thereof, lawfully existing on the effective date of this ordinance, which does not conform to all the regulations of the district in which it is located.

Non-Conforming Use: A use of a building, structure or land, lawfully existing on the effective date of this ordinance, which does not conform to all the regulations of the district in which it is located.

Nursery: See "Day care Nursery" or "Plant Nursery".

Office: See "Administrative Office," "Commercial Office" and "Professional Office."

Office Building: A building which is used or designed to be occupied by one or more tenants who lease space for any combination of administrative, commercial and professional offices, and including customary accessory uses for the benefit of the office workers such as a coffee shop or newsstand. Each of the individual establishments or uses contained within the office building must be a permitted use in the district in which the office building is located.

Office Park: A development containing a number of separate office buildings, supporting accessory uses and open space, which is designed and operated as an integrated unit. Each of the individual establishments or uses contained within the office park must be a permitted use in the district in which the office park is located.

Open Space: An area included in any side, rear or front yard or any unoccupied space on the lot that is open and unobstructed to the sky, except for the ordinary projection of cornices, eaves or porches.

Owner: The person or legal representative or entity who has legal title to property, or who has effective custody and control of property.

Parking Lot or Parking Garage: A facility, whether outdoors or in a **building or structure**, in which the parking of motor vehicles is the principal **use** rather than an accessory to another **use**.

Plant Nursery: A **use** of land to grow plants of any kind for transplanting to another location or for sale as live plants rather than as crops, including the sale of related gardening equipment and supplies.

Portable Building Sales: A business selling either **mobile homes** or other portable **buildings** or **structures** larger than residential accessory storage sheds, whether in finished or kit form.

Private Garage: A **building** or part thereof, accessory to a main **building**, for the storage of automobiles as an accessory **use**, and in which no occupation or business for profit is carried on.

Processing: Any operation changing the nature of material or materials, such as their chemical composition or physical qualities, as distinguished from the fabrication operations defined as **manufacturing**.

Professional Office: An office which is not an accessory to another **use** and which is primarily used by professional practitioners and their assistants to perform or deliver professional services, but excluding a **health clinic** or a **veterinary clinic**.

Rear Yard: A **yard**, unoccupied except by an **accessory building**, extending for the full **width** of the **lot** between the main **building** and the rear **lot line**.

Recreational and Entertainment Facility: Any business or establishment (1) which is not defined separately in this ordinance or enumerated as a distinct **use** in a Table of Permitted Uses, and (2) in which the primary **use** is the provision of recreational opportunities or the production of entertainment for paying customers.

Recreational Vehicle: See **Travel Trailer**

Restaurant: Any business engaged in the preparation and **retail** sale of food and beverages. See "Convenience Restaurant," "General Restaurant" and "Limited Restaurant."

Retail: Sale of goods or services to the ultimate consumer for direct consumption and not for resale.

Retail Store or Shop: See "Enclosed Retail Store or Shop" and "Extended Retail Store or Shop."

Retirement Community: A residential development which includes separate **dwelling** units specifically designed to meet the needs of the elderly, together with incidental recreation and support facilities for the benefit of the residents.

Rooming House or Boarding House: A business in which three or more persons who are not members of the **family** residing in a **dwelling** are provided lodging or furnished rooms for hire within the **dwelling**, with or without meals. This **use** is distinguished from a **Bed & Breakfast** by its clientele of short-term or permanent residents of the community, rather than tourists.

School: An institution of learning which offers and maintains a course of instruction leading to degrees or certificates of graduation recognized by the Texas Education Agency, including a **community athletic field** as an accessory **use**, but excluding a **developed athletic field or stadium**, which is considered a distinct **use**. See also "Trade School."

Setback: The amount of **open space** required between the **lot line** and the **building line** or the amount of land required surrounding improvements.

Shop: A place or building devoted primarily to the retail sale of a service or product, in which the service is performed, or the product to be sold is prepared, in its finished form, on the premises.

Shopping Center: A development containing a combination of retail business establishments, restaurants, recreational and entertainment facilities, offices and related uses, which is designed and operated as a single unit. Each of the individual establishments or uses contained within the shopping center must be a permitted use in the district in which the shopping center is located.

Short Term Rental: Short-term rentals are residential dwelling units, apartments, condominiums, or accessory dwellings available for rent for guest lodging for a period ranging from 1 to 29 days. These may be in any zoned area unless specifically restricted. Must be registered with the City of Jefferson.

Side Yard: A yard between a building and a side lot line, extending through from the street line to the rear lot line of the lot, including overlapping portions of the front yard and rear yard.

Sign: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, pictures, trade names or trademarks by which anything is made known, such as are used to designate an individual commodity or product, which are visible from any public street or right-of-way and designed and displayed to attract attention. The term "sign" shall not include the flag, pennant or insignia of any nation, state, city, or other political unit, or of any political, educational, charitable, philanthropic, civic, professional, religious or like campaign, drive, monument or event.

Single Family Dwelling: A detached house designed for and occupied exclusively as the residence of a single family living as an independent housekeeping unit.

Spot Zoning: The re-zoning of a small parcel of land for a use classification incompatible with that of the surrounding area, for the benefit of the owner of such property and to the detriment of other owners or the community, or without any substantial public purpose.

Stable: Any business or institution in which horses or other livestock are housed, groomed, bred, boarded, trained, or sold.

Store: A use devoted exclusively to the retail sale of a commodity or commodities.

Story: That portion of a building included between the surface of any floor and the ceiling above.

Street: A public way for vehicular traffic, other than an alley, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place or however otherwise designated. For the purposes of this ordinance, a street extends from lot line to lot line, and includes all of the parkways, sidewalks, driveways, and other areas within the public right-of-way.

Street Line: A lot line dividing a lot from a street.

Structural Alteration: Any change or rearrangement in the structural parts or supporting members of a building or structure, such as bearing walls, columns, beams or girders, or any enlargement of a building or structure, whether by extending on a side or by increasing in height, or the moving of a building or structure from one location or position to another.

Structure: Anything which is built or constructed, and which requires permanent location on the ground or which is permanently attached to something having a location on the ground; a building of any kind. See also "Accessory Building or Structure," "Included Structure" and "Non-Conforming Structure".

Subdivision: A division of a tract of land into two or more parts for the purpose of laying out a subdivision of the tract or an addition to the City, or to lay out suburban, building or other lots, or to lay out streets, alleys, squares, parks or other parts of the tract intended to be dedicated to public

use or for the use of purchasers or owners of **lots** fronting thereon or adjacent thereto.

Tiny Home There are no state definitions in statutes. However, they are typically defined as two types:

- A. **Less than 400-500 square feet** and constructed on a trailer so that it can be towed and moved from location to location similar to a travel trailer.
- B. **400-800 square feet** and constructed on a fixed foundation for long-term residential use.

Townhouse: An **attached dwelling** of one to three stories, designed for occupancy by a single **family**, utilizing common wall construction with other townhouse units constructed in a series or group of three units or more.

Trade School: A business or institution which offers instruction in any occupation, skill or trade, as distinguished from an institution of academic learning.

Trailer Court: Any premises designated for the purpose of parking **travel trailers** and recreational vehicles overnight or on a short-term basis and providing public restrooms, temporary water and electrical hookups, and similar services.

Travel Trailer: A recreational vehicle or other mobile vehicle designed for travel and short-term living and sleeping of a recreational nature. Any vehicle used, or so constructed-as to permit being used as a conveyance upon the public **streets** or highways and duly licensable as such, and constructed in such a manner as will permit occupancy thereof as a **dwelling** or sleeping place for one or more persons, provided further that this definition shall refer to and include all portable contrivances used or intended to be used generally for temporary living and sleeping quarters and which are capable of being moved by their own power, towed or transported by another vehicle.

Two-Family Dwelling: A house or property designed for and occupied exclusively as the residence of two **families**, each living as an independent housekeeping unit.

Use: As a noun, the purpose for which land, and/or the **buildings or structures** thereon, is designed, arranged, or intended to be occupied or used, or for which it is occupied, maintained, rented, or leased. See also-"Non-Conforming Use."

Veterinary Clinic: A business or institution devoted to the health care of animals, as distinguished from the boarding, breeding, or raising of animals. A veterinary clinic is distinguished from a **kenne! or stable** by having no outdoor pens or enclosures in which animals are kept, except for short periods as incidentally necessary to their medical care.

VRBO: See **Short Term Rental**

Warehousing: The depositing or securing of goods, wares, and merchandise in a warehouse.

Width: As applied to a **lot**, the horizontal dimension of the **street line** along the frontage **street**. For a pie shaped **lot** or a **lot** on a cul-de-sac, the width of the **lot** means that dimension measured at the **building setback** line.

Wholesale: Sale for resale, not for direct consumption.

Yard: An **open space** on the same **lot** with a **building**, unoccupied and unobstructed from the ground upward except as otherwise provided in this ordinance, between the **building** and a **lot line**. See "Front Yard," "Rear Yard" and "Side Yard."

SECTION 7. VIOLATIONS

Wherever by the provisions of this ordinance the performance of any act is required, or the performance of any act is prohibited, or wherever any regulation, dimension or limitation is imposed on any land or on the erection, demolition, alteration or change of use of any building, structure, or use, a failure to comply with the provisions of this ordinance shall constitute a violation of this ordinance. Every day on which a violation exists shall constitute a separate violation and a separate offense. **The penalty for each offense shall not be more than \$1,000.00.**

SECTION 8. REMEDIES

In case any building or structure is erected, constructed, reconstructed, demolished, altered, repaired, converted or maintained or any building, structure or land is used in violation of this ordinance, the City may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, demolition, alteration, repair, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure or land, or to prevent any illegal act, conduct, business or use in or above such premises, including but not limited to all remedies provided in Texas Local Government Code, Sec. 211.012. The imposition of any penalty hereunder shall not preclude the City from instituting any appropriate action or proceedings to require compliance with the provisions of this ordinance and with administrative orders and determinations made hereunder.

SECTION 9. SEVERABILITY

If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

SECTION 10. EFFECTIVE DATE

This ordinance will take effect immediately upon final passage and publication as required by law.

Document Approved by Planning & Zoning Commission:

Document Approved by City Council of City of Jefferson:

Document Notice Published:

Document Effective Date:

ARTICLE II **ADMINISTRATION**

SECTION 1. ROLES OF CITY OFFICIALS AND AGENCIES

The general roles of City officials and agencies under this ordinance are as follows.

City Administrator

Except as otherwise provided in this ordinance, the City Administrator oversees the enforcement of this ordinance, may make recommendations to City Council on action based upon recommendations from Planning & Zoning Commission, Zoning Board of Adjustment, Landmark Commission, and/or Building Inspector, receives all applications and fees, issues required notices, and issues certificates of appropriateness and certificates of occupancy. Certificates shall be issued based on recommendations of Planning and Zoning Commission. References in this ordinance to the City Administrator include the City Administrator's duly authorized representative as established by City Council.

City Secretary

City Council

City Council receives and acts upon reports and recommendations by the City Administrator, the Planning and Zoning Commission and the Landmark Commission, adopts amendments to the zoning maps and the text of this ordinance, designates historic districts and landmarks, and may grant ad valorem tax exemptions to historically significant sites in need of tax relief to encourage their preservation.

Planning and Zoning Commission

The Planning and Zoning Commission reviews submissions to assure conformance of proposed property use to this ordinance, approves the issuance of building permits and certificates of appropriateness for work completed within the city limits, and approves special exceptions to this ordinance and variances from the literal application of the terms of this ordinance in those cases authorized by state law. Issuance of permits and certificates shall be based upon recommendations by the Building Inspector.

Zoning Board of Adjustment

The Zoning Board of Adjustment hears and decides appeals where it is alleged there is an error in the administration or enforcement of this ordinance, approves special exceptions to this ordinance and variances from the literal application of the terms of this ordinance in those cases authorized by state law. In the absence of this board, the Planning and Zoning Commission assumes these duties and responsibilities.

Landmark Commission

The Landmark Commission recommends the designation of historic districts and landmarks, recommends the granting of tax exemptions to historically significant sites in need of tax relief, approves the issuance of building permits and certificates of appropriateness for work involving landmarks and structures in historic districts, and works in general to preserve the City's historic heritage. These duties are considered a part of the Marion County Historical Commission.

Building Inspector

The City Building Inspector is responsible for the review, inspection of premises, and notification to requestor for inspection of premises. The Inspector shall make recommendations to the Planning and Zoning Commission, on land use classification, and compliance with building codes on inspected premises.

Jefferson Police Department

Jefferson Police Department is responsible for enforcement, including the issuance of notices, warnings, and citations, and the collection of any fines associated with violations of this ordinance.

SECTION 2. DETERMINATION OF LAND USE CLASSIFICATION

The City Council, with the recommendation from Planning and Zoning Commission, shall make final determinations on the proper classification of land **uses** not explicitly defined in this ordinance or explicitly named as an allowed or prohibited **use** in a Table of Permitted Uses, the Table of Off-Street Parking Requirements, or other provisions of this ordinance.

1. Land Use determination requests shall be reviewed and affirmed by the Planning and Zoning Commission at their earliest possible meeting. In case the final determination cannot be made at the first meeting, the petitioner shall be notified when it will be made. In no event shall it be longer than 45 days. After review and recommendation by the Planning and Zoning Commission, the matter will be reviewed by the City Council.
2. All owners of property which lies within 300 feet of any point of the **lot** or portion thereof which will be affected by the proposed land **use** determination shall be notified, in writing, at least seven (7) days prior to the City Council meeting. Said notice shall indicate the time and date of the meeting, as well as the City Administrator's determination to be reviewed.
3. The petitioner shall not proceed with the **use** of the property until after the determination has been reviewed by the Planning and Zoning Commission and the City Council and affirmed. Non-Conforming Use of the property shall be subject to a penalty of \$500 per day, and non-conforming use shall be suspended until determination has been completed.
4. The Planning and Zoning Commission shall be notified at their next regular meeting of any determination made by the City Council.

SECTION 3. CERTIFICATES OF OCCUPANCY and BUILDING PERMIT

- A. **Building Permit Required**
No **building** or **structure** shall be constructed or **structurally altered** or extended in any area inside the City Limits without a Building Permit being submitted and approved by the City Council following the review and recommendation of the Planning and Zoning Commission.
- B. **Certificate of Occupancy Required**
No land shall be occupied or used and no **building or structure** hereafter erected, **structurally altered**, or extended shall be used, occupied, or changed in **use** until a certificate of occupancy shall have been issued by the City Administrator, with recommendation from Planning and Zoning Commissions, and review by the Building Inspector, stating that the **building or structure** and proposed **use** thereof complies with the provisions of this ordinance.
- C. **Certificates for Non-Conforming Uses**
No **non-conforming use** shall be renewed, changed in **use**, or extended without a certificate of occupancy having first been issued by the City Administrator, with recommendation of Planning and Zoning Commission.
- D. **Fee Required**
Fees are required with the submission of a Building Permit and issuance of a Certificate of Occupancy. Fee structure shall be maintained by the City Administrator with the approval of the City Council under separate ordinance. The Building Permit Fee Structure Ordinance shall be on file in City Hall and maintained by separate ordinance of City Council.
- E. **Records to be Retained**
The City Secretary shall keep a record of all certificates of occupancy, and this record shall be available for inspection by the public.

F. Penalty

ARTICLE III

GENERAL PROHIBITIONS AND REQUIREMENTS

SECTION 1. GENERAL REGULATIONS

A. Except as provided in this ordinance:

1. no **building or structure** shall be erected, reconstructed or **structurally altered**, nor shall any **building, structure** or land be used, for any purpose other than is permitted in the **district** in which such **building, structure** or land is located;
2. no **building or structure** shall be erected, reconstructed or **structurally altered** to exceed a height or bulk limit or setback requirement herein established for the **district** in which such **building or structure** is located;
3. no **lot** area shall be reduced or diminished so that the **yards** or other **open spaces** shall be smaller than prescribed by this ordinance;
4. nor shall a **yard or open space** provided about any **building or structure** for the purpose of complying with the provisions of this ordinance be considered as providing a **yard or open space** for any other **building or structure**.

B. Every **building** hereafter erected shall be located on a **lot**.

C. A **Building Permit** is required to be submitted to the City of Jefferson for review by the Planning & Zoning Commission within 45 days of submission, before any construction can begin in any zone or not zoned area inside the City Limits.

D. A City of Jefferson designated **Building Inspector** must review and approve all construction or renovation on a structure prior to a Certificate of Occupancy is issued.

SECTION 2. ILLUMINATION OF USES

Lighting facilities used to illuminate **signs**, parking areas, or for other purposes, shall be so arranged that the source of light is concealed from adjacent residential properties and that the bulb is concealed from traffic in both directions on any adjacent **street**.

SECTION 3. TEMPORARY USE OF TRAVEL TRAILERS

The City Administrator, upon recommendation by the Planning and Zoning Commission, may grant approval to locate and occupy a **travel trailer** in any **district** for no more than two weeks at a time if the Planning and Zoning Commission determines that such temporary occupancy would have no significant impact on surrounding properties.

SECTION 4. HOME OCCUPATIONS

A. **In Business Districts**

All existing **buildings** located in a business **district**, either on the effective date of this ordinance or in the future, may be used as both a **single-family dwelling or multi-family dwelling** and a business. **Home occupations** in business **districts** must meet the following requirements:

1. Off-street parking in addition to that required for the **dwelling** shall not be required for those business **uses** which require three or fewer parking spaces.
 2. No automobile engine or small engine repair shall be permitted as a **home occupation**.
 3. A **day care nursery** shall be limited to a maximum of six children.
- B. In Historic Central Business District the additional requirement of no more than fifty (50) percent of the structure may be used as exclusive long-term residency.
- C. In Residential Districts all residential **districts** must meet the following requirements
1. The incidental or temporary structure shall never be permitted as a principal **use for a permanent or part-time residency or dwelling**.
 2. No business shall be permitted that principally involves the resale of tangible personal property at the business.
 3. No **manufacturing or industrial use** shall be permitted.
 4. No barber **shop**, beauty **shop**, carpenter **shop**, electrician **shop**, plumber **shop**, radio **shop**, or **sign** painting business shall be permitted. No automobile engine or transmission, or small engine repair or service work shall be permitted as a **home occupation**.
 5. **Bed & Breakfast, VRBO, and Short-Term Lodging Facility** - A business providing tourist lodging services within rooms of a residence or within a separate **accessory structure** on the same lot. The **structure(s)** must be registered with the City of Jefferson and the State Comptroller's Office as a **bed & breakfast or short-term lodging facility** and it must collect and pay the appropriate hotel/motel taxes.
 6. A **day care nursery** shall be limited to a maximum of six children. In-home day care use will only be allowed following (1) written notification being sent to property owners located within a 500 foot radius of the proposed use, and (2) receiving approval of the City Administrator.
 7. No **signs** identifying the **home occupation** shall be permitted, except that a single **nameplate**, not exceeding one square foot in area, may be attached flat to the main **building**. Historical markers will not be counted as signage. Bed & Breakfasts may receive an exemption if approved by the City Administrator, City Council or the Planning & Zoning Commission. See City Ordinance Chapter 70
 8. There shall be no exterior storage of equipment or materials used in the **home business or home occupation** at any time.
 9. A **home occupation or home business** must be conducted entirely within a permanently enclosed **building**, except for those necessary outdoor activities related to a **day-care nursery**.
 10. A **private garage** which is not completely enclosed shall not be utilized as part of a **home occupation or home business**.
- D. In Industrial Districts. No residency of any type shall be allowed in an Industrial District without the approval of the City Council, and prior Planning and Zoning Commission review.

SECTION 5. HEIGHT, YARD, IDENTIFICATION AND AREA REQUIREMENTS

A. Height Exception.

The height limits which may be enacted in this ordinance for the various **districts** shall not apply to church spires, belfries, cupolas, penthouses, or domes not used for human habitation, nor to chimneys, ventilators, skylights, water tanks, parapet walls, cornices, or necessary mechanical appurtenances usually carried above the roof level, provided that such features are limited to that height necessary for their proper functioning.

District	R-A	R-1	R-2	RM	H	MHC	EC	B-1	B-2	I
----------	-----	-----	-----	----	---	-----	----	-----	-----	---

Maximum Height (ft)	28	28	28	28	28	28	38	38	38	38
---------------------	----	----	----	----	----	----	----	----	----	----

B. Projecting Architectural Features:

Every part of a required **yard** shall be open and unobstructed from the ground to the sky except for permitted **accessory structures** and for the ordinary projection of sills, belt courses, cornices, buttresses, eaves, and similar architectural features, provided that such projections shall not extend into any utility **easement** or extend more than two feet into any required **yard**. Open fire escapes may extend into any required **yard** not more than three and one-half feet.

C. General Setback Requirements including Accessory Structures:

1. Side Yard and Rear Yard Requirements: All **structures** in residential zoning **districts** shall be subject to the area and setback requirements in the following table.

Zoning District	RA	R-1	R-2	R-M
Minimum Side Setback	5 ft.	5 ft.	5 ft.	5 ft.
Minimum Rear Setback	10 ft.	10 ft.	10 ft.	10 ft.
Maximum Width (% of Rear Lot Width)	N/A	30%	30%	30%
Maximum Area (% of Rear Yard occupied within aforementioned setbacks.)	N/A	25%	25%	25%

2. Reversed Corner Lot: No **structure** on a **reversed corner lot** shall be erected or altered nearer to the intersecting or side **street line** than the front **building line** to be observed by any **structure** on the **lot** to the rear of the **corner lot**.
3. Height Limit: The **height** of an **accessory structure** to a **dwelling** shall not exceed the **height** of the **dwelling**.

D. Fences and Walls Height Limit:

No fence or wall, other than the wall of a permitted **structure**, shall be erected or altered in any **front yard** to exceed the height of four (4) feet unless it restricts visibility of a side yard, then the limit is six (6) feet in height.

E. Storage in Front and Side Yards:

There shall be no storage of inoperable vehicles (other than non-commercial off-street parking), or storage or display of any merchandise or materials of any kind in any **front yard** required by this ordinance in any **district**, or in any **side yard** or **rear yard** required by this ordinance which abuts any residential **district**.

F. Vision Clearance:

On any **corner lot** on which a **front yard** is required by this ordinance, no wall, fence or other

structure shall be erected, and no hedge, shrub, tree or other growth shall be maintained within the triangular area formed by the intersecting **street lines** and a straight line connecting such **street lines** at points 25 feet from the point of Intersection measured along such **street lines**.

G. Identification

New and existing buildings shall have approved address numbers, building numbers, or approved building identification placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Number shall be a minimum of four inches (102mm) high with a minimum stroke width of 0.5 inch (12.7mm). The fire chief and police chief are authorized to require additional premises identification if deemed necessary. All premises identification must be maintained to be plainly visible and legible during both daylight and night time hours. When a change in business name or location is made the owner or his representative shall so advise the City of Jefferson in writing of the change.

SECTION 7. STANDARDS

A. Building Code

The International Building Code and appendixes, or its **most recent** previously **adopted** version, as adopted by the International Code Council, Inc., are hereby adopted by reference as though set forth fully in this section.

B. Incombustible Construction Requirements

Every building constructed, altered or enlarged or moved into the city for use by the public, shall be enclosed on all sides with exterior walls constructed of stone, brick, or concrete or other materials commonly used for the purpose or by the industry for which the building was intended with allowances for windows, and shall have electricity, water, sewage and restroom facilities.

C. Grease traps required for commercial buildings.

Grease traps in conformity with the requirements of the plumbing code shall be installed at each new commercial business utilizing commercial kitchens.

D. Moving buildings.

No building to be used by the public shall be moved from one location to another within the city limits, until a permit has been obtained therefor. A permit shall be issued only if the construction of the building is in accordance with this Ordinance.

E. Construction time period.

Building construction must start within three months and be completed within nine months from the time of permit approval.

F. Construction time period.

Building construction must start within three months and be completed within nine months from the time of permit approval.

SECTION 6. OFF-STREET PARKING REQUIREMENTS

SECTION 7. OFF-STREET TRUCK LOADING REQUIREMENTS

SECTION 9. NON-CONFORMING USES, STRUCTURES, AND LOTS

A. Non-Conforming Uses – In General

1. The lawful **use** of land existing on the date of this ordinance, although such **use** does not conform to the provisions of this ordinance, may be continued, but if such **non-conforming use** is discontinued, any future **use** of such premises shall be in conformity with the provisions of this ordinance.

2. The lawful **use** of any **building or structure** existing on the date of adoption of this ordinance may be continued even though such **use** does not conform to the provisions of this ordinance, and such **use** may be extended throughout the **building or structure**, provided no **structural alterations**, except those required by law or ordinances, are made therein.

3. The right of **non-conforming uses** to continue shall be subject to such regulations as to the City of Jefferson Zoning Regulations *Printed: April 15, 2003 (2:45PM)*

maintenance of the premises and conditions of operation as may, in the judgment of the Zoning Board of Adjustment, be reasonably required for the protection of adjacent property.

B. Non-Conforming Uses in the B Districts

The continuation and expansion of **non-conforming uses** existing in the B **districts** at the time the land is zoned B shall be permitted provided the following requirements are met:

1. The expansion of the **non-conforming use** within an existing **building or structure**, or into an adjacent **building or structure**, or the **structural alteration** of an existing **building or structure** in order to accommodate such expansion, shall only be for the which was in operation at the time of the B **district** zoning.
2. Should land adjacent to a **non-conforming use**, which is in the same ownership but not itself the site of the **non-conforming use**, be sold separately from the **non-conforming use**, the **use** of the land which is sold shall conform to those **uses** permitted in the B **district**.
3. Should the **non-conforming use** change, the new **use** shall conform to those **uses** permitted in the B **district**.
4. The right to continue a **non-conforming use** shall be transferrable by deed provided the preceding requirements are met.

C. Completion of Buildings Under Construction

Nothing contained in this ordinance shall require any change in the plans, construction or designated **use** of a **building or structure** actually under construction, and for which a building permit was issued, on or before the date of adoption of this ordinance, and which entire **building or structure** is completed within one year from that date.

D. Non-Conforming Structure

1. Continuance of Non-Conforming Structures: Except as hereinafter provided, any **non-conforming structure** may be occupied and operated and maintained in a state of good repair.
2. Enlargement or Extension of Non-Conforming Structures: A **non-conforming structure** in which a **non-conforming use** is operated shall not be enlarged or extended. A **non-conforming structure** in which only permitted **uses** are operated may be enlarged or extended if the enlargement or extension can be made in compliance with all of the provisions of this ordinance established for **structures** in the **district** in which the **non-conforming structure** is located.
3. Restoration of Damaged Non-Conforming Structures: A **non-conforming structure** damaged in any manner and from any cause whatsoever to the extent of not more than 50 per cent of its replacement cost may be restored, provided restoration is begun within one year and completed within two years of the date of damages.

E. Non-Conforming Lot Area

On any **lot** or tract of land subdivided or platted before the date of adoption of this ordinance, such **lot** or tract being of record at the time, a **single-family dwelling** may be erected even though the **lot** is of less area than required by the regulations relating to area in the **district** in which it is located; provided, however, in any event, the combined area of the **dwelling** and **accessory buildings** shall not cover more than 40 per cent of the total area of the **lot**.

SECTION 10. ZONING DISTRICTS ESTABLISHED

Zoning regulations and **districts** as set forth in this ordinance are established and the City may be divided into **districts** as follows:

R-1	Low Density Single Family Residential
R-2	High Density Residential
R-M	Mobile Home Residential
B-1	Historic Central Business District
B-2	General Business
I	Industrial
EC	Overlay Entrance Corridor District
MHC	Manufactured Home Community
H	Overlay Historic District
CPE	CIVIC/PUBLIC USE/ENTERTAINMENT

SECTION 11. MAP OF DISTRICT BOUNDARIES (ZONING MAP)

The boundaries of the **districts** established in the preceding section are shown upon maps on file in City Hall with the City Administrator/City Secretary. Such zoning maps and all notations, references and other information shown on such maps are as much a part of this ordinance as if the matters and information set forth by such maps were all fully described herein.

SECTION 12. RULES FOR INTERPRETATION OF ZONING MAPS

A. are not shown on the zoning maps, the **district** boundaries are intended to be along existing **street, alley or lot lines**, or extensions of or from the same.

B. When the location of a **district** boundary line is not otherwise determined, it shall be determined by the scale of the maps measured from a given line.

C. Where the **street** layout actually on the ground varies from the **street** layout as shown on the zoning map, the Zoning Board of Adjustment may apply the designations shown on the paved **streets** in such a way as to carry out the intent of the plan for the particular area in question.

SECTION 13. ZONING OF NEWLY ANNEXED TERRITORY

All territory annexed to the City hereafter shall be temporarily classified as R-A until permanently zoned by the City Council. The Planning and Zoning Commission shall, as soon as practicable after annexation of any territory to the City, institute proceedings on its own motion to give the newly annexed territory a permanent zoning **district** classification, and the procedure to be followed shall be the same as is provided by law for the adoption of original zoning regulations.

ARTICLE IV
LANDSCAPE REQUIREMENTS

Reserved for future use.

Article V. ZONING DISTRICT USE REGULATIONS

SECTION 1. INTERPRETATION OF TABLES OF PERMITTED USES

The uses which are permitted in each zoning district are summarized in two tables in this Article, one for residential districts and the other for non-residential districts. The uses which are allowed in each district as of right are designated in these tables by the symbol "X." Additional uses in each district which may be allowed by the City Council under certain conditions are designated by the symbol "CC." Certain uses and certain sub-types of uses which are listed in these tables as allowed, or allowed with City Council approval, are also subject to particular restrictions in particular districts, as detailed in the Section concerning each district. Because it is not possible to enumerate every conceivable land use, the City Administrator or City Secretary shall determine whether a proposed use is included or excluded from the scope of the uses listed in these tables and the provisions concerning particular districts, as provided in Article II, Section 2 of this ordinance, at the time of Permit Submission.

SECTION 2. PROCEDURE FOR COUNCIL APPROVAL OF CERTAIN USES

A. Application for Approval

Where a Table of Permitted Uses indicates by the symbol "CC" that a particular use may be allowed with City Council approval, following the review and recommendation by the Planning and Zoning Commission, an applicant for approval of such a use shall first submit an application for approval, together with the appropriate fee, to the City. The application shall be accompanied by one or more site plans drawn to a common scale and showing all of the following information:

1. The project title, name of owner/applicant, scale, north point and date.
2. The dimensions of the lot or tract, the location of all lot lines, and the location and nature of all easements on the property.
3. The general arrangement of the project, including the locations of all proposed buildings and structures, and the uses proposed to be permitted in each.
4. The general location and arrangement of driveways, off-street parking areas, off-street loading areas, and internal traffic circulation patterns.
5. The classification and condition of all streets and alleys adjacent to or serving the subject property.
6. The existing zoning district classifications of all property within 200 feet of the subject property.
7. The location and use of all buildings within 200 feet of the subject property.
8. The limit of the 100-year flood plain, and calculations and drawings by a registered professional engineer sufficient, in the opinion of the City Administrator, to determine the impact of the project on both on-site and off-site drainage.
9. The application shall also be accompanied by such additional information as the City may reasonably require in order to evaluate the proposal and formulate a recommendation to the Planning and Zoning Commission. Notice of the public hearings required by this section shall be provided to the neighboring property owners within 7 days of the hearings and published in a paper of general circulation at least 7 days before the scheduled hearing.

B. Action by Planning and Zoning Commission

The Planning and Zoning Commission shall hold a public meeting on the application within 15 business days of submission of the application to the City, and make a report to City Council within 2 business days of said meeting containing the Commission's recommendations. The Commission may recommend that approval by City Council incorporate such requirements, limitation or safeguards as are necessary in the Commission's judgment to protect adjacent property and the surrounding neighborhood. These requirements, limitations and safeguards may address such matters as the location, size and orientation of **buildings and structures** on the **lot**, the location and design of sidewalks, driveways, off-street parking areas and off-street loading areas, provisions relating to drainage, signage, lighting, landscaping, protective screening, setbacks greater than would otherwise be required, or the hours or manner of operation of the **use**, or any other matter which might affect the value, benefit or enjoyment of use of nearby property.

C. Action by City Council

After receiving the report and recommendations of the Planning and Zoning Commission, City Council shall hold a public meeting within 45 days of the submission of the application and act on the application in the same manner as with an application for a change of zoning. In granting approval of the proposed **use**, City Council may impose such requirements, limitations and safeguards as it deems necessary for protection of adjacent property and the surrounding neighborhood. The applicant must comply with these conditions before a certificate of occupancy may be issued. In the case of conditions affecting the manner of operation of the **use**, a violation of such conditions shall constitute a violation of this ordinance.

SECTION 3. TABLE FOR PERMITTED USES – RESIDENTIAL DISTRICTS

	ZONING DISTRICTS			
PERMITTED USES	R-A	R-1	R-2	R-M
RURAL AND RELATED USES				
Agriculture	X			
Exhibition or Fairgrounds	CC			
Golf Course	CC			
Kennel	CC			
Plant Nursery	CC			
Stable	CC			
RESIDENTIAL AND RELATED USES				
Home Occupation	X	X	X	X
1 Family Dwelling	X	X	X	X
Condominium				
Garden Home			X	
Townhouse			X	
Tiny Home	X	X	X	
2 Family Dwelling			X	
Multi-Family Dwelling				
Bed & Breakfast	X	X	X	X
Rooming or Boarding House			X	
Mobile Home				X
Mobile Home Park				X
Household care Facility			CC	
Long Term Care Facility			CC	
Retirement Community		CC	CC	
SERVICE AND SUPPORT USES				
Church	X	X	X	X
School	X	X	X	X
College or University	X	X	X	X
Community Athletic Field	CC	CC	CC	CC
Developed Athletic Field or Stadium	CC	CC	CC	CC
Day Care Nursery			X	

	ZONING DISTRICTS			
PERMITTED USES	R-A	R-1	R-2	R-M
Barber/Beauty Shop				
Governmental Facility	CC	CC	CC	CC
Commercial Communications System	CC			
Utility Substation or Service Center	CC	CC	CC	CC

X = Permitted Use, CC = City Council approval required

SECTION 4. (R-A) SINGLE FAMILY RESIDENTIAL, AGRICULTURAL DISTRICT

A. Purposes.

These **districts** are composed mainly of unsubdivided lands that are vacant or in agricultural **uses**, with some **dwellings** and some **accessory uses**. The regulations are designed to protect the essentially open rural character of the **districts** by prohibiting the establishment of scattered business, **industrial**, and other **uses** that are unrelated to any general plan of development and that might inhibit the best future urban utilization of the land. It is intended that land in these **districts** will be reclassified to its appropriate residential, commercial, or **industrial** category in accordance with the amendment procedure set forth herein whenever such land is subdivided into urban building sites.

B. Required Lot Dimensions.

Minimum Lot Area	2 Acres
Minimum Lot Width	200 feet
Minimum Front Setback	50 feet
Minimum Side Setback	10 feet (each side)
Minimum Rear Setback	25 feet

C. Restrictions on Particular Uses.

1. **Agriculture** is limited to tracts of five acres or more.
2. **Kennels** and **stables** must conform to all of the requirements of the City's Animal Control Ordinance.

D. Location:
See Article 10

SECTION 5. (R-1) LOW DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT

A. Purposes.

These **districts** are composed of **single family dwelling lots** and tracts of 12,500 square feet or more of a suburban nature. The regulations prohibit the establishment of commercial, **industrial** or other incompatible **uses**. Each platted subdivision has established lot definitions and legal descriptions of lot/parcel must be included with the application.

B. Required Lot Dimensions.

Minimum Lot Area	12,500 square feet
Minimum Lot Width	50 feet x 150feet deep
Minimum Front Setback	25 feet
Minimum Side Setback	5 feet (each side)
Minimum Rear Setback	10 feet

C. Location:

The Low Density Single Family Residential District (R-1) encompasses all areas of the City Limits unless otherwise defined in a subsequent zone.

SECTION 6. (R-2) HIGH DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT

A. Purposes.

These **districts** are composed of a mixture of **single family, two-family** and **multi-family dwelling** types. The **district** regulations are designed to protect the residential character of the areas by prohibiting **industrial** and commercial activities, except certain neighborhood convenience businesses as indicated in the Table of Permitted Uses.

B. Required Lot Dimensions.

Minimum Lot Area	Single Family	5,000 square feet
	Garden Home	4,000 square feet
	Two-Family	7,000 square feet
	Townhouses	10,000 square feet (per cluster)
	Multi-Family	6,000 square feet for the first two units, plus 1,200 square feet for each additional unit
	Tiny Home	3,750 square feet if for permanent installation
	All other Uses	10,000 square feet
Minimum Lot Width	Single Family	50 feet
	Garden Home	40 feet
	Townhouses	20 feet (per unit)
	Two-Family	70 feet
	Tiny Home	50 feet
	All other Uses	70 feet
Minimum Front Setback	Single Family	25 feet
	Garden Home	25 feet
	Two-Family	25 feet
	Townhouses	(Refer to R-2 chart.)
	Multi-Family	25 feet
	Tiny Home	25 feet
	All other Uses	25 feet
Minimum Side Setback	Single Family	5 feet (each side)
	Garden Home	10 feet (one side)
	Two-Family	5 feet (each side)
	Townhouses	5 feet (each cluster end)
	Tiny Home	5 feet
	All other Uses	10 feet (each side)
Minimum Rear Setback	Multi-Family	25 feet
	All other Uses	10 feet

C. Location:

High Density Residential District is defined as the following areas:

1. Housing Authority Complex West Side – An area bounded by Texas Highway 49W on the South; W Watson street on the north; Black Cypress Street on the West; and Gray Street on the East.
2. Housing Authority Complex East Side – An area bounded by N Cass Street on the West; E Bonham Street on the South, Saint John Street (Texas Highway 49E) on the North; and the Industrial Rail Road Spur on the West
3. Apartment Complexes on N MLK: An area bounded by Martin Luther King Dr on the East; Bulldog Drive on the North; City Limits on the West; and approximately 350 feet North of the middle of the intersection of Magnolia Drive and MLK on the South.

SECTION 7. (R-M) MOBILE HOME RESIDENTIAL DISTRICT

A. PURPOSE

These **districts** are composed of areas suitable for **mobile homes, HUD-code manufactured homes,** and compatible **uses.** They are intended to provide desirable locations for **mobile home and HUD-code manufactured home** sites and at the same time to provide adequate protection both for the **mobile home and HUD-code manufactured** sites and for the surrounding development.

B. DEFINITIONS

- 1) **Dwelling unit.** Dwelling unit is defined as a structure that is designed to be occupied for a period of more than 14 consecutive days of overnight lodging.
- 2) **Mobile home.** A "structure that was constructed before June 15, 1976, built on a permanent chassis, designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities, transportable in one or more sections, and in the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet." TEX. OCC.CODE § 1201.003(20).
- 3) **HUD-code manufactured home.** A "structure constructed on or after June 15, 1976 according to the rules of the United States Department of Housing and Urban Development, built on a permanent chassis, designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities, transportable in one or more sections, and in the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet." TEX. OCC.CODE § 1201.003(12).
- 4) **"Industrialized" or "Modular" home.** A structure designed for the occupancy of one or more families that is constructed in modules or modular components built at a location other than the permanent site where the structure will be inhabited. TEX. OCC.CODE § 1202.002. It is designed to be used as a permanent residential structure when the module or the modular component is transported to the permanent site and erected or installed on a permanent foundation system. Id.; see also id. § 1202.002(c) (setting out some limited exceptions to the definition).

C. REQUIRED LOT DIMENSIONS

Minimum Lot Area	Mobile Home Park	Three acres
	All Other Uses	10,000 square feet
Minimum Lot Width	All Uses	No requirement
Minimum Front Setback	All Uses	25 feet
Minimum Side Setback	Mobile Home Park	25 feet (each side)
	All Other Uses	10 feet (each side)
Minimum Rear Setback	All Uses	25 feet

D. RESTRICTIONS ON PARTICULAR USES

- 1) No **mobile home or HUD-code manufactured home** shall be admitted to any **mobile home park** unless it meets the minimum standards and requirements of the "American Standards for Installation in Mobile Homes of Electrical, Heating and Plumbing Systems."
- 2) A **modular home** shall bear a State of Texas Compliance Decal in accordance with the Texas Department of Labor and Standards Rules. All **modular homes** shall be affixed to a permanent foundation in accordance with the City **Building Code** requirements.
- 3) Any space variation between the finished floor elevation and the foundation shall be concealed.

- 4) All other **uses** shall be subject to the same particular **use** restrictions as in the **R-1 district**.

E. **Prohibited; Location Exceptions.**

The city prohibits the location of any mobile home, HUD Code manufactured home, or recreational vehicle within the corporate city limits for purpose of being used as a dwelling unit except within sections 1, 2, 3, 4, 5, and 6 of the city as described below:

- 1) **Section 1:** Bounded by a point starting at the intersection of Cass and St. Ann streets, then south and east along Canal Street and continuing along the platted location of Canal Street to platted intersection of Canal and Henderson streets. Then west and south along platted location of Henderson Street to CPKC railroad. Then north along the CPKC railroad to platted location of St. Ann Street. Then east and north along platted location of St. Ann to starting point of origin at Canal Street.
- 2) **Section 2:** Bounded by a point starting at intersection of Texas HWY 49 West and western city limits, follow city limits north to CPKC railroad east and south to Tuttle street. Then Tuttle street south to Elizabeth street. Then west along platted Elizabeth street to intersection of Texas Hwy 49 West. Then follow Texas Hw 49 West, west and north to starting point of origin at western city limits.
- 3) **Section 3:** Bounded by a point starting at intersection of Cass and Union Pacific railroad, go north on Cass to Sedberry street, then east on Sedberry to Titus street. Then north on Titus to city limits. Then follow city limits east to intersection with Union Pacific railroad, then back south then west to origin at cases street.
- 4) **Section 4:** Bounded by Alley, Douglas, Main, and Webster streets.
- 5) **Section 5:** Bounded by a point starting at intersection of North Main street and CPKC, follow railroad east to city limits. Then south at city limits to Texas Hwy 49 East. Then follow Texas Hwy 49 East south and west to Elizabeth street. Then west on Elizabeth street to North Main street. Then north on North Main street to point of origin at CPKC railroad.
- 6) **Section 6:** Along State Highway 49 East, bounded on the south end of the State Highway 49 East by the KCS Railroad Track and underpass, and the city limits of the City of Jefferson on the northeast end of State Highway 49 East. This exception shall extend 150 feet from the south side of Highway 49 East as measured from the ending of State Highway 49 East right-of-way. This exception shall also extend to the Union Pacific Railroad track on the north side of State Highway 49 East, with the southwestern boundary of the exception being North Main Street and the northeastern boundary of the exception being the city limits of the City of Jefferson. This exception to the prohibition of manufactured housing also adjoins the exception as set out in Section 5 of this ordinance.

F. **Prohibited; Exceptions. "Industrialized" or "Modular" Home.**

The city prohibits the location of any "Industrialized" or "Modular" for purpose of being used as a dwelling unit inside the corporate city limits inside an identified and adopted "Historic District"

G. **Age Restriction:**

No Mobile Home or Manufactured Home can be placed, or moved onto, or installed, in any allowed section, as defined in (E), that is more than 20 years old from date of manufacture.

H. **Penalties.**

Any person, firm, or corporation found to be in violation of above provision shall be required to remove the structure within ten days of receipt of notification from the City of Jefferson. Failure to remove any structure(s) in violation of the above provision will result in a fine of \$500.00 per day that the structure remains in violation. If any structure remains in violation for 30 days or more, the city may relocate such structure and charge the cost of relocating the structure to the person in violation of this section.

SECTION 8. (B-1) HISTORIC CENTRAL BUSINESS DISTRICT

A. Purposes.

This **district** is located at the convergence of the principal thoroughfares and highways, and is generally surrounded by **multi-family** and non-residential **districts**. The area is suitable for a wide variety of **retail uses** and certain limited **wholesaling** and **manufacturing uses** which support the principal **uses**. The **district** regulations are designed to permit the further development of the area for these **uses**, subject to limitations designed to prevent further congestion of the area. It is intended that no other area of the city will have this zoning classification.

B. Required Lot Dimensions.

Platted in 1840s to be 50x150 lots. Parcels may be combinations of multiple lots.

Minimum Lot Area	7,500 square feet
Minimum Lot Size	50 feet x 150feet
Minimum Front Setback	None
Minimum Side Setback	0 feet, type of construction determined by currently adopted building code.
Minimum Rear Setback	Same as Side Setback

C. Location:

The Historic Central Business District is defined as the area inside the boundaries of:
Market Street on West Side to the CPKS railway line on the East Side
Henderson Street on North Side, to Big Cypress Bayou on South Side.
Plus 50 feet on the outside Right of Way boundary of all facing and/or adjoining properties.

SECTION 9. (B-2) GENERAL BUSINESS DISTRICT

A. Purposes.

The B-2 **districts** are located along principal arterial **streets**, adjacent to both residential and other non-residential **districts**. They are areas suitable for general **retail** trade and a wide variety of other commercial **uses**. The **district** regulations are designed to encourage these **uses**, while also protecting the abutting and nearby residential areas.

B. Required Lot Dimensions.
Originally Platted in 1842.

Minimum Lot Area	7,500 square feet
Minimum Lot size	50 feet x 150 lot, same as platted
Minimum Front Setback	20 feet
Minimum Side Setback	5 feet, type of construction determined by currently adopted building code.
Minimum Rear Setback	10 feet

C. Location

The General Business District is described as follows:

- a. US Highway 59: Following the North/South route of US Hwy 59 from the Southern City Limits to the Northern City Limits, shall include 150 feet to the east and west of the Right-of-Way.
- b. Texas Hwy 49: Following the East/West route of Texas Highway 49 from the Western City Limits boundary to the intersection of Tx49/Broadway and North Polk Street and St. John's Street, shall include 150 feet to the North and South of the Right-of-Way.
- c. St. John Street/Texas Hwy 49: Starting at the intersection of Tx 49/Broadway and North Polk Street and St. John's Street, following St. John's Street to the CPKS railroad overpass, shall include 150 feet on either side of the Right-of-Way.
- d. Polk Street: Beginning at the northern end of Polk Street, then following generally South along Polk Street to the Southern City Limits, shall include 150 feet to the east and west of the Right-of-Way, excluding the Historic Central Business District.

SECTION 10. (I) INDUSTRIAL DISTRICT

A. Purposes.

These **districts** are areas suitable for **warehousing, manufacturing** and general **industrial uses**, where the operation of these **uses** would not adversely affect nearby residential and business **uses**. They are usually separated from residential **districts** by business **districts** or natural barriers. The **district** regulations are designed to allow a wide variety of **industrial** activities, subject to limitations designed for mutual protection of adjacent land **uses**.

B. Required Lot Dimensions.

Minimum Lot Area	22,000 square feet
Minimum Lot Width	100 feet
Minimum Front Setback	25 feet
Minimum Side Setback	10 feet, unless a fire wall is built on the lot line.
Minimum Rear Setback	Same as Side Yard

C. Location:

1. FM 881 area: Area bounded by Texas Hwy 49W on the South side, then North following FM 881 to Old Colony Road, then West along Old Colony Road to the Western City Limits, then north along the Western City Limits to the Northern City Limits, Then East following the northern City Limits to A line along the projection of Haywood Street, then South along Haywood Street to the CPKC railroad, then back Westwardly along CPKC railway to FM 881, then South along FM881 to Texas Hwy 49W. This includes the property owned and operated by Blackburn Manufacturing along Texas Hwy 49W.
2. Eastern Industrial Park: An area bounded by Texas Hwy 49 E on the North side, beginning at the intersection of Texas Hwy 49E and Titus Street, then South along Titus Street to the undeveloped portion of Clarksville Street (approximately 300 feet south past Bonham Street), then West along the undeveloped Clarksville Street to North Cass Street, then North to Bonham Street, then East to the railroad spur between N Cass and Titus Streets, ten North along the railroad spur to Texas Hwy 49 East, then back East along Texas Hwy 49 to the intersection of Titus Street.
3. East Texas Forest Products area: An area in the Historic Central Business District bounded by the CPKS railroad spur on the West side and starting at the intersection of CPKS and Henderson street, then East along Henderson Street to Washington Street, then South along Washington Street to the alley behind the Jefferson Transportation and Visitors Center, then west along the alley to Soda Street, then South along Soda Street to Austin Street, then West along Austin Street back to the CPKS railroad line.

D. Restrictions on Particular Uses.

1. A **kennel** must conform to all the requirements of the City's Animal Control Ordinance.

SECTION 11. OVERLAY ENTRANCE CORRIDOR DISTRICT (EC)

A. Purposes.

The EC districts are designed to give special treatment to the corridors entering Jefferson from the city limits. The special requirements of these **districts** are intended to preserve and enhance the visual quality of the principal gateway to the city and to reduce congestion and facilitate traffic flow by providing adequate sight distance for access points along this corridor.

B. Allowed Uses and Restrictions on Particular Uses.

An EC district is an overlay **district** which may be applied to properties along the highways entering the city limits (U.S. Highway 59 and State Highways 49 and 2208). An EC district is identified by the letters "EC-" and a number between 50 and 75 (inclusive), indicating the number of feet of required **front setback**, preceding the underlying zoning **district** designation. The allowed **uses**, restrictions on particular **uses**, and required lot dimensions are those of the underlying zoning **district**, except for the required **front setback** as provided by Subsection C following.

C. Front Setback Requirements and Restrictions.

The minimum **front setback** along those highways in an EC **district** shall be as established by the ordinance designating a particular **lot or lots** as within an EC overlay **district**. This required **setback** may be anywhere within the range of 50 feet to 75 feet (inclusive), as determined by City Council in the re-zoning process, and the required dimensions shall be included as the numbers following the letters "EC-" in the **district** designation. The required **front setback** in an EC **district** may not be used for parking.

SECTION 12. MHC - MANUFACTURED HOME COMMUNITY

A. Purposes.

A development of twenty or more **manufactured home** spaces for rent or lease, including common areas and facilities for management, recreation, laundry and utility services, storage and similar services for the convenience of residents of the **manufactured home community.**

B. Required Lot Dimensions.

Minimum Community Size: 6 Acres	
Maximum Community Size: 25 net developable acres exclusive of any parks or land necessary to meet the requirements of Section H.	
Units per Acre	6
Minimum Front Setback	25 Feet
Minimum Rear Setback	10 Feet
Minimum Side Setback	5 Feet
Off Street Parking	2 Spaces
R-0-W Width/ Access Drives:	
Two-Way, 28 Feet	
Skirting	Yes

C. Site Plan Review. A print of the site plan as outlined in Section 2., Article V., Zoning District Use Regulations, shall be submitted for staff review with each M-H, Manufactured home Community.

D. Restrictions on Particular Uses.

1. No **manufactured home** shall be admitted to any **manufactured home community** unless it meets the minimum standards and requirements of the "American Standards for Installation in Manufactured Homes of Electrical, Heating and Plumbing Systems."
2. All other **uses** shall be subject to the same particular **use** restrictions as in the R-1 district.

E. Fire Protection.

A manufactured home community exceeding six hundred (600) feet in depth shall be required to install an 8-inch fire main, looped if possible, located within the **manufactured home community** and installed at or near the edge of the paving in a dedicated easement or fire lane. Fire hydrants shall be located along the main so as to make fire protection available to all surface property in the **manufactured home community.**

- F. Soil and Ground Cover.
Exposed ground surfaces in all parts of every **manufactured home community** shall be paved, covered with stone screening or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating dust.

- G. Utilities and Roads/Streets.
All public utilities and streets, private or public, shall be installed to City of Jefferson specifications as described in the most recent City of Jefferson Subdivision Ordinance.

- H. Manufactured Home Communities shall conform to the drainage and flood hazard requirements of the City of Jefferson Subdivision Ordinance in effect at the time of development.

SECTION 13. (H) HISTORIC DISTRICT OVERLAY

A. Purpose/Provisions

City of Jefferson reserves the right under Chapter 211 of the Texas Local Government Code to make further provisions to promote the economic, cultural, educational, and general welfare of the public. This act is intended to:

- 1) protect and enhance the landmarks and districts which represent distinctive elements of Jefferson's historical, architectural, and cultural heritage;
- 2) foster civic pride in the accomplishments of the past;
- 3) protect and enhance Jefferson's attractiveness to visitors and the support and stimulus to the economy thereby provided;
- 4) insure the harmonious, orderly, and efficient growth and development of the city that is sensitive to its historic resources;
- 5) promote economic prosperity and welfare of the community by encouraging the most appropriate use of historic properties within the city; and
- 6) encourage stabilization, restoration, and improvements of such properties and their values by possibly offering incentives for rehabilitation.

Section 1 National Register of Historic Places, 1971 Designation

That the area designated in the National Register of Historic Places, Entry Number 71.3.48.0022 on March 31, 1971, by the United States Department of the Interior's National Park Service as the Jefferson Historic District shall be formally and officially designated by the governing body of the City of Jefferson by this ordinance as the Jefferson Historic District.

1) Meets and Bounds

The Jefferson Historic District shall be described by the following metes and bounds survey, which encompasses the entire Jefferson Historic District:

Beginning at the northwest corner at the intersection of longitude 94° 21' 13" and latitude 32° 45' 40", on Owens Street beginning at a point six feet south of the southwestern corner of Lot 3 and six feet north of the northwestern corner of Lot 4 in Block 46 in the Alley Addition, then south on Owens to the alley between Walker and Baker streets, then east one block to Friou Street, then south to Taylor Street, then east on Taylor to Bridge Street, then south one half block to the alley between Bridge and Moseley Street, east to Line Street, then northeast on Lafayette Street two blocks to Market Street, then southeast on Market to Camp Street, and northeast to the bayou, then north up the center of the bayou to a line extending northwest to Walnut Street, then northwest on Walnut to Lafayette, then southwest one block on Lafayette to Polk Street, then northwest one and a half blocks to the alley between Henderson and Orleans streets, then southwest one block to Vale Street, then northwest one and a half blocks following Vale to Line Street, then north one half block to the alley between Walker and Dixon streets, thence west along the alley three and a half blocks to the alley between Friou and Alley streets, north one block on Alley Street to the alley between Dixon and Broadway, and west to the point of origin on Owens Street. The District is inscribed in a rectangle formed by the latitudes 32° 45' 40" and 32° 45' 14" and longitudes 94° 21' 13" and 94° 20' 31".

In addition, the City of Jefferson adopts the map of the Jefferson Historic District that was created for the 1971 National Register of Historic Places that has been attached, and this map shall become part of the ordinance. See Addendum

Section 2-10 – Reserved for Future Use

Section 11 – Effective Date

This ordinance shall become effective after passage and publication. Passed November 21, 2023. Ordinance 2023-11-0. Publication December 15, 2023.

SECTION 14. (CPE) CIVIC/PUBLIC USE/ENTERTAINMENT DISTRICT

A. Purpose/Provisions

To establish Civic and Public Use and Entertainment Districts throughout the City.

B. Allowed Uses and Restrictions on Particular Uses.

A CPE district is an overlay **district** which may be applied to any Residential or Business District. The District's restricted to public, civic, and entertainment uses.

C. Locations:

1. Port Jefferson History and Nature Center
2. Transportation and Visitors Center Area. Being an area bounded by Soda Street on the West; the East-West Alley between E Lafayette Street and E Austin Street; the Port Jefferson History and Nature Center on the South; and the undeveloped portion of N Canal Street on the East.
3. The Central Historic Business District. For this District, the CPE operates as an overlay district. The existing restrictions outlined in the Central Historic Business District also apply
4. Lion's Park. A one-block area bounded by E Jefferson Street on the North; Taylor Street on the South; S Line Street on the East; and S Main Street on the West
5. Marion County Community Center Area. An area bounded by: Black Cypress Street on the East; Old Colony Road and W Watson Street on the South; the CPKC railroad on the North; and Texas FM 881 on the West.

SECTION 14. TABLE OF PERMITTED USES - NON-RESIDENTIAL DISTRICTS

PERMITTED USES	ZONING DISTRICTS		
	B-1	B-2	I
INSTITUTIONAL AND RELATED USES			
Church	CC		
School	CC	CC	CC
Community Athletic Field		CC	CC
Household Care Facility	X	X	
Hospital	CC	CC	
Long Term Care Facility	CC	CC	
Library or Museum	X	X	
GOVERNMENTAL AND UTILITY USES			
Commercial Communications System	CC	CC	X
Governmental Facility	CC	CC	CC
Utility Station, Substation or Service Center	CC	CC	X
RESIDENTIAL AND RELATED USES			
Home Occupation in Single Family Dwelling	X	X	
Single Family Dwelling	X	X	
Garden Home	CC	CC	CC
Townhouse	CC	CC	CC
Multi-Family Dwelling	CC	CC	CC
Bed & Breakfast	X	X	CC
Rooming or Boarding House	X	X	
Trailer Court	CC	CC	CC
Day Care Nursery	X	X	
Retirement Community	CC	CC	CC
OFFICE AND RELATED USES			
Administrative Office	X	X	X
Commercial Office	X	X	X
Professional Office	X	X	X
Office Building	X	X	X
Office Park	CC	CC	X
COMMERCIAL AND RELATED USES			
Adult or Sexually Oriented Business		X	X
Auditorium	X	X	

PERMITTED USES	ZONING DISTRICTS		
	B-1	B-2	I
Automobile Parts Sales IX	X	X	X
Automobile Rental, Sales and Service	CC	X	X
Bank or Financial Institution	X	X	
Bar or Nightclub	X		
Barber or Beauty Shop I	X		
Bus Terminal	X	X	
Car Wash		X	X
Convenience Store	X	X	X
Club or Lodge	X	X	X
Developed Athletic Field or Stadium C	CC	CC	CC
Enclosed Retail Store or Shop	X	X	X
Extended Retail Store or Shop	CC	CC	X
Funeral Home or Mortuary	CC	X	X
Gas Station		X	X
Grocery Store or Supermarket	CC	CC	CC
Health Clinic	X	X	X
Hotel or Motel I	X	X	X
Laundry (Self-Service)		X	X
Neighborhood Convenience Store	X	X	X
Parking Lot or Parking Garage	CC	CC	X
Pawn Shop I	N	CC	X
Plant Nursery	CC	X	X
Recreational and Entertainment Facilities	X	X	X
Restaurant – Convenience	X	X	X
Restaurant – Limited	X	X	X
Restaurant – General	X	X	X
Shopping Center	X	X	X
Theater	X	X	X
Trade School	CC	X	X
Veterinary Clinic	CC	X	X
Video or Pinball Arcade	X	X	X

INDUSTRIAL AND RELATED USES			
Business Park	X		
	ZONING DISTRICTS		
PERMITTED USES	B-1	B-2	I
Contractor Business		X	
Industrial Park			X
Junk Yard			Cc
Kennel		CC	X
Laboratory		cc	X
Large Vehicle & Machinery Rental, Sales and Service		cc	X
Manufacturing		cc	X
Mini-Warehouse	CC	CC	X
Portable Building Sales			X
Processing			X
Wholesaling		CC	X
Wholesaling, Food	CC	X	x
Warehousing		CC	X

X = Permitted Use, CC= City Council approval required.

ARTICLE VI.
PLANNING AND ZONING COMMISSION

SECTION 1. ESTABLISHMENT OF COMMISSION

SECTION 2. POWERS AND DUTIES OF COMMISSION

SECTION 3. RULES AND PROCEDURES OF THE COMMISSION

SECTION 4. ZONING CHANGES AND ORDINANCE AMENDMENTS

SECTION 5. PROCEDURE FOR ZONING ORDINANCE AMENDMENTS

ARTICLE VII
BOARD OF ADJUSTMENT

RESERVED FOR FUTURE USE