

ZONING ORDINANCE

9A Attachment 1

SCHEDULE OF DISTRICTS

SECTION I. ESTABLISHMENT OF DISTRICTS

In order to regulate and restrict the locations of trades and industries and the location of buildings erected or altered for specified uses, and to regulate and limit the height and bulk of the buildings hereafter erected or altered, to regulate and determine the area of yards and other open spaces, and to regulate and limit the density of population, the City of Seagraves is hereby divided into districts of which there shall be seven (7) known as:

- “R-1” - One-Family District
- “R-2” - Two-Family District
- “R-3” - Apartment District
- “M-H” - Manufactured Home
- “C-1” - Neighborhood Commercial District
- “C-2” - Business District
- “M-I” - Industrial District

The districts aforesaid and the boundaries of such districts are shown upon the map accompanying and a part of this ordinance, being designated as “Official Zoning Map” and said map and all the notations, references and other information shown thereon shall be as much a part of this ordinance as if the matters and information set forth by said map were all fully described herein.

(Ordinance 10-19-2015 adopted 10/19/15)

SECTION II. “R-1” - ONE-FAMILY DISTRICT

A. Use Regulation: In the R-1 district, no building or land shall be used and no building shall hereafter be erected or structurally altered, unless otherwise provided in this ordinance, except for one or more of the following uses:

1. Single-family dwellings.
2. Church (except temporary revival).
3. School, public or private, having a curriculum equal to a public elementary, high school, or institution of higher learning.
4. Public parks, playgrounds, golf courses (except miniature), public and community buildings.
5. Municipal buildings, nonprofit libraries or museums, police and fire stations, and other city installations.

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6. Customary home occupations, when situated in the same dwelling, such as the office of physician or dentist, but excluding any type of business which trades in any kind of commodities or makes any type of retail sales, and especially excluding beauty shops, barber shops, book and stationary sales, and the sale or service of food in any form.
 7. Farms, nurseries, gardens, greenhouses, provided no sales are made and no sales office is maintained.
 8. Accessory buildings and accessory uses, customarily incident to the above uses (not involving the conduct of a business), when located on the same lot, including a private garage for one or more cars, bona fide servant's quarters not for rent or used for commercial purposes. Detached accessory buildings shall be not less than sixty (60) feet from the front lot line and ten (10) feet from the main use building.
- B. Signs: The following signs shall be permissible in this district:
1. One unlighted sign, which shall not exceed one square foot in area, indicating the name of the occupant or occupation of a customary home occupation, provided the sign is attached flat to the building.
 2. One sign, which shall not exceed fifteen (15) square feet in area, for church or school.
 3. One sign, which shall not exceed four (4) square feet in area, for temporary unlighted sign pertaining to the lease, hire or sale of building or property upon which it is located provided the sign is immediately removed upon the lease, hire or sale of such building or property.
- C. Height Regulations: No building in this district shall exceed two and one-half (2-1/2) stories or thirty-five (35) feet in height. See Section 8 for special exceptions.
- D. Area Regulations: The following regulations of area shall apply in this district:
1. Front Yard: There shall be a front yard of not less than twenty-five (25) feet to the front line of the building on all lots. On corner lots, a front yard of the required depth shall be provided in accordance with the prevailing yard pattern, and a second front (or side) yard shall be provided on the other frontage which is one-half the depth required for the front yard. See Section 8 for special exceptions.
 2. Rear Yard: There shall be rear yard having a depth of not less than twenty-five (25) percent of the total lot depth, but such rear yard need not be more than twenty-five (25) feet deep. Accessory buildings not exceeding one story in height may occupy as much as forty (40) percent of a required rear yard. Accessory buildings exceeding one story in height may occupy as much as thirty (30) percent of a required rear yard, provided however that no part of an accessory building may extend over the rear property line or be within 12 foot of the dwelling.

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3. Side Yard: On interior lots there shall be a side yard on each side of a building having a width of not less than five (5) feet. Side yard for corner lots shall be not less than five (5) feet on the interior side, and shall be as provided in (1) above for the other side. Accessory buildings may be built within three (3) feet of the property line on interior lots, and within ten (10) feet of the property line on the street side of corner lots. See Section 8 for special exceptions.
4. Lot Area Per Family: Every lot or tract of land shall have an area of not less than seven thousand (7,000) square feet and an average width of not less than fifty (50) feet.

(Ordinance 10-19-2015 adopted 10/19/15)

SECTION III. "R-2" - TWO-FAMILY DISTRICTS

A. Use Regulations: In the R-2 district, no building or land shall be used and no building shall be hereafter erected or structurally altered, unless otherwise provided in this ordinance, except for one or more of the following uses:

1. Any use permitted in the R-1 district.
2. Two-family or duplex dwellings.
3. Kindergarten, play-schools, day nurseries, voice and music instruction
4. Accessory buildings, same as required in R-1 district.

B. Signs: Same as required for R-1 district.

C. Height Regulation: Same as required for R-1 district.

D. Area Regulations: Same as required for R-1 district, except that lot area required per family shall be 3,500 square feet, with an average lot width of not less than fifty (50) feet.

(Ordinance 10-19-2015 adopted 10/19/15)

SECTION IV. "R-3" - APARTMENT DISTRICT

A. Use Regulations: In the R-3 district, no building or land shall be used and no building shall be hereafter erected or structurally altered, unless otherwise provided in this ordinance, except for one or more of the following uses:

1. Any use permitted in the R-2 district.
2. Apartment houses or multiple-family dwellings.
3. Boarding, lodging or rooming houses.

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4. Hotels, in which incidental business may be conducted for the sole convenience of the occupants of the building provided however there shall be no entrance to such place of business except from the inside of the building.
5. Private clubs, fraternities, sororities, and lodges, excepting those the chief activity of which is a service customarily carried on as a business.
6. Hospitals, excepting those for tubercular, liquor, narcotic, feeble-minded and insane persons, and animal hospitals.
7. Institutions of an educational or philanthropic nature, other than those of a correctional nature, or for mentally challenged cases.
8. Accessory buildings and uses customarily incident to any of the above uses, when located on the same lot and not involving the conduct of a business.

B. Signs: Signs permissible in the district include name plates not exceeding two (2) square feet in area, containing the name and occupation of the occupant of the premises. and sign not exceeding twelve (12) square feet in the area appertaining to the sale or rental of property on which it is located, provide[d] however that no name plate nor advertising sign of any other character shall be permitted in this district.

C. Height Regulation: No building hereafter erected or structurally altered shall exceed five (5) stories or sixty (60) feet in height. See Section 8 for special exceptions.

D. Area Regulations:

Front Yard: Same as required for R-1 district.

Rear Yard: Same as required for R-1 district.

1. Side Yard: For buildings not exceeding two and one-half (2-1/2) stories in height, the side requirements shall be the same as required in the R-1 district. For buildings more than two and one-half (2-1/2) stories in height, each side yard shall be increased one (1) foot in width for each additional story above the second floor.
2. Lot Area per Family: Every building hereafter erected or structurally altered shall provide not less than four thousand (4,000) square feet of lot area for one family, five thousand (5,000) square feet for two families, and an additional five hundred (500) square feet for each family in excess of two families, provided however that these regulations shall not apply to hotels or apartments where no cooking is done in any individual room, suite, or apartment. The minimum lot frontage shall be fifty (50) feet.

E. Parking regulations: Whenever a structure is erected, converted, or structurally altered for a two-family dwelling or a multiple-family dwelling, two parking spaces shall be provided and maintained on the lot for each dwelling unit in the building. Such parking spaces shall be on the

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lot and so arranged as to permit satisfactory egress and ingress of an automobile, and such parking area shall be in addition to driveways.

(Ordinance 10-19-2015 adopted 10/19/15)

SECTION V. “M-H” - MANUFACTURED HOME DISTRICT (MOBILE HOME/ MODULAR HOME)

Mobile homes shall be only permitted in the areas defined on the official zoning map as Mobile Home/Modular Home districts.

- A. No mobile home 20 years older than the date of permit request shall be allowed. (EXAMPLE: Year 2015, mobile home was made in 1995)
- B. Proof of Date of manufacture, serial numbers, make and model shall be required prior to permitting.
- C. Mobile homes termed “Double-Wides” shall meet the requirements set forth for yard space and lot line setbacks as required in single-family dwellings.
- D. Mobile homes shall be tied down and anchored according to manufacturer’s requirements and city requirement.
- E. Mobile homes shall be skirted after inspections and within 90 days of final inspection.
- F. Mobile homes existing in and out of Mobile Home District are exempted, until the mobile home not meeting compliance or out of district boundaries is moved or destroyed. Mobile Homes not in Mobile Home Districts that are destroyed or moved shall not be replaced.
- G. Modular (ready-built or pre-fabricated) homes will be subject to the same regulations as mobile homes. Modular homes shall require continuous concrete foundations with approved blocking. Attached electrical service shall be allowed.

(Ordinance 10-19-2015 adopted 10/19/15)

SECTION VI. “C-1” - NEIGHBORHOOD COMMERCIAL DISTRICT

- A. Use Regulation: In the C-1 district, no building or land shall be used and no building shall be erected, or converted to any use other than:
 - 1. Any use permitted in the R-3 district.
 - 2. Automatic laundry.
 - 3. Automobile parking lots.

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4. Bakery, employing not more than five persons.
5. Bank.
6. Barber and beauty shops.
7. Billiard or pool hall.
8. Cafeteria.
9. Clinic.
10. Commercial billboard or advertising signs.
11. Cleaning and pressing shops.
12. Drug store.
13. Filling station.
14. Florists' shops.
15. Grocery.
16. Ice[,] retail distributing, no manufacture.
17. Mortuaries.
18. Motels, tourist courts.
19. Motion picture theater, not drive-in.
20. Office.
21. Radio repair and sales.
22. Real estate office.
23. Restaurants, taverns.
24. Radio studio.
25. Shoe repair.
26. Stores and shops for the sale of products at retail only.
27. Stores and shops for custom work or the making of articles to be sold at retail on the premises only.

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28. Studio (art, music, photo)
29. Laundromat or Dry Cleaning.
30. Any other retail use provided such use is not noxious or offensive by reason of the emission of odors, soot, dust, noise, gas, fumes, or vibration, but excluding such uses as are enumerated in the Business and Industrial districts.
31. None of these stores or uses shall be open for business before 7 A.M. nor after 12 P.M. on any day of the week except by a special permit of the City Council.

B. Height Regulations: No building hereafter erected or structurally altered shall exceed two and one-half (2-1/2) stories or thirty-five (35) feet. See Section 8 for special exceptions.

C. Area Regulations:

1. Front Yard: Same as required in R-1 district.
2. Rear Yard: There shall be a rear yard having a depth of not less than fifteen (15) feet from the property line.

Accessory buildings not exceeding one story in height may occupy as much as fifty (50) percent of a required rear yard. Accessory buildings exceeding one (1) story in height may occupy as much as forty (40) percent of a required rear yard, provided however that no part of an accessory building may extend over the rear property line.

3. Side Yard: For uses permitted in the R-2 district but contained within this district, the side yard requirements for the R-2 district shall apply. For additional uses in this district, no side yards are required, except that on a corner lot the side yard on the street side shall be not less than ten feet in width. If side yards are provided, on interior lots, they shall be not less than three (3) feet in width. The side yard of a lot which abuts upon property zoned for R-1 or R-2 use shall have a minimum width of five (5) feet on the abutting side.
4. Lot Area: For uses permitted in the R-2 district, the minimum lot area shall be the same as required in that district. There are no minimum lot area or lot width requirements for other uses permitted in this district.

D. Parking: Any commercial building that is erected shall provide one (1) parking space for each four hundred (400) square feet of ground floor space and one (1) parking space for each one thousand (1,000) square feet of floor space above the first floor. Commercial buildings shall also provide off-street facilities for the loading and unloading of merchandise and goods within the building or adjacent to a public alley to facilitate the movement of traffic upon streets.

(Ordinance 10-19-2015 adopted 10/19/15)

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SECTION VII. "C-2" - BUSINESS DISTRICT

A. Use Regulation: In the C-2 district, no land shall be used and no building shall be used, erected or converted to any use other than:

1. Any use permitted in the Neighborhood Commercial District.
2. Auto repair garage.
3. Automobile truck and bus service and repairs.
4. Baggage, transfer, storage and warehouse.
5. Cabinet maker.
6. Carpenter shop.
7. Carpet cleaning if dust-proof rooms and dust-catching washing, and scouring equipment are provided.
8. Ice manufacture.
9. Lumber yard (building materials).
10. Motorcycle repairing.
11. Paint shop.
12. Penal or correctional institution for the care of insane, liquor or narcotic patients, feeble-minded.
13. Sheetmetal Shop
14. Stone monument works, retail only.
15. Storage warehouse.
16. Taxicab storage and repair.
17. Used car lot.
18. Drive-in theaters.
19. Any other retail or wholesale use, provided such use is not noxious or offensive by reason of emission of odors, soot, dust, noise or vibrations, but excluding such uses as are enumerated in the Industrial District.

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20. Trailer Courts, transient

B. Height: In the Business District, the height and size of buildings shall be as follows; provided, however, that buildings erected or structurally altered and used exclusively for dwelling purposes shall comply with the front, side and rear yard, and lot area per family regulations of the R-1 and R-2 Residence Use Districts.

No building hereafter erected or structurally altered shall exceed a height at the street line of two (2) times the width of the street, but above the height permitted at the street line four (4) feet may be added to the height of the building for each one (1) foot that the building or portion thereof is set back from the street line.

C. Area Regulations:

1. Front Yard: No front yard required.
2. Side Yard: No side yard required except on that side of a lot abutting upon the side of a lot zoned for dwelling purposes in which case there shall be a side yard of not less than five (5) feet.
3. Rear Yard: No rear yard required.

(Ordinance 10-19-2015 adopted 10/19/15)

SECTION VIII. "M-I" - INDUSTRIAL DISTRICT

A. Use Regulations: In the Industrial District, no land shall be used and no building shall be erected for or converted to any use other than:

1. Any use permitted in the Business District.
2. Any manufacturing or Industrial process not prohibited by any other law, provided, however, that no building or occupancy permit shall be issued for any of the following uses until and unless the location of such use shall have been approved by the City Council:
 - a) Acid manufacture.
 - b) Cement, lime (gypsum or plaster of paris manufacture.)
 - c) Distillation of bones.
 - d) Explosive, manufacture or storage.
 - e) Fat rendering.
 - f) Fertilizer manufacture.

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- g) Garbage, offal or dead animal reduction or dumping.
- h) Gas manufacture.
- i) Glue manufacture.
- j) Petroleum refining.
- k) Smelting of tin, copper, zinc, or iron ores.
- l) Stockyards, or slaughter of animals.
- m) Tannery.
- n) Used car dismantling yard.
- o) Storage or baling of rags, paper, iron or junk.
- p) Oil well drilling.
- q) Cotton gins.
- r) Wholesale storage of gasoline or other petroleum products in carload lots or more, above ground.
- s) Accessory buildings and uses.

B. Height: In the Industrial District, the height of buildings, the minimum dimensions of yards and the minimum to [lot] area per family shall be as follows: provided, however, that buildings erected or structurally altered and used exclusively for dwelling purposes shall comply with the front, side and rear yard regulations of the Residence Use Districts.

No building hereafter erected or structurally altered shall exceed a height equal to twice the width of the widest street on which said building is located; and in no case shall the height be greater than ten (10) stories or one hundred twenty (120) feet, (except it may be increased by special permit of the Council).

C. Area Regulations:

1. Front Yard: No front yard required.
2. Side Yard: No side yard required, but if provided, it shall not be less than three (3) feet, and except on that side of the lot abutting upon the side of a lot zoned for dwelling purposes, in which case there shall be a side yard of not less than five (5) feet.
3. Rear Yard: No rear yard required.

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(Ordinance 10-19-2015 adopted 10/19/15)

SECTION IX. ADDITIONAL USE, HEIGHT AND AREA REGULATIONS AND EXCEPTIONS

A. Use Regulations: On all existing rights-of-way of railroad companies, regardless of the zoning district in which such rights-of-way are located, railroad trackage and accessories to railroad movement may be constructed or maintained.

B. Height Regulations:

1. Public, semi-public, or public service buildings, hospitals, institutions or schools, when permitted in a district, may be erected to a height not exceeding sixty (60) feet and churches and temples may be erected to a height not exceeding seventy-five (75) feet, if the building is set back from each yard line at least one (1) foot for each two (2) feet additional height above the height limit otherwise provided in the district in which the building is located.
2. Chimneys, cooling towers, elevator bulkheads, fire towers, grain elevators, flour mills, monuments, stacks, or scenery lofts, tanks, water towers, ornamental towers and spired church steeples, radio or television towers, or necessary mechanical appurtenances, may be erected to a height in accordance with ordinances which may be hereafter adopted by the City of Seagraves. In the absence of such ordinances, there shall be no height limitation for these structures.

C. Area Regulations:

1. Front Yard: Where forty (40) percent or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have observed (with a variation of five (5) feet or less) a front yard greater in depth than herein required, new buildings shall not be erected closer to the street than the front yard so established by the existing buildings. In determining such front yard depth, buildings located entirely on the rear one-half of a lot shall not be counted.
2. A side yard of not less than 25 feet on the side of the lot adjoining an R-1 or R-2 district shall be provided for all schools, libraries, churches, community houses, clubs and other public or semi-public buildings hereafter erected or structurally altered.
3. Garages detached or attached to the main use building which enter on the side street of a corner lot, shall maintain a side yard of twenty (20) feet in front of the garage.
4. Garages erected in the back yard of main house or building, with the doors opening to the alley shall be no closer than five (5) feet to the alley property line and side property lines on interior lots.

(Ordinance 10-19-2015 adopted 10/19/15)