

## Article 5: Zoning Districts

### **Section 5.01 Districts; Use**

For the purpose of this Chapter, the Municipality is hereby divided into eight districts, designated as follows:

- (R-1) Low Density Residential District
- (R-2) Medium Density Residential District
- (R-3) High Density Residential District
- (C-1) Central Business District
- (C-2) General Commercial District
- (I-1) Light Industrial District
- (RM) Mobile Home Residential District
- (PUD) Planned Unit Development

### **Section 5.02 Districts; Boundaries and Official Zoning Map**

The boundaries of the districts are hereby established as shown on the map entitled "Official Zoning Map of the City of Victoria, Kansas." Said maps and all explanatory matter thereon accompany and are hereby made a part of this Ordinance as if fully written herein. The Official Zoning District Map shall be identified by the signature of the Mayor and attested by the City Clerk. No changes shall be made on the Zoning District Map except as may be required by amendments to this Ordinance. Such changes shall be promptly indicated on the Zoning District Map with the Ordinance number, nature of change, and date of change noted on the map.

### **Section 5.03 Rules for Interpretation of District Boundaries on the Official Zoning Map**

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following City limits shall be construed as following such City limits.
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
5. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as moving with the actual shore line;
6. Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines.
7. Boundaries indicated as parallel to or extensions of features indicated in subsections (1) to (6) above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
8. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by subsections (1) to (7) above, the Board of Zoning Appeals shall interpret the district boundaries.
9. Where a district boundary line divides a lot which was in single ownership at the time of passage of this Ordinance, The Board of Zoning Appeals may permit the extension of the regulations for either portion of the lot not to exceed 50 feet beyond the district line into the remaining portion of the lot.
10. When a district boundary line splits a lot, tract, or parcel that is in sole ownership, the zoning district with the most restrictive requirements may be extended over the entire property without amending the zoning map through the public hearing process.
11. When a lot, tract, or parcel is bisected by the extraterritorial jurisdiction boundary line, the jurisdiction with the greatest portion of the property shall have controlling interest.

### **Section 5.04 Land Use Categories Matrix Explanation**

The Matrix found in Section 5.06 of this Ordinance is a listing of uses that may be allowed within the variety of Zoning Districts.

1. The different uses are grouped into specific "Land Use Categories".
2. The "Land Use Categories" are listed in each of the Zoning Districts in lieu of specific uses. It is important to

note, if a "Land Use Category" is listed within a specific Zoning District, it DOES NOT indicate every use in the "Land Use Category" is allowed within the specific District.

The different uses within Section 5.06 are Permitted (P), Allowed upon approval of a Conditional Use Permit (C), Temporary (T) or not permitted (-).

In order to determine if a specific use is allowed in a Zoning District, the following steps need to be followed:

1. Find the Use Type that matches your application
2. Look across the table and determine which of the Zoning Districts it may be allowed.
3. Determine any special criteria for the use(s) by referring to the specific District.
4. Determine where the specific Zoning Districts are by reviewing the Official Zoning Map.
5. Determine the necessary procedures to receive required permits after the land or property is the control of the applicant.
6. When in doubt, please confer with Planning staff.

The Table in Section 5.06 also lists Accessory Uses which may be allowed or not allowed in any specific Zoning District. The Accessory Use listing can be found at the end of the Table.

**Section 5.05 Annexation and Conformance with the Land Use Plan**

Areas annexed into the corporate limits of Victoria shall be zoned to conform to the Future Land Use Plan.



## Section 5.06 Land Use Categories/Matrix

<b>E = Exempted (no Permit required)</b> <b>P = Permitted (Permit required)</b> <b>C = Conditional Use Permit (Permit required)</b> <b>T = Temporary (Permit required)</b> <b>"-" = not permitted</b>									
Use Category	Use Type	R-1	R-2	R-3	RM	C-1	C-2	I-1	Additional Requirements/Notes
Agriculture & Horticulture Uses	Agricultural buildings for general ag. use	-	-	-	-	-	-	-	
	Agricultural operations	-	-	-	-	-	-	-	
	Community Gardens	P	P	P	P	P	P	P	
	Crop Production	-	-	-	-	-	-	-	
	Confined Feeding Operations	-	-	-	-	-	-	-	
	Feed Lot	-	-	-	-	-	-	-	
	Livestock for 4-H purposes as a Secondary use	-	-	-	-	-	-	-	
	Livestock sales yard	-	-	-	-	-	-	C	
	Livestock grazing	-	-	-	-	-	-	-	
	Wineries/Vineyards	-	-	-	-	-	-	-	
	Cover crops (alfalfa, brome, oats)	E	E	E	E	E	E	E	
Agricultural Sales & Service	Agricultural chemicals, fertilizer, anhydrous ammonia-storage & distribution for commercial use.	-	-	-	-	-	C	C	
	Agricultural chemicals, fertilizer, anhydrous ammonia-storage & distribution for personal use.	-	-	-	-	-	-	-	
	Agricultural implement & vehicle sales and service	-	-	-	-	-	C	C	
	Agricultural research farm	-	-	-	-	-	-	C	
	Agricultural processing	-	-	-	-	-	-	C	
	Commercial agriculture feed mixing and blending, seed sales and grain handling operations	-	-	-	-	-	-	C	
	Equestrian centers and stables	-	-	-	-	-	-	-	
	Horses and other non-commercial livestock on residential lots.	-	-	-	-	-	-	-	
Residential Living	Seasonal dwelling or cabins	-	-	-	-	-	-	-	
	Multi-family dwelling (max. of 4 units per building)	-	C	P	-	C	-	-	
	Multi-family dwelling (more than 4 units per building)	-	-	P	-	C	-	-	
	Condominiums (max. of 2 units)	-	C	P	-	-	-	-	
	Condominiums (3 units or more)	-	-	P	-	-	-	-	
	Mobile Home Dwelling	-	-	-	P	-	-	-	
	Mobile Home Dwelling as secondary dwelling	-	-	-	-	-	-	-	
	Residential designed Manufactured homes	-	P	P	P	-	-	-	See Section 9.03
	Single-family attached dwelling (max. of 2 units)	-	C	P	P	-	-	-	
	Single-family attached dwelling (more than of 2 units)	-	-	C	P	-	-	-	
	Single-family detached dwellings	P	P	P	P	-	-	-	
	Two-family/Duplex	C	C	P	P	-	-	-	
	Upper story housing	-	-	-	-	P	-	-	
	Lower-level housing in back 50% of structure	-	-	-	-	C	-	-	
	Accessory Dwelling Units	C	C	C	C	-	-	-	See Section 2.03 Page 5
	Special Dwelling Types	C	C	C	C	-	-	-	



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Use Category	Use Type	R-1	R-2	R-3	RM	C-1	C-2	I-1	Additional Requirements/Notes
Residential/ Commercial Institutions	Adult care homes	P	P	P	P	P	-	-	
	Assisted Living Facilities	P	P	P	-	C	C	-	
	Bed and Breakfast	P	P	P	P	C	C	C	See Section 9.14
	Convents	C	C	C	C	-	-	-	
	Emergency Residential Services/Shelters	P	P	P	P	-	-	-	
	Group Care Home	P	P	P	P	P	-	-	
	Group Home	P	P	P	P	-	-	-	
	Hospice	P	P	P	P	P	-	-	
	Life Care Facility	P	P	P	P	P	-	-	
	Monasteries	C	C	C	C	-	-	-	
	Nursing Homes	-	-	C	-	C	C	-	
	Retirement Homes	-	-	C	-	C	C	-	
	Transitional housing	P	P	P	P	P	P	P	
Community Services/ Civic Uses	Animal shelters	-	-	-	-	C	C	C	
	Cemetery	-	-	-	-	-	-	-	
	Churches, synagogues, temples & similar	P	P	P	P	P	P	-	
	Church, Storefront	-	-	-	-	C	C	-	
	Community centers & buildings	C	C	C	C	P	P	P	
	Fire and Rescue facilities	P	P	P	P	P	P	P	
	Fraternal Organization	-	-	-	-	C	C	P	
	Governmental offices and uses	P	P	P	P	P	P	P	
	Law enforcement centers	P	P	P	P	P	P	P	
	Public Libraries and museums	P	P	P	P	P	P	P	
	Philanthropic Organizations	C	C	C	C	P	P	P	
	Museums	C	C	C	C	P	P	P	
	Planetariums	-	-	-	-	-	-	C	
	Senior citizen centers	C	C	C	C	P	P	C	
Treatment, Rehabilitation, Incarceration Facilities	Community correction centers	-	-	-	-	-	-	C	
	Drug & alcohol rehabilitation centers	-	-	-	-	C	C	C	
	Halfway houses	P	P	P	P	P	P	P	
	Public Detention Center	P	P	P	P	P	P	P	
	Juvenile Detention Center	P	P	P	P	P	P	P	
	Private Prisons	-	-	-	-	-	-	C	
	Public Prisons	P	P	P	P	P	P	P	



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Use Category	Use Type	R-1	R-2	R-3	RM	C-1	C-2	I-1	Additional Requirements/Notes
Day-Care, Public & Private Schools	Adult day-care home	P	P	P	P	P	P	P	
	Child Care Center	C	C	C	C	C	C	C	
	Colleges and Universities	-	-	-	-	C	C	P	
	Day care centers	C	C	C	C	C	C	C	
	Day Care Home	P	P	P	P	-	-	-	
	Day Care Home, Registered Family	P	P	P	P	-	-	-	
	Family Daycare Home	P	P	P	P	-	-	-	
	Preschools	P	P	P	P	C	C	C	
	Public & private schools (K-12)	P	P	P	C	P	P	P	
	Trade, career & technical schools	P	P	P	-	P	P	P	
Public Parks & Open Space	Arboretums	P	P	P	P	P	P	P	
	Athletic fields	C	C	C	C	-	-	-	
	Campground	-	-	-	-	-	-	-	
	Nature centers	-	-	-	-	-	-	-	
	Parks, trails, picnic areas, & playgrounds	P	P	P	P	P	P	P	
	State parks	P	P	P	P	P	P	P	
	Public pools and/or water parks	P	P	P	P	P	P	P	
Public/Private Utilities & Communication Services	Natural gas exploration and pumping	-	-	-	-	-	-	C	
	Natural gas depots	-	-	-	-	-	-	C	
	Private Wells	-	-	-	-	-	-	-	
	Wind Energy Conversion Sys. – Commercial/Utility Grade	-	-	-	-	-	-	C	See Section 9.09
	Public works facilities incl. storage/maintenance areas	P	P	P	P	P	P	P	
	Wireless telecommunication facilities sys. - new tower	-	-	-	-	C	C	C	See Section 9.02
	Wireless telecommunication facilities sys. - collocated	P	P	P	P	P	P	P	See Section 9.02
	Radio and tower transmitter (Shortwave and Ham operations) (no offices)	C	C	C	C	C	C	C	See Section 9.02
Animal Care	Animal Shelter	-	-	-	-	-	P	P	
	Kennel boarding or training	-	-	-	-	-	P	P	
	Kennel, commercial	-	-	-	-	-	P	P	
	Kennel, private	C	C	C	C	P	P	-	
	Pet cemetery	-	-	-	-	-	C	-	
	Pet crematorium	-	-	-	-	-	C	C	
	Pet grooming, Pet training	-	-	-	-	P	P	-	
	Animal hospital	-	-	-	-	P	P	P	



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Business and Household Services	Building maintenance & cleaning services	-	-	-	-	P	P	P	
	Copying, printing, mailing, & packaging services	-	-	-	-	P	P	P	
	Lawn, garden & yard maintenance services	-	-	-	-	P	P	P	
	Locksmiths and key duplication	-	-	-	-	P	P	P	
	Pest control services	-	-	-	-	C	C	P	
	Small appliances & household equipment repair	-	-	-	-	P	P	P	
	Well drilling/septic tank cleaning	-	-	-	-	-	-	P	
Financial Services	Banks	-	-	-	-	P	P	P	
	Automatic Teller Machine (ATM)	-	-	-	-	P	P	P	
	Brokerages	-	-	-	-	P	P	P	
	Credit Unions	-	-	-	-	P	P	P	
	Insurance offices	-	-	-	-	P	P	P	
	Financial advisory services	-	-	-	-	P	P	P	
	Specialty loan services	-	-	-	-	P	P	P	
Food And Beverage Services	Banquet/reception facility	-	-	-	-	C	P	P	
	Brew-on Premises Store	-	-	-	-	P	P	P	
	Brewery	-	-	-	-	C	C	P	
	Craft Brewery (Commercial)	-	-	-	-	P	P	P	
	Catering service	-	-	-	-	P	P	P	
	Donut and pastry shops	-	-	-	-	P	P	-	
	Mobile Food Units	-	-	-	-	T	T	T	See Section 9.16
	Restaurants	-	-	-	-	P	P	-	
	Roadside produce stands	T	T	T	T	T	T	T	
	Sidewalk Café	-	-	-	-	P	P	-	
	Tavern or bar	-	-	-	-	P	P	-	
	Coffee houses, coffee shops	-	-	-	-	P	P	-	
	Brew pub	-	-	-	-	P	P	-	
	Micro-brewery (Commercial)	-	-	-	-	P	P	P	
	Coffee kiosks	-	-	-	-	P	P	-	



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Use Category	Use Type	R-1	R-2	R-3	RM	C-1	C-2	I-1	
General Commercial	Antiques and collectables shop	-	-	-	-	P	P	-	
	Art galleries	-	-	-	-	P	P	-	
	Artisan production shop	-	-	-	-	P	P	-	
	Artist Studio	-	-	-	-	P	P	-	
	Bridal sales & services	-	-	-	-	P	P	-	
	Clothing & accessories	-	-	-	-	P	P	-	
	Computer hardware/software sales	-	-	-	-	P	P	-	
	Dance studios & schools	-	-	-	-	P	P	-	
	Electronic/appliance sales & service	-	-	-	-	P	P	P	
	Equipment sales/storage/rental	-	-	-	-	P	P	-	
	Equipment repair services	-	-	-	-	P	P	P	
	Fabric and sewing supply stores	-	-	-	-	P	P	-	
	Farmer's Market	P	P	P	P	P	P	-	
	Firearms and ammunition sales	-	-	-	-	C	C	C	
	Florists	-	-	-	-	P	P	-	
	Food store (specialty) including bakeries, meat lockers, butchers, delicatessen, not a full-service grocery	-	-	-	-	P	P	-	
	Funeral homes and mortuaries, including crematoriums	-	-	-	-	P	P	P	
	Garden center	-	-	-	-	C	C	-	
	Gift store	-	-	-	-	P	P	-	
	Grocery	-	-	-	-	P	P	-	
	Hardware store	-	-	-	-	P	P	-	
	Heating and cooling sales and services	-	-	-	-	P	P	P	
	Lawn and garden equipment sales and service	-	-	-	-	P	P	P	
	Photographic equipment & supplies	-	-	-	-	P	P	-	
	Pottery store	-	-	-	-	P	P	-	
	Religious book, card and articles stores	-	-	-	-	P	P	-	
	Secondhand store, thrift or consignment store	-	-	-	-	P	P	-	
	Self-service laundry and Laundromat	-	-	-	-	P	P	-	
	Tanning Studio	-	-	-	-	P	P	-	
	Taxidermy Services	-	-	-	-	P	P	P	
Special Commercial	Billiard halls	-	-	-	-	P	P	-	
	Commercial Greenhouse	-	-	-	-	C	P	C	
	Business Center	-	-	-	-	P	P	-	
	Concrete and cinder block sales	-	-	-	-	-	-	P	
	Convenience store	-	-	-	-	P	P	C	
	Fencing dealers	-	-	-	-	C	P	P	
	Fireworks stands	-	-	-	-	P	P	P	
	Gasoline filling stations, including Self-Service	-	-	-	-	P	P	C	
	Liquor stores/sales	-	-	-	-	P	P	-	
	Monument sales	-	-	-	-	P	P	P	



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Special Commerical, continued	Motels and hotels	-	-	-	-	C	C	-	
	Nurseries, retail sales	-	-	-	-	C	C	P	
	Piercing Studio	-	-	-	-	P	P	P	
	Tattoo Parlor	-	-	-	-	P	P	P	
	Vending Machines	-	-	-	-	P	P	P	
	Vending Machine, Reverse	-	-	-	-	P	P	P	
	Adult Entertainment	-	-	-	-	P	P	P	See Section 9.20
Medical Uses	Acupuncture offices	-	-	-	-	P	P	-	
	Chiropractor offices	-	-	-	-	P	P	-	
	Dental offices incl. orthodontics	-	-	-	-	P	P	-	
	Massage therapy	-	-	-	-	P	P	-	
	Medical offices	-	-	-	-	P	P	-	
	Optical sales & services	-	-	-	-	P	P	-	
	Rehabilitation facilities including out-patient services	-	-	-	-	P	P	-	
Office Uses	Accountant and investment counseling	-	-	-	-	P	P	-	
	Business offices	-	-	-	-	P	P	P	
	Consultant offices	-	-	-	-	P	P	P	
	Lawyer/Attorney offices	-	-	-	-	P	P	-	
	Photographic studios	-	-	-	-	P	P	-	
	Real Estate offices	-	-	-	-	P	P	P	
	Utility and telephone company offices	-	-	-	-	P	P	P	
Recreational Commercial	Bowling alley	-	-	-	-	P	P	P	
	Commercial stables	-	-	-	-	-	-	-	
	Golf courses, public & private	C	C	C	-	C	C	-	
	Golf driving ranges	P	-	-	-	-	-	P	
	Gun clubs	-	-	-	-	-	-	C	
	Miniature golf courses	-	-	-	-	P	P	-	
	Paintball Course	-	-	-	-	-	-	C	
	Recreational facility, Indoor	-	-	-	-	C	C	C	
	Recreational facility, outdoor	-	-	-	-	-	-	C	
	Recreational vehicle (RV) Park	-	-	-	-	-	-	-	
	Riding Academies	-	-	-	-	-	-	-	
Auto Services/ Commercial	Amusement arcade	-	-	-	-	P	P	P	
	Auto body repair	-	-	-	-	C	C	P	See Section 9.12
	Automotive/machinery repair shop	-	-	-	-	C	P	P	See Section 9.12
	Automobile/truck sales, rental & leasing	-	-	-	-	C	P	P	See Section 9.12
	Automobile/truck washes, self-services or automatic	-	-	-	-	C	P	P	
	Motor home dealers	-	-	-	-	C	C	P	See Section 9.13
	Motorcycle dealers, incl. moped and scooters	-	-	-	-	C	P	P	See Section 9.13



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Use Category	Use Type	R-1	R-2	R-3	RM	C-1	C-2	I-1	Additional Requirements/Notes
Auto Services/Commercial, continued	Muffler sales & services	-	-	-	-	C	P	P	See Section 9.12
	Recreational vehicle sales & rentals	-	-	-	-	C	P	P	See Section 9.13
	Transmission repair shops	-	-	-	-	C	P	P	See Section 9.12
	Travel trailer dealers	-	-	-	-	C	P	P	See Section 9.13
	Vehicle Storage	-	-	-	-	-	-	P	
	Vehicle Storage, Long-term	-	-	-	-	-	-	P	
	Trailer, RV, & boat storage	-	-	-	-	-	-	P	
Warehousing & Storage	Fireworks storage	-	-	-	-	-	-	P	
	Mini warehouses & self-service storage	-	-	-	-	C	C	C	See Section 9.11
	Motor Freight Terminals	-	-	-	-	-	-	C	
	Outdoor Storage	-	-	-	-	-	-	P	
	Outdoor Storage Containers	-	-	-	-	C	C	P	
	Portable On-demand storage facilities	T	T	T	T	T	T	T	
	Warehouse and distribution	-	-	-	-	-	-	C	
	Warehousing (enclosed)	-	-	-	-	-	-	P	
	Warehousing (Open)	-	-	-	-	-	-	C	
	Wholesale business and storage	-	-	-	-	-	-	P	
Contractors, Contractor Yards, Storage & Supply	Bulk materials or machinery storage (fully enclosed)	-	-	-	-	-	-	P	
	Carpenters	-	-	-	-	-	-	P	
	Carpet & rug cleaning plants	-	-	-	-	-	-	P	
	Construction batch plants	-	-	-	-	-	-	P	
	Construction yards incl. offices & equipment storage	-	-	-	-	-	-	P	
	yards excl. heavy machinery	-	-	-	-	-	-	P	
	Electricians	-	-	-	-	-	-	P	
	Heating & ventilating contractors	-	-	-	-	-	-	P	
	Masons & bricklayers	-	-	-	-	-	-	P	
	Plumbers	-	-	-	-	-	-	P	
Large Contracting/ Materials Manufacturing	Trade shops (incl. cabinet makers)	-	-	-	-	-	-	P	
	Asphalt contractors	-	-	-	-	-	-	P	
	Concrete block manufacturing	-	-	-	-	-	-	P	
	Concrete contractors	-	-	-	-	-	-	P	
	Concrete products	-	-	-	-	-	-	P	
	Excavating contractors	-	-	-	-	-	-	P	
	Heavy construction companies	-	-	-	-	-	-	P	
	Highway/street construction co.	-	-	-	-	-	-	P	
	Manufactured housing fabrication	-	-	-	-	-	-	P	
	Prefabricated buildings & components manufacturing	-	-	-	-	-	-	P	
	Wrecking & demolition contractors	-	-	-	-	-	-	P	



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<b>Food Processing</b>	Bakery Products Manufacturing	-	-	-	-	-	-	P	
	Beverage Blending and Bottling (Except Breweries)	-	-	-	-	-	-	P	
	Coffee, Tea and Spice Processing and Packaging	-	-	-	-	-	-	P	
	Creamery and Dairy Operations	-	-	-	-	-	-	P	
	Dairy Products Manufacturing	-	-	-	-	-	-	P	
	Egg Processing Plants	-	-	-	-	-	-	P	
<b>Mining &amp; Excavation</b>	Brick, firebrick and clay products manufacturing	-	-	-	-	-	-	-	
	Monument & architectural stone manufacturing	-	-	-	-	-	-	-	
	Quarry	-	-	-	-	-	-	-	
<b>Metal Processing, Stamping</b>	Culvert manufacturing	-	-	-	-	-	-	C	
	Welding	-	-	-	-	-	-	C	
	Wire Rope and Cable Manufacturing	-	-	-	-	-	-	C	
<b>Waste Handling</b>	Landfill, Construction Material	-	-	-	-	-	-	-	
	Landfill, Solid Waste	-	-	-	-	-	-	-	
	Recycling Center	-	-	-	-	-	-	C	
	Recycling Processing	-	-	-	-	-	-	C	
	Sanitary Transfer Station	-	-	-	-	-	-	C	
<b>General Manufacturing</b>	Basket & hamper (wood, reed, rattan, etc.) manufacturing	-	-	-	-	-	-	P	
	Millwork manufacturing	-	-	-	-	-	-	P	
	Electronics manufacturing	-	-	-	-	-	-	P	
	Machinery manufacturing	-	-	-	-	-	-	P	
	Musical instruments manufacturing	-	-	-	-	-	-	P	
	Tool, die, gauge and machine shops	-	-	-	-	-	-	P	
	Wind turbine manufacturing	-	-	-	-	-	-	C	
<b>General Manufacturing (High Hazard)</b>	Bio-Fuels Manufacturing, including Ethanol production	-	-	-	-	-	-	-	
	Grain Elevator and Storage Facilities	-	-	-	-	-	-	C	
	Salvage Operations	-	-	-	-	-	-	-	
	Scrap or Salvage Yards	-	-	-	-	-	-	C	See Section 9.08
	Waste Recovery Facilities – Commercial, Industrial & Residential	-	-	-	-	-	-	-	See Section 9.08
	Wood Preserving Treatment	-	-	-	-	-	-	-	



E = Exempted (no Permit required) P = Permitted (Permit required) C = Conditional Use Permit (Permit required) T = Temporary (Permit required) "-" = not permitted									
Use Category	Use Type	R-1	R-2	R-3	RM	C-1	C-2	I-1	Additional Requirements/Notes
Accessory Uses	Accessory off-street parking and loading spaces	P	P	P	P	P	P	P	
	Awnings	P	P	P	P	P	P	P	
	Barns	P	-	P	-	-	-	-	
	Bins, silos, grain storage	-	-	-	-	-	-	P	
	Carports	P	P	P	P	P	P	P	See Section 4.09
	Decks, gazebos, patios (elevated or on-grade)	P	P	P	P	P	P	P	
	Fences	P	P	P	P	P	P	P	See Section 9.07
	Flagpoles	P	P	P	P	P	P	P	
	Freestanding canopy	P	P	P	P	P	P	P	
	Fuel storage	-	-	-	-	P	P	P	
	Fuel tanks and dispensing equipment	-	-	-	-	P	P	P	
	Garages, Private	P	P	P	P	-	-	P	See Section 4.09
	Garage, Storage	P	P	P	P	-	-	P	See Section 4.09
	Gate or guard houses	P	P	P	P	-	-	-	
	Greenhouses, Non-commercial	P	P	P	P	P	P	P	
	Guest houses	P	P	P	P	-	-	-	
	Home Occupations	E	E	E	E	-	-	-	See Section 9.01
	Home based Businesses	E	E	E	E	-	-	-	See Section 9.01
	Lighting, Exterior	P	P	P	P	P	P	P	
	Parabolic and satellite dish style antennae	P	P	P	P	P	P	P	
	Portable on-demand storage containers	T	T	T	T	T	T	T	See Section 9.15
	Porch, unenclosed	P	P	P	P	-	-	-	
	Recreational equipment	P	P	P	P	-	-	E	
	Solar energy systems for use on individual properties or buildings	P	P	P	P	P	P	P	See Section 9.10
	Storage sheds	P	P	P	P	-	-	E	See Section 4.09
	Storage building using multiple storage containers	E	E	E	E	-	-	E	
	Swimming pools	P	P	P	P	-	-	-	
	Tennis courts	P	P	P	P	-	-	-	
	Wind Energy Conversion System	C	-	-	-	-	-	C	See Section 9.09



# **ARTICLE 5: ZONING DISTRICTS: LAND USE CATEGORIES AND ZONING MATRIX**

## **Section 5.07 R-1 Low Density Single Family Residential**

### **5.07.01 Intent:**

The regulations set forth in this Section or set forth elsewhere in this code when referred to in this Section, are the regulations in the "R-1" Low Density Single-Family Residential District. The provisions of this district shall apply in the City of Victoria only.

The purpose of this District is to provide for single-family residential development spacious character where public utilities are present to support the development. The district is also designed to protect and preserve existing development of a similar character.

### **5.07.02 Permitted Uses:**

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the district.

### **5.07.03 Conditional Uses:**

The following uses are subject to any conditions listed in this section as well as any conditions relating to the placement of said use on a specific tract of ground in the R-1 District as recommended by the Planning Commission and approved by the City Council.

### **5.07.04 Temporary Uses:**

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 4.18.

### **5.07.05 Accessory Uses and Structures:**

Refer to the definitions of Accessory Uses and Structures, as well as Table 5.06 and Sections within Article 4 for more detail.

### **5.07.06 Height and Lot Requirements:**

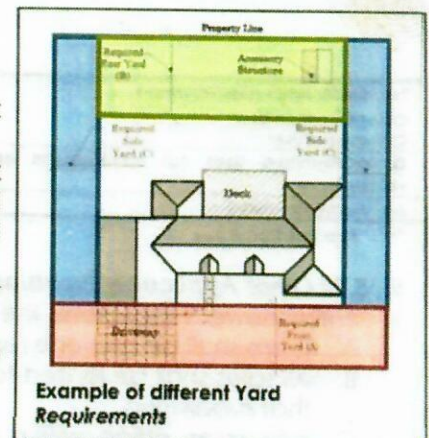
The height and minimum lot requirements shall be as follows:

Use	Lot Area (Sq. Ft.)	Lot Width (feet)	Minimum Lot Depth (feet)	A Front Yard (feet)	B Rear Yard (feet)	C Side Yard (feet)	Street Side Yard (Corner Lots)	Max. Height (feet)	Max. Building Coverage (%)
Residential Uses	7,500	70	100	25	25*	8	25	35	30
Other Permitted Uses	8,000	75	100	25	25*	10	25	35	30
Conditional Uses	8,000	75	100	25	25*	10	25	35	30
Other Permitted Uses not requiring an enclosed structure	8,000	75	100	25	25*	10	25	35	30
Accessory Structures	-	-	-	25	5	10	25	15	-

\*"See Section 4.17

### **5.07.07 Other Applicable Provisions:**

- Within newer subdivisions, the following use regulations shall apply:
  - There shall be only one residential sales office in any one subdivision.
  - All sales shall be limited to the sale of new properties located within that subdivision.
  - Any sales office within a subdivision shall be located within a permanent residential structure. Mobile homes, manufactured homes, and construction trailers shall not be permitted to be used as a residential real estate sales office.
  - No additional parking facilities other than adjacent on-street parking or customary driveway parking shall be permitted.
  - Upon issuance of any final approval of construction for 90% of the lots within the subdivision, the sales office shall be terminated.
- On platted lots, agricultural activities may be conducted as accessory activities, such as growing of cover crops, growing of hay and/or sweet corn, or other similar activities. However, at no time shall such activity be classified or permitted as the primary usage of the land; said usage being as a residential home site.
- This district is limited to those areas where adequate water, sewage disposal and other infrastructure presently exists; or may be approved outside such areas only when adequate water, sewage disposal and other infrastructure, as well as the delivery of support services can be demonstrated and proved to the satisfaction of the city.





**Section 5.08 R-2 Single Family Residential**

**5.08.01 Intent:**

The regulations set forth in this Section or set forth elsewhere in this code when referred to in this Section, are the regulations in the "R-2" Medium Density Residential District. The provisions of this district shall apply in the City of Victoria only.

The purpose of this District is to provide for single-family residential development of a higher density, serviced by public utilities, and accessible to public infrastructure capable of supporting the development. The district is also designed to protect and preserve existing development of a similar character.

**5.08.02 Permitted Uses:**

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the district.

**5.08.03 Conditional Uses:**

Conditional uses are subject to any conditions listed in this section as well as any conditions relating to the placement of said use on a specific tract of ground in the R-2 District as recommended by the Planning Commission and approved by the City Council.

**5.08.04 Temporary Uses:**

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 4.18.

**5.08.05 Accessory Uses and Structures:**

Refer to the definitions of Accessory Uses and Structures, as well as Table 5.06 and Sections within Article 4 for more detail.

**5.08.06 Height and Lot Requirements:**

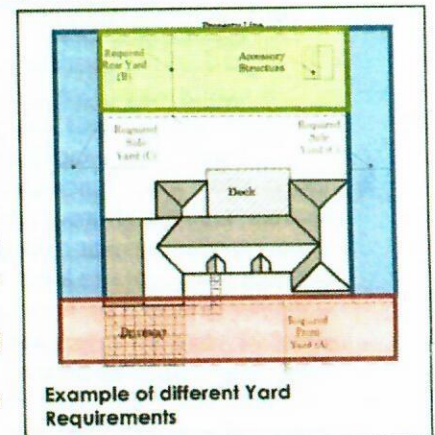
The height and minimum lot requirements shall be as follows:

Use	Lot Area (Sq. Ft.)	Lot Width (feet)	Minimum Lot Depth (feet)	A Front Yard (feet)	B Rear Yard (feet)	C Side Yard (feet)	Street Side Yard (Corner Lots)	Max. Height (feet)	Max. Building Coverage (%)
Single-family Residential	7,000	60	100	20	20*	7	20	35	35
Single-family attached	7,200	20/unit, end units shall be 35 feet	100	20	20*	7	20	35	35
Two-family residential/Duplexes	7,200	70	100	20	20*	7	20	35	35
Other Permitted Uses	8,000	75	100	20	20*	8	20	35	35
Conditional Uses	8,000	75	100	20	20*	8	20	35	35
Other Permitted Uses not requiring an enclosed structure	8,000	75	100	20	20*	8	20	35	35
Accessory Structures	-	-	-	20	5	8	20	15	-

\* See Section 4.17

**5.08.04 Other Applicable Provisions:**

1. Within newer subdivisions, the following use regulations shall apply:
  - A. There shall be only one residential sales office in any one subdivision.
  - B. All sales shall be limited to the sale of new properties located within that subdivision.
  - C. Any sales office within a subdivision shall be located within a permanent residential structure. Mobile homes, manufactured homes, and construction trailers shall not be permitted to be used as a residential real estate sales office.
  - D. No additional parking facilities other than adjacent on-street parking or customary driveway parking shall be permitted.
  - E. Upon issuance of any final approval of construction for 90% of the lots within the subdivision, the sales office shall be terminated.





**Section 5.09 R-3 High Density Residential District**

**5.09.01 Intent:**

The regulations set forth in this Section or set forth elsewhere in this code when referred to in this Section, are the regulations in the "R-3" High Density Residential District.

The purpose of this District is to maintain a generally spacious residential environment of existing single-family neighborhoods, and at the same time permit multi-family dwellings within those neighborhoods as in-fill development. Also, it is intended to accommodate new developments of multi-family dwellings adjacent to, or near areas planned for higher density development.

**5.09.02 Permitted Uses:**

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the district.

**5.09.03 Conditional Uses:**

The following uses are subject to any conditions listed in this section as well as any conditions relating to the placement of said use on a specific tract of ground in the R-3 District as recommended by the Planning Commission and approved by the City Council.

**5.09.04 Temporary Uses:**

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 4.18.

**5.09.05 Accessory Uses and Structures:**

Refer to the definitions of Accessory Uses and Structures, as well as Table 5.06 and Sections within Article 4 for more detail.

**5.09.06 Height and Lot Requirements:**

The height and minimum lot requirements shall be as follows:

Use	Lot Area (Sq. Ft.)	Lot Width (feet)	Minimum Lot Depth (feet)	A Front Yard (feet)	B Rear Yard (feet)	C Side Yard (feet)	Street Side Yard (Corner Lots)	Max. Height (feet)	Max. Building Coverage (%)
Single-family dwelling	7,000	60	100	20	25*	6	20	45	40
Single-family attached	7,200	20/unit, end units shall be 35 feet	100	20	25*	6***	20	45	40
Two-family dwelling/duplex	7,200	70	100	20	25*	6	20	45	40
Condominium	2,000/unit	20/unit	100	20	25*	6***	20	45	40
Multi-family residential	2,500/unit with minimum of 10,000	80	100	20		7	20	45	
Other Permitted Uses	8,000	40	100	20	25*	8	20	45	40
Conditional Uses	8,000	40	100	20	25*	8	20	45	40
Other Permitted Uses not requiring an enclosed structure	8,000	60	100	20	25*	8	20	45	40
Accessory Structures	-	-		20	5**	8	20	15	-

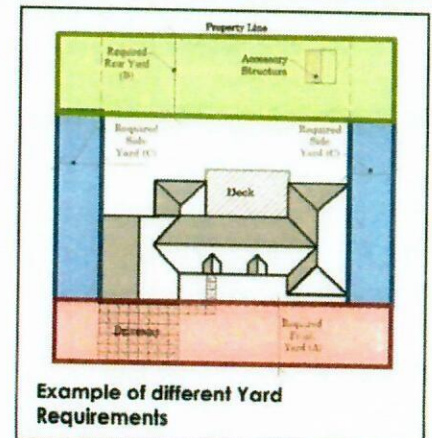
\* See Section 4.17

\*\* See Section 4.09

\*\*\* The minimum side yard on single-family attached/townhouses and condominiums shall be zero feet for all interior lots and shared property lines.

**5.09.07 Other Applicable Provisions:**

1. Single-family Attached/Townhouses
  - A. Common wall shall have a zero-lot line setback and be located on the property line separating both dwellings.
  - B. Each unit is separated by a two-hour fire rated wall from the lowest level and continuing through the roof structure.
  - C. Each unit shall be serviced by separate facilities.
  - D. When each unit is in separate ownership, the accompanying lot shall not be in common ownership with any other unit.
  - E. No more than three units shall be connected in this district, unless a conditional use permit is approved.





2. Within newer subdivisions, the following use regulations shall apply:
- A. There shall be only one residential sales office in any one subdivision.
  - B. All sales shall be limited to the sale of new properties located within that subdivision.
  - C. Any sales office within a subdivision shall be located within a permanent residential structure. Mobile homes, manufactured homes, and construction trailers shall not be permitted to be used as a residential real estate sales office.
  - D. No additional parking facilities other than adjacent on-street parking or customary driveway parking shall be permitted.
  - E. Upon issuance of any final approval of construction for 90% of the lots within the subdivision, the sales office shall be terminated.



**Section 5.10 RM Mobile Home Residential District****5.10.01 Intent:**

This district recognizes that mobile home development, properly planned, can provide important opportunities for affordable housing. It provides opportunities for mobile home development within planned parks or subdivisions, along with the supporting services necessary to create quality residential neighborhoods.

**5.10.02 Permitted Uses:**

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the district.

**5.10.03 Conditional Uses:**

Conditional uses are subject to any conditions listed in this section as well as any conditions relating to the placement of said use on a specific tract of ground in the RM District as recommended by the Planning Commission and approved by the City Council.

**5.10.04 Temporary Uses:**

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 4.18

**5.10.05 Accessory Uses and Structures:**

Refer to the definitions of Accessory Uses and Structures, as well as Table 5.06 and Sections within Article 4 for more detail.

**5.10.06 Special Design Criteria for this District**

1. A mobile home development shall have a lot area of not less than two acres. No mobile homes or other structures shall be located less than 65 feet from the road centerline when contiguous to or having frontage to a County Road or 25 feet when contiguous from a State Highway. The setback on all other court property lines shall be 10 feet. These areas shall be landscaped. The minimum lot depth in a mobile home court shall be 200 feet.
2. Each lot provided for occupancy of a single mobile home dwelling shall have an area of not less than 4,000 square feet, excluding road right-of-way, and a width of not less than 40 feet. Each individual lot shall have:
  - a. Side yard setback (C) shall not be less than five feet, except that on corner lots, the setback for all buildings shall be a minimum of 25 feet on the side abutting a street/road.
  - b. Front yard setback (A) shall not be less than 25 feet.
  - c. Rear yard setback (B) of not less than 25 feet.
3. There shall be a minimum livable floor area of 500 square feet in each mobile home.
4. Height of buildings shall be:
  - a. Maximum height for principal uses shall be 35 feet.
  - b. Maximum height for accessory uses shall be 10 feet.
5. Each lot shall have access to a hard-surfaced drive not less than 24 feet in width, excluding parking.
6. Community water and community sewage disposal facilities shall be provided with connections to each lot, in accordance with design standards for the City. The water supply shall be sufficient for domestic use and for fire protection.
7. Service buildings including adequate laundry and drying facilities. Common toilet facilities for mobile homes which do not have these facilities within each unit may be provided.
8. Storm shelters shall be required and shall meet the following criteria:
  - a. Shelter space equivalent to two persons per mobile home lot,
  - b. Designed in conformance with "National Performance Criteria for Tornado Shelters" by the Federal Emergency Management Agency (FEMA) and any other referenced material by FEMA,
  - c. Shelters shall be sited in order to provide maximum protection to park occupants and so that residents may reach a shelter within the maximum safe time frame as directed by FEMA.
9. All trailer pad locations shall be hard surfaced with properly reinforced Poured in Place Concrete.



10. Not less than 10 percent of the total court area shall be designated and used for park, playground and recreational purposes.
11. Each mobile home dwelling shall be provided with a paved patio or equivalent, other than parking spaces, of not less than 150 square feet.

**5.10.07 Special Requirements**

- 1 All lots must be platted in accordance with the Subdivision Regulations of the City of Victoria and shall also contain the following information:
  - a. A complete plan of the mobile home development shall be submitted showing:
  - b. A development plan and grading plan of the court.
  - c. The area and dimensions of the tract of land.
  - d. The number, location, and size of all mobile home spaces.
  - e. The area and dimensions of the park, playground and recreation areas.
  - f. The location and width of roadways and walkways.
  - g. The location of service buildings and any other proposed structures.
  - h. The location of water and sewer lines and sewage disposal facilities.
  - i. Plans and specifications of all buildings and other improvements constructed or to be constructed within the mobile home court.



**Section 5.11 C-1 Downtown Commercial District**

**5.11.01 Intent:**

The "C-1" Downtown Commercial District is established to provide a relatively broad range of concentrated retail commercial and service uses that are intended to serve the needs of the local town center. The "C-1" Central Business District is intended to be located only in the downtown area of the City of Victoria and to be expanded out from that central area in an orderly and progressive manner as demand for additional commercial land is generated.

**5.11.02 Permitted Uses:**

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the district.

**5.11.03 Conditional Uses:**

Conditional uses are subject to any conditions listed in this section as well as any conditions relating to the placement of said use on a specific tract of ground in the C-1 District as recommended by the Planning Commission and approved by the City Council.

**5.11.04 Temporary Uses:**

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 4.18.

**5.11.05 Accessory Uses and Structures:**

Refer to the definitions of Accessory Uses and Structures, as well as Table 5.06 and Sections within Article 4 for more detail.

**5.11.06 Height and Lot Requirements:**

The height and minimum lot requirements shall be as follows:

Use	Lot Area (Sq. Ft.)	Lot Width (feet)	Minimum lot Depth (feet)	A Front Yard (feet)	B Rear Yard (feet)	C Side Yard (feet)	Max. Height (feet)	Max. Building Coverage (%)
Permitted Uses	-	20	50	-	-	-	45	100
Conditional Uses	-	20	50	-	-	-	45	100
Accessory Structures	-	20	50	-	-	-	45	-

**5.11.07 Use Limitations:**

1. When adjacent to any residential district, no parking, drives or signs shall be allowed in the required front yard within 15 feet of such residential district.
2. When adjacent to any residential district, new construction shall provide permanent screen with a height of six feet or six feet four inches if a fence or flora planting eight feet in height, in order to minimize impacts on residentially zoned property, pursuant to Section 9.07. Said screening shall be kept in good condition.
3. No smoke, radiation, vibration or concussion, or heat shall be produced that is perceptible outside a building, and no dust, fly ash, or gas that is toxic, caustic or obviously injurious to humans or property shall be produced.
4. Merchandise which may appropriately be displayed or stored outside a building shall be kept off the public sidewalks and streets, except during special promotional activities and sales approved by the Governing Body with a special event permit.
5. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and/or District and so that no glare is visible to any traffic on any public street.
6. All business, service, repair, processing, storage or merchandise display on property abutting or facing a lot in a residential district shall be conducted wholly within an enclosed building, unless screened from the residential district by a sight-obscuring fence permanently maintained at least six feet four inches in height.
7. Openings to structures on sides adjacent to or across the street from a residential district shall be prohibited if such access or openings will cause glare, excessive noise or other adverse effects on residential properties.
8. Motor vehicle, boat, or trailer rental or sales lots shall be drained and surfaced with crushed rock or pavement, except in those portions of the lot maintained as landscape area.



**ARTICLE 5: ZONING DISTRICTS: LAND USE CATEGORIES AND ZONING MATRIX**

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9. All new buildings constructed within the C-1 Downtown Commercial District shall have a brick or concrete/plaster style facade on the front face of the building and any exposed side facades. On metal buildings, this requirement applies to the lower half of the facade.



**Section 5.12 C-2 General Commercial District****5.12.01 Intent:**

This district is established to provide for general commercial facilities which are to serve as convenient services to a geographic area of the community. Shops in this district should be useful to the majority of the neighborhood residents, pedestrian oriented, and economically supportable by a nearby population. The location of this district will be determined based upon the compatibility and design considerations of the limited geographic area affected.

**5.12.02 Permitted Uses:**

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the District.

**5.12.03 Conditional Uses:**

Conditional uses are subject to any conditions listed in this section as well as any conditions relating to the placement of said use on a specific tract of ground in the C-2 District as recommended by the Planning Commission and approved by the City Council.

**5.12.04 Temporary Uses:**

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 4.18.

**5.12.05 Accessory Uses and Structures:**

Refer to the definitions of Accessory Uses and Structures, as well as Table 5.06 and Sections within Article 4 for more detail.

**5.12.06 Height and Lot Requirements:**

The height and minimum lot requirements shall be as follows unless otherwise noted:

Use	Lot Area (Sq. Ft.)	Lot Width (feet)	Minimum Lot Depth (feet)	A Front Yard (feet)*	B Rear Yard (feet)**	C Side Yard (feet)**	Max. Height (feet)	Max. Building Coverage (%)
Permitted Uses	-	-	-	25	25	5	35	-
Conditional Uses	-	-	-	25	25	5	35	-
Accessory Structures	-	-	-	25	5	5	15	-

\* The front yard setback of 25 feet only required when no parking is present in the front yard. If parking is located in the front yard, then the front yard setback shall be increased to 50 feet.

\*\* See Section 5.16.07 (2) below

**5.12.07 Use Limitations:**

1. When adjacent to any residential district, no parking, drives or signs shall be allowed in the required front yard within 15 feet of such residential district.
2. When adjacent to any residential district, new construction shall provide permanent screen with a height of six feet or six feet four inches if a fence, or flora planting eight feet in height, in order to minimize impacts on residentially zoned property, pursuant to Section 9.07.
3. No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.
4. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
5. All business, service, repair, processing, storage or merchandise display on property abutting or facing a lot in a residential district shall be conducted wholly within an enclosed building, unless screened from the residential district by a sight-obscuring fence permanently maintained at least six feet in height.
6. Openings to structures on sides adjacent to or across the street from a residential district shall be prohibited if such access or openings will cause glare, excessive noise or other adverse effects on residential properties.
7. Motor vehicle, boat, or trailer rental or sales lots shall be drained and surfaced with crushed rock or pavement, except in those portions of the lot maintained as landscape area.
8. 35% of the required front yard shall be maintained in landscaping.



**Section 5.13 I-1 Light Industrial District**

**5.13.01 Intent:**

The "I-1" Light Industrial District is established to provide areas in the City in which light industrial or manufacturing firms can engage in processing, assembling, manufacturing, warehousing, and storage, and for related incidental service facilities. The activities conducted in the "I-1" Light Industrial District will create no obnoxious sounds, glare, dust or odor.

**5.13.02 Permitted Uses:**

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the district.

**5.13.03 Conditional Uses:**

The following uses are subject to any conditions listed in this section as well as any conditions relating to the placement of said use on a specific tract of ground in the I-1 District as recommended by the Planning Commission and approved by the City Council.

**5.13.04 Temporary Uses:**

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 4.18.

**5.13.05 Accessory Uses and Structures:**

Refer to the definitions of Accessory Uses and Structures, as well as Table 5.06 and Sections within Article 4 for more detail.

**5.13.06 Height and Lot Requirements:**

The height and minimum lot requirements shall be as follows unless otherwise noted.

Use	Lot Area (Sq. Ft.)	Lot Width (feet)	Minimum Lot Depth (feet)	A Front Yard (feet)*	B Rear Yard (feet)**	C Side Yard (feet)***	Street Side Yard (feet)	Max. Height (feet)	Max. Building Coverage (%)
Permitted Uses	10,000	80	100	35	20	-	35	45	75
Conditional Uses	10,000	80	100	35	20	-	35	45	75
Accessory Structures	-	80	100	35	20	-	35	45	-

\* The front yard setback of 40 feet only required when no parking is present in the front yard. If parking is located in the front yard then the front yard setback shall be increased to 50 feet.

\*\* The minimum rear yard setback is 20 feet; except when adjacent to a Residential District, then the rear yard setback shall be 45 feet. Exception: if a public alley is between the industrial use and the Residential District, then the setback may be reduced to 25 feet. Section 5.17.07 (2) below shall also apply.

\*\*\* The minimum side yard setback is 15 feet; except when adjacent to a Residential District, then the side yard setback shall be 25 feet. Section 5.17.07 (2) below shall also apply.

**5.13.07 Use Limitations:**

1. When adjacent to any residential district, no parking, drives or signs shall be allowed in the required front yard within 15 feet of such residential district.
2. When adjacent to any residential district, new construction shall provide permanent screen with a height of six feet or six feet four inches if a fence, or flora planting eight feet in height, in order to minimize impacts on residentially zoned property, pursuant to Section 9.07.
3. Exterior lighting fixtures shall be shaded wherever necessary to avoid casting direct light on any property located in a residential or mobile home district.
4. All business, service, repair, processing, storage or merchandise display on property abutting or facing a lot in a residential district shall be conducted wholly within an enclosed building, unless screened from the residential district by a sight-obscuring fence permanently maintained at least six feet in height.
5. Openings to structures on sides adjacent to or across the street from a residential district shall be prohibited if such access or openings will cause glare, excessive noise or other adverse effects on residential properties.

**5.13.08 Performance Standards:**

See Section 9.08 of the Supplemental Regulations.



**Section 5.14 PD Unit Planned Development District****5.14.01 Intent:**

The purpose of the Planned Unit Development District is to encourage imaginative and efficient utilization of land by providing greater flexibility in the location of buildings, the consolidation of open spaces, and the clustering of dwelling units. The guidelines and objectives of this Section are intended to give a sense of the physical aspect of the City environment to those contemplating innovative and pedestrian-oriented development in the community. Pertinent to this physical appearance is the design of the site, buildings and structures, planting, signs, street hardware, and miscellaneous other objects that are observed by the public. These standards are not intended to restrict imagination, innovation, or variety, but rather to assist in focusing on design principles which can produce creative solutions that will develop a satisfactory visual appearance within the City of Victoria and the Planning Area, preserve taxable values, and promote the public health, safety, and general welfare.

**5.14.02 Use Regulations**

The Planned Unit Development District shall be used as an overlay district in combination with the existing conventional residential zoning districts and the "C-2" Zoning districts as designated herein, and the provisions of the Planned Unit Development District shall supplement or supersede the provisions of the district regulations. The Planned Unit Development Classification shall not be applied to a land area as an independent zoning district.

**5.14.03 Development Standards.**

1. A Planned Unit Development established under the provisions of this Article shall contain not less than three acres, unless expressly permitted by the Planning Commission.
2. The total number of dwelling units permitted in a Planned Unit Dwelling Unit shall be determined by dividing the net development area by the minimum lot area requirement of the zoning district in which the development is proposed to be located, minus the land used for commercial and office purposes. The area of land set aside for common open space or recreational land use shall be included in the net development area.
3. All open spaces and public areas shall be fully protected by recorded covenants running with the land or a development rights transfer to the City of Victoria.
4. All open space (landscaped and usable) shall be designed to add to the visual amenities of the area by maximizing its visibility for persons passing the site or overlooking it from nearby properties.
5. Tract sizes, area, frontages and other dimensions may be freely arranged according to professional design standards. All standards should be appropriate to the site and the overall development plan should be appropriate to the surrounding neighborhood. The Developer and the Planning Commission should be guided by the carrying capacity of the site, the general physiography, and location.
6. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal. Any grade changes shall be in keeping with the general appearance of neighboring developed areas. The orientation of individual building sites shall be such as to maintain maximum natural topography and cover. Topography, tree cover, and natural drainageways shall be treated as fixed determinants of road and lot configuration rather than as malleable elements that can be changed to follow a preferred development scheme.
7. Streets shall be designed and located in such a manner as to maintain and preserve natural topography, cover, significant landmarks, and trees; to minimize cut and fill; and to preserve and enhance views and vistas on or off the subject property.
8. Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed buildings. Proposed buildings shall be related to their surroundings.
9. The color, size, height, lighting, and landscaping of appurtenant signs and structures shall be evaluated for compatibility with the local architectural motif and the maintenance of views and vistas of natural landscapes, recognized historic landmarks, parks, and landscaping.



10. The removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.

**5.14.04      *Application for Planned Unit Development District***

**Preliminary Development Plan**

1. Any applicant requesting a Planned Unit Development District classification shall submit to the Zoning Administrator the items specified in 5.14.03 of this ordinance. A plan application shall be complete for the purposes of commencing the applicable time period for action when so certified by the Zoning Administrator.
2. The application for a preliminary development plan shall be declared complete or incomplete within a 10-day period from the date of its submission. In the event such certification of the application is not made within 10 days of the date of its submission, the application shall be deemed complete upon the expiration of the 10 day period for the purposes of commencing the applicable time period unless: 1) the application lacks information indicated on the checklist of items to be submitted as specified in Article Twenty-Six and provided in writing to the applicant, and 2) the Zoning Administrator has notified the applicant, in writing, of the deficiencies in the application within 10 days of submission of the application. The Planning Commission and the City Engineer may subsequently require correction of any information found to be in error and submission of additional information not specified in the ordinance, as is reasonably necessary to make an informed decision. The application shall not be deemed incomplete for lack of any such additional information or any revisions in the accompanying documents so required by the Planning Commission and the City Engineer.
3. The action of the Planning Commission under this Section must be taken at their regularly scheduled public hearing within 45 days of a complete application for a preliminary development plan as defined in Article 6 of this ordinance, or within such further time as is agreed to by the applicant and the Planning Commission. Failure of the Planning Commission to act within the period prescribed shall constitute preliminary development plan approval and a certificate of the Zoning Administrator as to the failure of the Planning Commission to act shall be issued on request of the applicant.
4. The Zoning Administrator shall cause the plan to be reviewed by the City Engineer to ensure conformance with this ordinance and acceptable engineering and construction standards. The City Engineer shall review the plan application and prepare a summary statement indicating whether or not the preliminary development plan is in conformance with this ordinance. If the plan is not in conformance with this ordinance, the City Engineer shall indicate in the summary statement those items which need to be addressed or corrected to bring the plan to an acceptable standard of design. The City Engineer's review of the preliminary development plan shall be sent to the Zoning Administrator, who shall distribute copies to the Planning Commission and the applicant.
5. Approval, disapproval or continuance for cause of the preliminary development plan shall be conveyed to the applicant within five days after the Planning Commission's public hearing at which time the plan was considered. In case the plan is disapproved or continued, the applicant shall be notified of the reason for such action and what requirements shall be necessary to meet the approval of the Planning Commission. The Planning Commission may approve the plan according to the provisions of this Section but may impose additional requirements deemed reasonable and necessary. If approved, the applicant shall then revise the preliminary development plan as necessary to meet the requirements established by the Planning Commission and proceed with the preparation and submission of the final Planned Unit Development Plan.

**Final Plan Approval**

Following approval of the preliminary Planned Unit Development Plan, the applicant shall plat the land according to the Subdivision Regulations of the City of Victoria, Kansas, however, the approved preliminary development plan shall be considered to be the approved preliminary plat



of subdivision. Therefore, the platting process shall commence with the submittal of a final plat of subdivision as set forth in the subdivision regulations.

1. If in the event the property is presently part of a subdivision plat, approved and recorded in the manner prescribed in the Subdivision Regulations of the City of Victoria, Kansas, the requirements for platting and the references made to subdivision plats in the following subsections shall be disregarded.
2. The final Planned Unit Development plan and 15 copies thereof shall be submitted concurrently with the filing of the final subdivision plat so that both may be considered simultaneously by the Planning Commission. Submittal of the final Planned Unit Development plan and the final plat of subdivision shall be made in accordance with the provisions of Article Four, Section F of the *Subdivision Regulations of the City of Victoria, Kansas*
3. The final Planned Unit Development plan shall be the approved preliminary development plan, with appropriate revisions as necessary, prepared on Paper, Mylar or similar material providing space for the date and signatures of the following, certifying approval:
  - a. Owners and developers of the subject property;
  - b. Chairman and Secretary of the Planning Commission;
  - c. The Mayor and City Clerk.

#### **Filing and Recording**

The signed and recorded Planned Unit Development linen shall be made part of the permanent file of the Zoning Administrator, and the Official Zoning Map shall be corrected to show the attachment of the Planned Unit Development District.

#### **Amendments**

A building permit shall not be issued for any building within a Planned Unit Development which does not conform to the development plan as approved and recorded, except that a reasonable variance to location and gross floor area of individual buildings may be granted after a review of said variation by the Planning Commission.

If the Planned Unit Development plan requires an amendment because the requested variation is deemed significant by the Planning Commission, then the applicant shall proceed in the same manner established for the application of a new Planned Unit Development plan.