

CHAPTER 14

ZONING

ARTICLE 14.01 GENERAL PROVISIONS*

Sec. 14.01.001 Fee for application to zone or rezone property

Any person desiring to have any lot, lots, tract or tracts of land zoned, rezoned or reclassified under the zoning ordinance of the Town, shall, concurrently with the filing of written application therefor and as a condition precedent to the hearing of such application, pay to the Town Secretary a fee of three hundred dollars (\$300.00). (1971 Code, sec. 5-4)

Sec. 14.01.002 Fee for appeals under building code and zoning ordinance

Any person desiring to appeal to the Board of Adjustment action of the Building Inspector in refusing to grant a permit or refusing to act in any manner for which an appeal may be taken to the Board of Adjustment under the provisions of section 17 of the zoning ordinance of the Town shall, as a condition precedent to such appeal and in addition to filing a written request, pay to the Town Secretary a fee of two hundred dollars (\$200.00). (1971 Code, sec. 5-3)

ARTICLE 14.02 ZONING ORDINANCE

Sec. 14.02.001 Adopted

The comprehensive zoning ordinance, [Ordinance 676](#), adopted by the Town on November 3, 1965, as amended, is included at the end of this chapter as [exhibit A](#). Due to the nature of the zoning ordinance and the technicalities involved in adopting or amending it, such ordinance is printed herein as it appeared in appendix A to the 1971 Code of Ordinances, with only nonsubstantive formatting and style changes. Punctuation and numbering of articles, sections and subsections have been retained as printed in appendix A to the 1971 code. At the request of the Town, capitalization has been changed so that titles of officers, commissions, departments, etc., are consistent with the remainder of the code. Except for that change, capitalization as it appeared in appendix A to the 1971 code has been retained. Subsequent amendments will be inserted in their proper place and denoted by a history note following the amended provisions. The absence of a history note indicates the material is unchanged from the original. Obviously misspelled words have been corrected without notation. Any other material added for purposes of clarification is enclosed in brackets.

EXHIBIT A

ZONING ORDINANCE

ORDINANCE NO. 676

AN ORDINANCE TO AMEND ORDINANCE NO. 293, KNOWN AS THE ZONING ORDINANCE OF THE TOWN OF HIGHLAND PARK, TEXAS, PASSED BY THE TOWN COUNCIL ON THE 3RD DAY OF JULY, 1929, ENTITLED: "AN ORDINANCE OF THE TOWN OF HIGHLAND PARK, TEXAS, ESTABLISHING A ZONE PLAN DIVIDING THE TOWN OF HIGHLAND PARK INTO DISTRICTS FOR THE PURPOSE OF REGULATING THE LOCATION OF TRADES, AND OF BUILDINGS AND STRUCTURES, DESIGNS FOR DWELLINGS, APARTMENT HOUSES, AND OTHER SPECIFIED PURPOSES; REGULATING THE HEIGHT AND BULK OF BUILDINGS AND STRUCTURES AND THE ALIGNMENT THEREOF ON STREET FRONTAGES; REGULATING THE AREAS AND DIMENSIONS OF YARDS, COURTS AND OPEN SPACES SURROUNDING BUILDINGS AND STRUCTURES; CREATING A BOARD OF ADJUSTMENT TO HEAR APPEALS ON ADMINISTRATION OF THE ORDINANCES, AND PRESCRIBING A PENALTY FOR THE VIOLATION OF THE ORDINANCE", AS AMENDED BY ORDINANCE NO. 377, ADOPTED THE 5TH DAY OF OCTOBER, 1936; ORDINANCE NO. 463, ADOPTED THE 6TH DAY OF AUGUST, 1945; ORDINANCE NO. 558, ADOPTED THE 10TH DAY OF JANUARY, 1955; ORDINANCE NO. 560, ADOPTED THE 9TH DAY OF MAY, 1955; ORDINANCE NO. 570, ADOPTED THE 7TH DAY OF MAY, 1956; ORDINANCE NO. 578, ADOPTED THE 3RD DAY OF DECEMBER, 1956; ORDINANCE No. 594, ADOPTED THE 8TH DAY OF JULY, 1958; AND ORDINANCE NO. 595, ADOPTED THE 8TH DAY OF JULY, 1958; ADOPTING A ZONING DISTRICT MAP, AND ZONING STANDARDS; AND PROVIDING PENALTIES FOR VIOLATION; AND DECLARING AN EMERGENCY.

WHEREAS, the Town of Highland Park is a mature and completely developed residential community consisting primarily of single-family residences, and

WHEREAS, the Town Council of Highland Park determined that the Zoning Ordinance as enacted on the 3rd day of July, 1929, with all amendments thereto, no longer afforded full protection to properties as developed and did not fully encourage the most appropriate use of the land.

WHEREAS, the Town Council did, by resolution passed on January 14, 1965, provide the Town Zoning Commission with technical assistance and directed that a study of the needed zoning revisions be made.

WHEREAS, the Town Zoning Commission did, after eight months of study, recommend to the Town Council the revisions recommended in the Zoning Ordinance and requested that a date for a public hearing be set.

WHEREAS, the Town Council and Town Zoning Commission did, on the 4th day of October, 1965, conduct a joint public hearing, after giving due notice to all owners of real property in writing, and at which all property owners and interested persons desiring to be heard concerning any provision of the proposed Ordinance revisions were afforded an opportunity to be heard, and

WHEREAS, the Town Zoning Commission after the conclusion of the hearing considered each and all requests and comments and did, on the 14th day of October, 1965, make a final report to the Town Council recommending that the Zoning Ordinance and Zoning District Map in the revised form be adopted.

WHEREAS, the Town Council after considering the final report of the Town Zoning Commission was of the opinion that the Zoning Ordinance and the Zoning District Map in its revised form should be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, DALLAS COUNTY, TEXAS:

This Ordinance shall be known as and referred to as the Zoning Ordinance of the Town of Highland Park, Texas.

SECTION 1. ENACTING CLAUSE

1-100 That Ordinance Number 293, known as the Zoning Ordinance of the Town of Highland Park, Texas, passed by the Town Council on the 3rd day of July, 1929, together with all amendments thereto, is hereby amended in its entirety to read as follows:

SECTION 2. PURPOSE

2-100 The Zoning Regulations and Districts as herein established have been made in accordance with a Comprehensive Plan for the purpose of promoting the health, safety, morals, and general welfare of the Town. They have been designed to lessen the congestion in the streets; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land, to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks 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 the particular uses specified; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Town consistent with a Comprehensive Plan.

SECTION 3. ZONING DISTRICTS ESTABLISHED

3-100 THE TOWN OF HIGHLAND PARK, TEXAS, IS HEREBY DIVIDED INTO ELEVEN (11) ZONING DISTRICTS. THE USE, HEIGHT AND AREA REGULATIONS AS SET OUT HEREIN ARE UNIFORM IN EACH DISTRICT. THE ELEVEN (11) DISTRICTS ESTABLISHED HEREIN SHALL BE KNOWN AS:

Abbreviated Designation

Zoning District Name

A	One-Family Residence District
B	One-Family Residence District
C	One-Family Residence District

D	One-Family Residence District
E	One-Family Residence District
F	Two-Family Residence District
G	Multifamily Residence District
H	Multifamily Residence District
CS	Community Service District
CC	Country Club-Golf Course District
FH	Flood Hazard District
GR	General Retail District
PD	Planned Development District

(Ordinance 847, sec. 1, adopted 3/1/76; Ordinance 972, sec. 1, adopted 12/28/81)

SECTION 4. ZONING DISTRICT MAP

4-100 THE BOUNDARIES OF THE ZONING DISTRICTS SET OUT HEREIN ARE DELINEATED UPON THE ZONING DISTRICT MAP OF THE TOWN OF HIGHLAND PARK, SAID MAP BEING A PART OF THIS ORDINANCE AS FULLY AS IF THE SAME WERE SET FORTH HEREIN IN DETAIL.

4-101 Two (2) original, official and identical copies of the Zoning District Map, as adopted on 3rd day of November, 1965, and bearing the signature of the Mayor and the attestation of the Town Secretary, shall be filed and maintained as follows:

- a. One copy shall be filed with the Town Secretary and retained as the original record and shall not be changed in any manner.
- b. One copy shall be filed with the Building Inspector and shall be maintained up to date by posting thereon all changes and subsequent amendments for observation in issuing Building Permits, Certificates of Compliance and Occupancy and enforcing the Zoning Ordinance.
- c. Reproductions for information purposes may from time to time be made of the official Zoning District Maps.

SECTION 5. ZONING DISTRICT BOUNDARIES

5-100 THE DISTRICT BOUNDARY LINES SHOWN ON THE ZONING DISTRICT MAPS ARE USUALLY ALONG STREETS, ALLEYS, PROPERTY LINES OR EXTENSIONS THEREOF. WHERE UNCERTAINTY EXISTS AS TO THE BOUNDARIES OF DISTRICTS AS SHOWN ON THE OFFICIAL ZONING MAPS, THE FOLLOWING RULES SHALL APPLY.

5-101 Boundaries indicated as approximately following the right-of-way lines of streets, highways or alleys shall be construed to follow such lines.

5-102 Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

5-103 Boundaries indicated as approximately following Town limits shall be construed as following Town limits.

5-104 Boundaries indicated as parallel to or extensions of features indicated in [5-101](#) through [5-103](#) above shall be so construed. Distances not specifically indicated on the Zoning District Map shall be determined by use of the scale on the map.

5-105 Whenever any street, alley or other public way is vacated by official action of the Town Council or whenever such area is franchised for building purposes, the zoning district line adjoining each side of such street, alley or other public way shall be automatically extended to the centerline of such vacated street, alley or way and all areas so involved shall then and henceforth be subject to all regulations of the extended districts.

5-106 Where physical features on the ground are at variance with information shown on the Official Zoning District Map or when there arises a question as to how or whether a parcel of property is zoned and such question cannot be resolved by the application of subsections [5-101](#) through [5-105](#), the property shall be considered as Classified A, One-Family Dwelling District temporarily and the determination of permanent zoning shall be in accordance with the procedure herein established for amending this ordinance.

SECTION 6. COMPLIANCE REQUIRED

6-100 ALL LAND, BUILDINGS, STRUCTURES OR APPURTENANCES THEREON LOCATED WITHIN THE TOWN OF HIGHLAND PARK, TEXAS, WHICH ARE HEREAFTER OCCUPIED, USED, ERECTED, ALTERED OR CONVERTED SHALL BE USED, PLACED AND ERECTED IN CONFORMANCE WITH THE ZONING REGULATIONS PRESCRIBED FOR THE ZONING DISTRICT IN WHICH SUCH LAND OR BUILDING IS LOCATED.

SECTION 7. USE OF LAND AND BUILDINGS

7-100 LAND AND BUILDINGS IN EACH OF THE FOLLOWING CLASSIFIED DISTRICTS MAY BE USED FOR ANY OF THE FOLLOWING LISTED USES BUT NO LAND SHALL HEREAFTER BE USED, AND NO BUILDING OR STRUCTURE SHALL HEREAFTER BE ERECTED, ALTERED OR CONVERTED WHICH IS ARRANGED OR DESIGNED OR USED FOR OTHER THAN THOSE USES SPECIFIED FOR THE DISTRICT IN WHICH IT IS LOCATED AS SET FORTH BY THE FOLLOWING SCHEDULE:

7-101 The following symbols are applicable to the interpretation of the SCHEDULE OF USES, [7-102](#) through 7-107.

LEGEND

X Designates use permitted in district indicated.

Designates use prohibited in district indicated.

S Indicates use may be approved as Specific Use Permit (See [Section 11](#))

Note: Symbols applicable to following Use Schedule Charts [7-102](#) through 7-107.

7-102 PRIMARY RESIDENTIAL USES

TYPE USE		DISTRICTS											
		A	B	C	D	E	F	G	H	CC	CS	GR	PD
One-Family Residence (Detached)	(2)	X	X	X	X	X	X	X	X		X	X	X
One-Family Residence (Attached), Townhouse	(1)							X	X		X	X	X
Two-Family Residence Duplex							X	X	X		X	X	X
Multiple-Family Residence Apartment Building								X	X		X	X	X
Community Unit Development	(3)			S	S	S	S	S	S		S	S	S

7-103 SPECIAL AND ACCESSORY USES

TYPE USE		DISTRICTS											
		A	B	C	D	E	F	G	H	CC	CS	GR	PD
Accessory Building	(4)	X	X	X	X	X	X	X	X	X	X	X	X
Accessory Food Service									S	X	S	S	S
Church and Rectory	(6)	X	X	X	X	X	X	X	X		X	X	X
Country Club with Golf Course	(7)	X	X							X			
Home Occupation	(8)	X	X	X	X	X	X	X	X		X	X	X
Off-Street Parking Incidental to Main Use	(9)	X	X	X	X	X	X	X	X	X	X	X	X
Park, Playground or Community Center (Public)	(10)	X	X	X	X	X	X	X	X		X	X	X
School, Public	(11)												X
Servants or Caretakers Quarters	(12)	X	X	X	X	X	X	X	X	X	X	X	X

Swimming Pool (Private)	(13)	X	X	X	X	X	X	X	X	X	X	X	X
Tennis Court (Private)	(13a)	X	X	X	X	X				X			S
Tennis Court (Lighting)		S								S			
Multi-purpose Game Court (no lighting)	(13b)	X	X	X	X	X	X	X	X	X	X	X	X
Multi-purpose Game Court (lighting)	(13a) [(13c)]	S	S	S	S	S	S	S	S	S	S	S	S

7-104 UTILITY AND SERVICE USES

TYPE USE	DISTRICTS												
	A	B	C	D	E	F	G	H	CC	CS	GR	PD	
Electrical Substation		S	S	S	S	S	S	S	S		X	X	X
Electrical Transmission Line		X	X	X	X	X	X	X	X		X	X	X
Fire Station				X	X	X	X	X	X		X	X	X
Local Utility Distribution Lines	(14)	X	X	X	X	X	X	X	X		X	X	X
Telephone Lines and Telephone Exchange	(15)	X	X	X	X	X	X	X	X		X	X	X
Water Reservoir, Well or Pumping Station			X	X	X	X	X	X	X		X	X	X
Town Hall or Municipal Building or Service Center	(16)	S	S	S	S	S	S	S	S		X	X	X
Public or Private Utility (Not Listed)	(17)	S	S	S	S	S	S	S	S		S	S	S

7-105 AUTOMOBILE RELATED USES

TYPE USE	DISTRICTS												
	A	B	C	D	E	F	G	H	CC	CS	GR	PD	
Auto Sales or Repair Garage	(18)											X	
Gasoline Service Station	(19)										X	X	X
Parking Lot or Area Related to Adjacent Business					S	S	S	S			X	X	X

7-106 RETAIL AND SERVICE TYPE USES

TYPE USE	DISTRICTS											
	A	B	C	D	E	F	G	H	CC	CS	GR	PD
Bank or Savings and Loan Office										X	X	X
Bakery or Candy Shop (Retail)	(20)									X	X	X
Barber or Beauty Shop										X	X	X
Cafeteria or Restaurant without Drive-In Service	(21)									X	X	X
Custom Personal Service Establishment	(22)									X	X	X
Florist, Garden Shop, Greenhouse or Plant Sales in Building	(23)									X	X	X
Household Appliance, Service or Repair Shop	(24)									X	X	X
Offices, Professional and General Administrative										X	X	X
Retail Stores and Shops	(25)									X	X	X
Studio for Photographer, Musician, Artist or Decorator										X	X	X
Studio for Radio or Television											X	X
Theater	(25a)									S	S	S

7-107 RESERVED

7-108 CLASSIFICATION OF NEW AND UNLISTED USES It is recognized that new types of land use will develop and forms of land use not anticipated may seek to locate in the Town of Highland Park. In order to provide for such changes and contingencies and [any] determination as to the appropriate classification of any new or unlisted form of land use shall be made as follows:

- a. The Building Inspector shall refer the question concerning any new or unlisted use to the Town Zoning Commission requesting an interpretation as to the zoning classification into which such use should be placed. The referral of the use interpretation question shall be accompanied by a statement of facts listing the nature of the use and whether it involves dwelling activity, sales, storage, and amount and nature thereof[,] enclosed or open storage, anticipated employment, transportation requirements, the amount of noise, odor, fumes, dust, toxic material and vibration likely to be generated and the general requirements for public utilities such as water and sanitary sewer.

b. The Town Zoning Commission shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts and determine the zoning district or districts within which such use should be permitted.

c. The Town Zoning Commission shall transmit its findings and recommendations to the Town Council as to the classification proposed for any new or unlisted use. The Town Council shall by resolution approve the recommendation of the Town Zoning Commission or make such determination concerning the classification of such use as is determined appropriate based upon its findings.

7-200 SPECIAL DEFINITIONS AND EXPLANATIONS NOTED IN USE REGULATIONS

7-201 The following definitions and explanatory notes supplement, restrict and define the meaning and intent of the use regulations as set forth in the Use Schedule and Provisions [7-101](#) through 7-107 inclusive.

(1) *One-Family Residence (Attached)*—A dwelling designed and constructed for occupancy by one family which is joined to another dwelling or dwellings at one or more sides by a party wall or abutting separate wall and which is located on a separately identified building site (lot) which has separate access and utility service and which can be identified and conveyed as a separate building and building site. (Same as townhouse.)

(2) *One-Family Residence (Detached)*—A dwelling designed and constructed for occupancy by one family and located on a separate building site and having no physical connection to other buildings located on any other adjacent lot or building site and providing the normal front, side and rear yards.

(3) *Community Unit Development*—An area of unsubdivided land or a tract being subdivided and planned as a single integral residential development with yard setback and open space standards differing from the district in which it is located but which observes the over-all density standards set forth in such district and for which the standards and physical plan are approved by the Town Council.

(4) *Accessory Building or Structure*—In a residence district, a subordinate building or structure, attached or detached and used for a purpose customarily incidental to the main structure such as a private garage for automobile storage, air conditioning structure, tool house, lath or greenhouse as a hobby, home workshop, children's playhouse, storage house or garden shelter, but in no case shall an accessory building involve the conduct of a business or the creation of a condition adverse to the use and enjoyment of adjacent residential property.

(5) *Accessory Food Service*—In an "H," Multifamily Residence District, a dining room with accessory kitchen facilities of the building only, limited in area and size to one seating accommodation, not to exceed more than thirty (30) square feet per seat in a contiguous area, for each four (4) dwelling units available for rental in the structure and not constituting a private club, cafe or cafeteria and not involving the

use of any exterior sign or the sale of or the serving of any alcoholic beverages except beer or wine or the presentation of any entertainment. Such use may also be approved by Specific Use Permit in the CS, GR, and PD Districts.

(6) Church or Rectory—A structure designed and used as [a] place of worship by a recognized and organized religious group, having an ordained minister or equivalent title and may include the place of residence of the minister or priest such as a rectory, manse or parsonage, when all facilities are located on a single integral site.

(7) Country Club—A golf course and club house with related recreation facilities such as tennis courts, having a private and restricted membership and operated for the sole benefit of the membership. Such country club may contain incidental social and entertainment facilities for the sole use or enjoyment of the membership.

(8) Home Occupations—A home occupation is an occupation customarily carried on in the home by a member of the occupant's family, without the employment of additional persons, without the use of a sign to advertise the activity, without storing or offering any commodity or service for sale on the premises and which does not create obnoxious noise or other obnoxious conditions to abutting residential property such as odor, increased traffic, parking or noise and which does not involve any customer, client or potential customer visiting the premises.

(9) Off-Street Parking Incidental to Main Use—An enclosed or unenclosed, all-weather-surfaced area for the storage of motor vehicles which are owned or used by the occupant of the premises or their guests. In the case of legal business uses, incidental parking includes the storage of vehicles used by customers, clients and visitors as well as the customary loading and unloading activities incidental to the use. In all cases the parking shall be located without encroachment into a public street and in residential areas all parking facilities shall be located behind the front yard line.

(10) Park, Playground or Community Center (Public)—A municipally owned or sponsored open area for recreation use and enjoyment of the public including buildings, shelters, swimming pools and accessory facilities related thereto.

(11) School, Public—A school under the sponsorship of a State-approved public school board having a curriculum approved for public elementary or secondary schools, but not including private, parochial, trade or commercial schools or day nurseries.

(12) Servants' or Caretakers' Quarters—An accessory building, either separate from or attached to the main building, designed and used as a place of abode for bona fide servants or caretakers, regularly employed on the premises and not including a kitchen or kitchen equipment such as a sink, stove or other facilities which would create a separate dwelling unit.

(13) Swimming Pool (Private)—A pool and related equipment located on a building site and which is an accessory use designed and used only in relation to the occupancy of the premises. See [section 13-103](#) for location requirements.

(13a) Tennis Court—A detached accessory structure open and unobstructed to the sky designed and constructed with adequate drainage for playing the game of tennis and having a minimum area of seven thousand two hundred (7,200) square feet and minimum dimensions of sixty (60) feet by one hundred twenty (120) feet and enclosed and properly screened on all sides exposed to any street, alley, or lot line by a wall or fence having a minimum height of ten (10) feet. No tennis court shall be lighted for play.

(13b) Multi-Purpose Game Court (no lighting)—An all-weather surface designed for use in playing a variety of games including but not limited to basketball, volleyball, tennis with restricted flight balls, and badminton. Game courts may vary in size but will not provide lighting for play at night.

(13c) Multi-Purpose Game Court (lighting)—The installation of lighting to provide for nighttime use of multi-purpose courts. Lighting shall be designed and installed to illuminate the playing surface only.

(14) Local Utility Distribution Line—The customary lines, pipes, poles and wires necessary to provide the Town with municipal services. Local utility lines include the usual water, sewer and gas distribution lines, electrical and telephone lines, either above or below the ground surface when such facilities are owned or franchised by the municipality. Other utility-type facilities such as close [closed] circuit television, are not considered as local utility distribution lines as herein defined.

(15) Telephone Line and Exchange, but not including public business facilities, storage or repair facilities.

(16) Town Hall, Municipal Building or Service Center—The administrative office structure of the municipality along with such meeting rooms, library, museums, service facilities and maintenance center and related facilities which the governing body may deem appropriate to serve the community.

(17) Public or Private Utility (Not Listed)—Any service which in the future may seek to use the streets, alley, open spaces, air or subsurface area of the community, other than those specifically mentioned in paragraph 15 and exemplified by a close [closed] circuit television system.

(18) Auto Sales or Repair Garage—An establishment for the repair and sale of motor vehicles, but excluding the display or offering for sale of vehicles in open unenclosed space and not involving the repair or storage of vehicles or parts outside a building.

(19) Gasoline Service Station—An establishment primarily for the dispensing of motor fuel, oil and minor service to vehicles, but excluding the operation of a garage

for the overhaul or major repair of vehicles and excluding the sale of new or used vehicles.

(20) Bakery or Candy Shop—A retail shop for the sale or the making and sale of baked items, candy or similar food items for sale on the premises only and not involving processing, manufacturing or baking on a commercial scale for sale or delivery off the premises.

(21) Cafeteria or Restaurant (Without Drive-In Service)—The customary cafeteria or restaurant where guests are served at tables within a building, but excluding any establishment or operation wherein food is ordered from a vehicle or served to customers in a vehicle.

(22) Custom Personal Service—Establishments offering specific and specialized services to persons or apparel, such as shoe repair shop, tailor, or travel consultant.

(23) Florist, Garden Shop, Greenhouse or Plant Sales—The growing and offering for sale of plant materials and flowers, but only when the display, storage and sale is located within a building.

(24) Household Appliance Service and Repair—Including radio and television, but not involving the use of equipment which generates noise, odor or electrical frequencies so as to interfere with the use and enjoyment of adjacent property and only when all activity, storage, sales or display is housed within a building.

(25) Retail Stores and Shops—Offering all types of consumer goods for sale, but excluding the display and sale of new or used automobiles, heavy machinery, building materials, used appliances, used furniture or salvage materials, and excluding the sale or offering for sale of commodities displayed outside of a building.

(25a) Theater—An indoor establishment charging admission to the general public for the privilege of observing a televised or motion-picture performance. Theater shall include multiple theaters contained in the same building, and operating as a single business.

(26) Business Signs—A panel structure or graphic display placed or arranged for the purpose of directing attention to the occupant, building, service or product existing or offered on the premises on which such sign is located, but excluding poster panels and billboards.

(27) Signs, Real Estate—Temporary signs pertaining to the sale or rental of property not exceeding eight (8) square feet in area and advertising property only for a use for which it is legally zoned.

(28) Name plate—An accessory sign not exceeding seventy-two (72) square inches in exposed surface, which is used only to identify the name and address of the owner or occupant of a premises and which is not illuminated or lighted.

7-300 PD, PLANNED DEVELOPMENT DISTRICT USES PERMITTED

7-301 The Town Council of the Town of Highland Park, Texas, after public hearing and proper notice to all parties affected and after recommendation from the Zoning Commission, may authorize the creation of the following types of planned development districts:

- a. Shopping center on tracts of three (3) acres or more.
- b. Housing development on tracts of three (3) acres or more or a community unit development.
- c. Civic center and community center.
- d. Office center.
- e. Recreation center.
- f. School, public.
- g. Church. As part of a planned development district for a church only, the Town Council may approve such use to include the operation of denominational or private schools and day care centers or nurseries, which are defined as follows:

School, denominational or private: A school under the sponsorship of a private agency, corporation, or religious agency having a curriculum generally equivalent to public elementary or secondary schools, and accredited or licensed by the State of Texas or a nationally recognized accreditation agency; but excluding private trade or commercial schools.

Day care center or nursery: A facility where seven (7) or more children under fourteen (14) years of age are left for care, training, education, custody, or supervision during the day or any portion thereof. Such facility shall be operated in a manner as required by Chapter 42 of the Human Resources Code of the State of Texas, as amended, and in accordance with such standards as may be promulgated by State and federal law. The term “day care center” or “nursery” shall not include overnight lodging, health care, counseling, or rehabilitative services.

7-302 In establishing a planned development district in accordance with this section, the Town Council shall require a comprehensive site plan of the development. Such site plan shall be approved and filed as part of the ordinance prior to the issuance of any building permit in a planned development district. Such required plan and ordinance shall set forth the requirements for ingress and egress to the property, public or private streets or drives, with adequate right-of-way, sidewalks, utilities, drainage, parking space, height of building, maximum lot coverage, yards and open spaces, screening walls or fences and other development and protective

requirements considered necessary to create a reasonable transition to and protection of the adjacent property.

7-303 Every planned district approved under the provisions of this ordinance shall be considered as an amendment to the ordinance as applicable to the property involved. In approving the planned development district, the Town Council may impose conditions relative to the standard of development and such conditions shall be complied with before a certificate of occupancy is issued for the use of the land or any structure which is part of the planned development district and such conditions shall not be construed as conditions precedent to the approval of the zoning amendment, but shall be construed as conditions precedent to the granting of a certificate of occupancy.

7-400 FLOOD HAZARD PREFIX TO DISTRICT DESIGNATION. TO PROVIDE FOR THE APPROPRIATE USE OF LAND WHICH HAS A HISTORY OF INUNDATION OR IS DETERMINED SUBJECT TO A FLOOD HAZARD AND TO PROMOTE THE GENERAL WELFARE AND PROVIDE PROTECTION FROM FLOODING, PORTIONS OF CERTAIN DISTRICTS ARE DESIGNATED WITH A FLOOD HAZARD, FH PREFIX. AREAS DESIGNATED ON THE ZONING DISTRICT MAP BY A FH PREFIX SHALL BE SUBJECT TO THE FOLLOWING PROVISIONS:

7-401 USES PERMITTED:

The uses permitted in that portion of any district having a flood hazard FH prefix shall be limited to the following:

1. Lawns, gardens, landscaped areas and related private open space not involving buildings.
2. Off-street parking as an accessory use to a primary use.
3. All types of local utilities including those requiring specific use permits when approved as provided in [section 11](#).
4. Public parks, playgrounds and public or private golf courses.

7-402 No building or structure shall be erected in that portion of any district designated with a Flood Hazard FH prefix until and unless such building or structure has been approved by the Town Council after study and recommendation by the Town Engineer who will ascertain that any such building or structure is not subject to damage by flooding and would not constitute an encroachment hazard or obstacle to the movement of flood waters and that such construction would not endanger the value or safety of other property or would not adversely affect the public health, safety and welfare.

7-403 Any excavation, filling or storage of material within that portion of a district having a Flood Hazard FH prefix shall be reviewed by the Town Council after a study and report by the Town Engineer and approval obtained before any such operation is begun.

7-404 An area may be removed from the Flood Hazard FH prefix designation when by the provision of approved drainage works or as the result of specific drainage study it is determined by the Town Council, after report and recommendation by the Town Engineer, that the flood hazard has been alleviated. Removal of the Flood Hazard FH prefix from any parcel of land may be accomplished by the Town Council as an amendment to the zoning district map after review, public hearing and recommendation by the Zoning Commission.

7-405 The fact that land is or is not within a district having a Flood Hazard FH prefix shall not be interpreted as assurance that such land is or is not subject to periodic flooding due to local conditions.

(Ordinance 740, secs. 1–6, adopted 5/4/70; Ordinance 847, sec. 1, adopted 3/1/76; Ordinance 884, secs. 2, 3, adopted 2/6/78; Ordinance 937, sec. 1, adopted 8-25-80; Ordinance 960, secs. 1, 2, adopted 9/8/81; Ordinance 965, sec. 1, adopted 12/7/81; Ordinance 972, sec. 2, adopted 12/28/81; Ordinance 1008, sec. 1(1), adopted 9/6/83; Ordinance 1246, secs. 1, 2, adopted 4/5/93; Ordinance 1258, secs. 1, 2, adopted 7/12/93; Ordinance 1422, sec. I, adopted 11/1/99; Ordinance 1631, sec. 1, adopted 8/22/05; Ordinance 1873, sec. 2, adopted 10/24/11)

SECTION 8. AREA REGULATIONS

8-100 EXCEPT AS HEREINAFTER PROVIDED, NO BUILDING OR STRUCTURE OR PART THEREOF SHALL BE ERECTED, ALTERED OR CONVERTED FOR ANY USE PERMITTED IN THE DISTRICT IN WHICH IT IS LOCATED UNLESS IT IS IN CONFORMITY WITH ALL THE MINIMUM REGULATIONS HEREIN SPECIFIED FOR LOT AREA, LOT WIDTH, LOT DEPTH, LOT COVERAGE AND FRONT, SIDE AND REAR YARDS.

8-101 LOT AREA:

The minimum required residential building lot and building site area for the various districts shall be in accordance with the following schedule, except that a vacant, unused lot of record which has less area than herein required which was an official lot of record and separately owned from any adjacent lot prior to the adoption of this ordinance may be used for a one-family dwelling but no building site consisting of a lot or combination of lots existing in single ownership as an occupied building site at the time of passage of this ordinance shall be reduced in area without first filing a plat for consideration and action by the Town Council in accordance with the provisions of the Subdivision Regulations and obtaining approval. In no case shall a building site be reduced below the minimum requirements set forth herein.

8-102 IN THE FOLLOWING ZONING DISTRICTS THE MINIMUM LOT AREA FOR RESIDENTIAL USE SHALL BE IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

Schedule–Minimum Required Lot Area Per Dwelling Unit

TYPE USE	DISTRICTS										
	A	B	C	D	E	F	G	H	CS	GR	PD

One-Family Dwelling Detached	5 acres	25,000 sq. ft.	15,000 sq. ft.	9,500 sq. ft.	6,500 sq. ft.	*					
One-Family Dwelling Attached							2,500 sq. ft.				
Two-Family Dwelling						3,600 sq. ft.					
Multiple-Family Dwelling One to Three Stories							1,500 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.
Multiple-Family Dwelling Over Three Stories								200 sq. ft.			300 sq. ft.

*As specified in amending ordinance.

8-103 CC COUNTRY CLUB-GOLF COURSE DISTRICT AREA REQUIREMENT:

Minimum area requirement for CC Country Club-Golf Course District shall be one hundred (100) acres.

8-200 LOT WIDTH:

The minimum residential building lot or building site width for the various districts shall be in accordance with the following schedule, except that a vacant, unused lot of record which has less width than herein required which was an official lot of record and separately owned from any adjacent lot prior to the adoption of this ordinance may be used for a one-family dwelling, but no lot or combination of lots existing in single ownership as an occupied building site at the time of passage of this ordinance shall be reduced in width without first filing a plat for consideration and action by the Town Council in accordance with the provision of the Subdivision Regulations and obtaining approval. In no case shall a building site be reduced in width below the minimum requirements set forth herein. (See Appendix Illustration 1 for lot width interpretation)

8-201 IN THE FOLLOWING ZONING DISTRICTS THE MINIMUM REQUIRED LOT WIDTH FOR RESIDENTIAL USES SHALL BE IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

Schedule–Minimum Required Lot Widths

TYPE USE	DISTRICTS										
	A	B	C	D	E	F	G	H	CS	GR	PD

One-Family Dwelling Detached	200'	100'	70'	60'	55'	55'	55'	55'	55'	55'	55'
One-Family Dwelling Attached							20'	20'	20'	20'	20'
Two-Family Dwelling						60'	60'	60'	60'	60'	60'
Multiple-Family Dwelling, One to Three Stories							60'	60'	60'	60'	60'
Multiple-Family Dwelling Over Three Stories								70'			70'

Minimum required width of lot in feet

8-300 LOT DEPTH:

The minimum required residential building lot or building site depth for the various districts shall be in accordance with the following schedule, except that a vacant, unused lot of record which has less depth than herein required and which was an official lot of record and separately owned from any adjacent lot prior to the adoption of this ordinance may be used for a one-family dwelling but no lot or combination of lots existing in single ownership as an occupied building site at the time of passage of this ordinance shall be reduced in depth without first filing a plat for consideration and action by the Town Council in accordance with the provisions of the Subdivision Regulations and obtaining approval. In no case shall a building site be reduced in depth below the minimum requirements set forth herein. (See Appendix Illustration 2 for lot depth interpretation)

8-301 IN THE FOLLOWING ZONING DISTRICTS THE MINIMUM REQUIRED LOT DEPTH FOR RESIDENTIAL USES SHALL BE IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

Schedule–Minimum Required Lot Depth

TYPE USE	DISTRICTS										
	A	B	C	D	E	F	G	H	CS	GR	PD
One-Family Dwelling Detached	250'	180'	150'	140'	130'	120'	120'	120'	120'	120'	120'
One-Family Dwelling Attached							100'	100'	100'	100'	100'

Two-Family Dwelling						120'	120'	120'	120'	120'	120'
Multiple-Family Dwelling								150'			150'

Minimum required depth of lot in feet

8-400 FRONT YARD:

8-401 MINIMUM REQUIRED FRONT YARD:

In all zoning districts except Planned Development Districts the minimum required front yard shall be the average front setback for the entire block as determined by measuring the setbacks of the main buildings on one side of the street.

8-402 SPECIAL FRONT YARD REGULATIONS:

- (1) Where the frontage on one side of a street between two (2) intersecting streets is divided by two (2) or more zoning districts, the front yard shall comply with the requirements of the most restrictive district for the entire frontage.
- (2) Where a building line has been established by plat approved by the Town Council or by ordinance, and such line requires a greater or lesser front yard setback than is prescribed by this ordinance for the district in which the building line is located, the minimum required front yard shall comply with the building line so established by such ordinance or plat.
- (3) The front yard shall be measured from the front property line to: (1) the front face of the building, (2) covered porch or covered terrace where the cover is supported by columns or (3) attached accessory building. Covered porches not supported by columns shall not extend more than four (4) feet into the required front yard. Every part of a minimum required front yard shall be open and unobstructed to the sky except that eaves and roof extensions may project into the minimum required front yard for a distance not to exceed four (4) feet and window sills, bay windows, and chimneys may project a maximum of twelve (12) inches into the required front yard.
- (4) Where lots have double frontage, running through from one street to another, a minimum required front yard shall be provided on both streets unless a building line for accessory buildings has been established along one frontage on the plat or by ordinance, in which event only one required front yard need be observed. (See Appendix Illustration 5)
- (5) Where the frontage on one side of a street between two (2) intersecting streets in any residential district is improved with buildings prior to the effective date of this ordinance and has a front yard line which has a variation in depth, then the average front yard shall be observed; provided, however, that this regulation shall not be interpreted as permitting a front yard of less than twenty (20) feet in depth.

(6) In the “H” District, a minimum front yard of twenty (20) feet shall be required; provided, however, that in no case shall the distance from the center line of the street on which a building fronts to the front face of the building be less than one-half (1/2) the height of the building.

(7) Gasoline service station pump islands may not be located nearer than eighteen (18) feet to the front property line in the districts where such use is permitted nor shall any canopy over such island be located nearer than ten (10) feet to any front property line.

(8) On any corner for which front and side yards are required herein, no fence, wall, structure, sign, screen, hedge, shrub or tree, slope, terrace or embankment shall be located, planted, constructed or maintained so as to cause danger or hazard to traffic by obstructing the view at any street or alley intersection within the sight visibility easement. No such fence, wall, structure, screen, hedge, shrub or tree shall be located so as to interfere with the line of sight at an intersection from a distance of twenty-four (24) inches to a distance of eight (8) feet above the curb. The sight visibility easement (See Appendix Illustration 10) shall extend as follows:

A. At the intersection of two (2) public streets - a distance of twenty-five (25) feet back from the intersection in each direction as measured along the street curblines.

B. At the intersection of a public street and an alleyway - a distance of fifteen (15) feet back from the intersection in each direction as measured along the street curblines and the edge of alley paving.

(9) In PD Planned Development District, the minimum required front yard shall be established by the ordinance establishing the “PD” District, but in no case shall a front yard of less than twenty (20) feet be provided.

(10) In the CC Country Club-Golf Course District, a minimum setback from the property line shall be fifty (50) feet for all structures except uncovered tennis courts.

(11) In the C, D, E, F and G Districts, all basements and cellars shall observe the same front yard setback standards applicable to the primary structure.

(12) Balustrades, walls, and railings surrounding front porches within the required front yard setback in residential districts with residential uses are permitted with the following requirements:

(a) shall be constructed of brick, stone, concrete, or metal;

(b) may not exceed thirty-eight (38) inches in height measured from the natural grade; and

(c) may not extend more than five (5) feet from the face of the building into the required front yard or ten (10) percent of the front yard setback, whichever is greater.

(13) Handrails for safety at steps in the front yard of residential districts with residential uses are permitted with the following requirements:

- (a) shall be constructed of metal;
- (b) shall have at least three (3) inches clear vision between vertical posts, with a maximum post width of two (2) inches; and
- (c) shall not exceed thirty-eight (38) inches in height measured from the adjacent natural grade.

(14) Permanently installed recreational sports equipment (including, but not limited to, basketball goals) shall be prohibited in the front yard of residential districts. Permanently installed recreational sports equipment attached to the residential structure shall be set back a minimum of fifteen (15) feet behind the front building line.

Exception: Detached, portable recreational sports equipment is excluded from this regulation.

8-500 SIDE YARD:

8-501 IN THE FOLLOWING ZONING DISTRICTS THE MINIMUM AND MAXIMUM REQUIRED SIDE YARD SHALL BE IN ACCORDANCE WITH THE FOLLOWING SCHEDULE AND NO BUILDING, STRUCTURE OR USE SHALL HEREAFTER BE LOCATED SO AS TO HAVE A SMALLER SIDE YARD ON EITHER SIDE OF SUCH BUILDING THAN HEREIN SPECIFIED.

SCHEDULE—MINIMUM AND MAXIMUM REQUIRED SIDE YARDS

TYPE USE	DISTRICTS										
	A	B	C	D	E	F	G	H	CS	GR	PD
(a) Minimum Side Yard Required	10 Percent of Lot Width But Not Less Than Width Shown Below										
10% of Lot Width											
	20'	12'	7'	5'	5'	5'	See 8-502	See 8-502	See 8-502(8)	See 8-502(8)	See 8-502(7)

							(2)(3)(6)	(4)(6)(2)			
(b) Maximum Side Yard Required*	25'	**	**	**	**	**	See 8-502 (2)(3)(6)	See 8-502 (4)(6)(2)	See 8-502(8)	See 8-502(8)	See 8-502(7)

* Side yard need not exceed the dimension specified in (b) even though 10% of lot width may exceed the maximum side yard dimension shown by the Schedule.

** The maximum side yard requirements of this Section shall not apply to combined building sites. See [Section 8-502\(11\)](#).

8-502 SPECIAL SIDE YARD REGULATIONS:

(1) Every part of a minimum required side yard shall be open and unobstructed except for accessory buildings, fences and other appurtenances as permitted herein and the ordinary projections of window sills, belt courses, cornices, chimneys and other architectural features projecting not to exceed twelve (12) inches into the required side yard, and roof eaves projecting not to exceed thirty-six (36) inches into the minimum required side yard.

(1a) Air-conditioning condensing units may be located in the required side yard with the following conditions:

(a) Air-conditioning condensing units adjacent to residential building sites shall be screened by a solid wood fence or wall. Air-conditioning condensing units abutting a street, alley, or easement can be screened by landscaping, but shall not exceed the height of the screening;

(b) No more than five (5) air-conditioning condensing units can be located in one side yard. A minimum clearance of twenty-four (24) inches shall be maintained between the air-conditioning condensing unit and the side property line, or at least one (1) required side yard shall be kept clear of all air-conditioning condensing units; and

(c) Placement of new air-conditioning condensing units associated with the renovation, addition, and/or construction of a new residential structure shall comply with the regulations set forth herein. Replacement of existing air-conditioning condensing units that maintain a nonconforming status will be allowed to continue until the building site is redeveloped.

(2) Multiple-family dwellings not exceeding three (3) stories in height shall provide a minimum side yard of fifteen (15) feet between any building wall containing openings for windows, light and air and any side lot line except that any such building face or wall not exceeding thirty-five (35) feet in width may provide a minimum side yard of ten (10) feet. Where a building wall contains no openings for

windows, light or air, a minimum required side yard of ten (10) feet shall be provided between such wall and the side lot line.

(2a) Multiple-family dwellings not exceeding three (3) stories in height located on fifty (50) feet wide building sites shall provide a minimum side yard of ten (10) feet.

(3) A multifamily dwelling not exceeding three (3) stories in height located on a corner lot shall provide a side yard adjacent to the side street of not less than ten (10) percent of the width of the lot but not less than ten (10) feet or more than fifteen (15) feet.

(4) Where apartment buildings or structures are constructed to exceed three (3) stories in height, a side yard equal to one foot for each two (2) feet of building height for all building faces or walls having openings for light, air or access shall be provided except that such side yard need not exceed fifty (50) feet. In all districts permitting the construction of apartment buildings exceeding three (3) stories in height, a minimum side yard of twenty (20) feet shall be required for any building face or wall which contains no openings for windows, light or air.

(5) On a corner lot used for one-family or two-family dwellings both street exposures shall be treated as front yards on all lots platted after the effective date of this ordinance, except that where one street exposure is designated as a side yard by a building line shown on a plat approved by the Town Council containing a side yard of ten (10) feet or more the building line provisions on the plat shall be observed. On lots which were official lots of record prior to the effective date of this ordinance the minimum required side yard adjacent to a side street shall comply with the minimum required side yard for the respective districts as specified in [8-501](#), "Minimum and Maximum Required Side Yard Schedule."

(6) A one-family attached dwelling shall provide a minimum required side yard adjacent to a side street of ten (10) feet and no complex of attached one-family dwellings shall exceed two hundred (200) feet in length. A minimum required side yard of five (5) feet shall be provided at the end of each one-family attached dwelling complex so that the end of any two (2) adjacent building complexes shall be at least ten (10) feet apart. (See Appendix Illustration 7)

(7) The minimum required side yards in a Planned Development District shall be established on the site plan which shall be made a part of the amending ordinance.

(8) No side yards is [are] specified for nonresidential use in the CS or GR Districts except where a commercial, retail or other nonresidential use abuts upon a district boundary line dividing such districts from a residential district in which event a minimum ten-foot side yard shall be provided on the side adjacent to such residential district, and whenever a lot or tract is utilized for nonresidential use and one side lot line abuts a street a minimum side yard of ten (10) feet shall be provided.

(9) Gasoline service station pump islands may not be located nearer than eighteen (18) feet to the side property line of any tract or lot in the district where such use is

permitted nor shall any canopy over such island be located nearer than ten (10) feet to any side property line.

(10) Whenever existing dwellings have failed to provide the minimum side yard as herein required, such structures may be altered and added to; provided, that such alteration, addition, or change does not reduce the nonconforming side yard below the dimension existing prior to such alteration, addition, or change. The provisions of Subsection (11), not the provisions of this Subsection (10), apply to any alteration or change of, or addition to, a combined building site.

(11) The minimum side yard required for a main building located on a combined building site within a B, C, D, E, or F district shall be 10% of the lot width of the combined building site with no maximum side yard limitation. See [Section 26-101](#) a. and b. for applicability.

(12) An existing main building located on a combined building site within a B, C, D, E, or F district need not comply with setback requirements; however, any addition to the existing main building, or any replacement of the existing main building, shall conform to the requirements of [Section 8-502](#)(11).

(13) In the C, D, E, F and G Districts, all basements and cellars shall observe the same side yard setback standards applicable to the primary structure. No openings shall be allowed from the basement or the cellar to the side yard, except for vehicular access to authorized underground parking.

8-600 REAR YARD:

8-601 NO BUILDING OR STRUCTURE SHALL HEREAFTER BE LOCATED, ERECTED OR ALTERED TO HAVE A REAR YARD SMALLER THAN HEREIN REQUIRED:

(1) In all districts permitting residential structures, no main residential building, including any basement or cellar, may be constructed nearer than ten feet (10') to the rear property line. In the B, C, D, E, and F Districts, any structure, or portion thereof, located within forty feet (40') of the rear property line, shall not exceed twenty-five feet (25') in height, nor have a plate height exceeding twelve feet, six inches (12' 6"). Roof height shall be measured to the roof ridge, or projected roof ridge, whichever is higher, and the slope shall not exceed twelve (12) vertical units in twelve (12) horizontal units (12:12 pitch maximum). In all districts permitting residential structures, a main residential building shall not cover more than fifty percent (50%) of that portion of the lot lying to the rear of a line erected joining the midpoint on one side of the lot line with the midpoint of the opposite side lot line. For accessory buildings, see [section 12](#). (See Appendix Illustration 3.)

(2) In the CS and GR Districts, no rear yard is specified except where retail or commercial uses back upon a common district line, whether separated by an alley or not, dividing the district from any of the residential districts listed herein, a minimum rear yard of ten (10) feet shall be provided.

(3) Every part of a required rear yard shall be open and unobstructed to the sky, except for accessory buildings or structures, fences as permitted in section 15 and the ordinary projections of window sills, belt courses, cornices and roof overhangs and other architectural features projecting not to exceed four (4) feet into the required rear yard and normal lawn appurtenances and landscaping.

(4) The minimum rear yard requirement in a Planned Development District shall be established on the site plan which shall be made a part of the amending ordinance.

(5) No accessory building, fence or other structure shall be located or erected so as to extend into or obstruct any alley or utility easement.

(6) Whenever existing dwellings have failed to provide the minimum rear yard as herein required, such structures may be altered or added to, provided that such change or addition does not further reduce the nonconforming rear yard.

(6a) In B, C, D, E, and F districts, any addition and/or change to structures within forty feet (40') of the rear property line, shall comply subsections (1), (7), (8), (9), and (10).

(7) In B, C, D, E, and F residential districts, gables, dormers, windows, or doors located above the twelve-foot, six-inch (12' 6") plate line and within forty feet (40') of the rear property line, shall not face the side yards unless located a minimum distance twenty feet (20') from the side property line. Face shall mean a line of site directed perpendicular of the window glazing towards the referenced property line. Dormers or windows facing a side street on a corner lot shall not be required to meet this requirement. Dormers and windows cannot exceed four feet (4') in width, must be separated by a minimum of four feet (4'), and must be set back a minimum of thirty inches (30") from the top plate.

(8) In the B, C, D, E, and F residential districts, windows above the twelve-foot, six-inch (12' 6") plate line facing and within twenty feet (20') of the rear property line, shall be fixed and nontransparent.

(9) In B, C, D, E and F districts, a deck and/or porch more than thirty inches (30") above grade and a roof terrace and/or balcony shall not be located within forty feet (40') of the rear property line.

(10) In the B, C, D, E and F districts, fixed skylights that are flush-mounted with the roof are allowed above the twelve-foot, six-inch (12' 6") top plate line of the first floor within forty feet (40') of the rear property line. The lowest portion of such skylight shall be a minimum of six feet (6') high, measured vertically from the finished floor above the top plate.

8-700 LOT COVERAGE AND FLOOR AREA RATIO:

8-701 THE MAXIMUM PERCENTAGE ON ANY LOT AREA WHICH MAY HEREAFTER BE COVERED BY THE MAIN BUILDING AND ALL ACCESSORY BUILDINGS AND

THE MAXIMUM RATIO OF FLOOR AREA TO THE TOTAL AREA OF THE LOT OR TRACT ON WHICH A BUILDING IS LOCATED SHALL NOT EXCEED THE FOLLOWING SCHEDULE FOR THE ZONING DISTRICTS DESIGNATED.

SCHEDULE–MAXIMUM BUILDING COVERAGE

TYPE USE	DISTRICTS										
	A	B	C	D	E	F	G	H	CS	GR	PD
Maximum Percent of Lot Which May be Covered by Buildings	20%	30%	** 40%	** 40%	** 40%	** 35%	* 40%	* 40%	* 40%	* 40%	* 30%
Maximum Floor Area-Lot Area Ratio								2:1	1:2	1:1	1:1

* See [8-702](#). (See Appendix Illustration 6)

** The maximum building coverage for a combined building site shall be governed by [Section 8-706](#).

8-702 In the G, H, CS and GR districts where apartment buildings are constructed having covered vehicle parking facilities an additional ten (10) percent of the total lot area may be covered by the combined main building and covered parking facilities, but in no case shall the combined coverage exceed fifty (50) percent of the total area of the lot or tract upon which the main building is constructed.

8-703 Structures designed and used for off-street parking of vehicles incidental to the main use need not be included in the floor area when computing floor area ratio. Off-street parking structures constructed in connection with retail or service buildings in the CS or GR districts need not be computed as site building coverage.

8-704 In the CC country club-golf course district the maximum building coverage shall not exceed ten (10) percent of the total acreage.

8-705 In a planned development district for a church the maximum percent of a lot that may be covered is fifty (50) percent and the maximum floor area-lot area ratio is 1.25:1.

8-706 The maximum building coverage permitted for a combined building site within a B, C, D, E, or F district shall be 30%.

Editor’s note–Ordinance 1631, sec. 5, amended [section 8-700](#) by adding a new [section 8-705](#). Section 8-700 already contained a section 8-705; therefore, on advice from the Town, the new provisions have been included herein as section [8-706](#).

(Ordinance 740, sec. 7, adopted 5/4/70; Ordinance 847, sec. 1, adopted 3/1/76; Ordinance 972, secs. 3–5, 12/28/81; Ordinance 1008, sec. 1(2)–(6), adopted 9/6/83; Ordinance 1015, sec. 1, adopted 9/26/83; Ordinance 1335, sec. 1, adopted 7/1/96; Ordinance 1422, sec. I, adopted

11/1/99; Ordinance 1631, secs. 2–5, adopted 8/22/05; Ordinance 1634, sec. 1, adopted 9/26/05; Ordinance 1780, secs. 2–4, adopted 1/26/09; Ordinance 1873, sec. 4, adopted 10/24/11; Ordinance 1927, secs. 1–3, adopted 9/9/13)

SECTION 9. OFF-STREET PARKING AND LOADING SPACE REGULATIONS

9-100 OFF-STREET PARKING SHALL BE PROVIDED ON THE LOT OR TRACT ON WHICH THE USE IS LOCATED SUFFICIENT TO PROVIDE THE FOLLOWING RATIO OF VEHICLE SPACES FOR THE USES SPECIFIED IN THE DISTRICTS DESIGNATED.

9-101 IN THE FOLLOWING ZONING DISTRICTS THE MINIMUM OFF-STREET PARKING SPACES FOR RESIDENTIAL USES SHALL BE:

- | | |
|--|--|
| (1) A and B, One-Family Residence Districts | Two (2) spaces for each dwelling unit. |
| C, D and E, One-Family Residence Districts | Three (3) spaces for each dwelling unit. Two parking spaces shall be enclosed and shall be located behind the front building line. |
| F, Two-Family Residence Districts | Three (3) spaces for each dwelling unit. Two parking spaces shall be enclosed and shall be located behind the front building line. |
| G and H, Multifamily Residence Districts | Two (2) spaces for each dwelling unit. |
| (2) CS Community Service District, GR, General Retail District | Two (2) spaces for each dwelling unit. Other requirements in accordance with 9-102, “Parking Space Schedule” following |
| (3) PD, Planned Development District | Residential uses—Two (2) spaces for each dwelling unit |
| (4) G and H, Multiple-Family Residence District | Two (2) spaces for each dwelling unit |

- | | |
|--|---|
| (5) CS Community Service District, GR, General Retail District | Two (2) spaces for each dwelling unit. Other requirements in accordance with 9-102 Parking Space Schedule following |
| (6) PD, Planned Development District | Residential Uses—Two (2) spaces for each dwelling unit |

9-102 PARKING SPACE SCHEDULE, NONRESIDENTIAL USES IN ALL DISTRICTS WHERE THE SPECIFIED NONRESIDENTIAL USE IS PERMITTED.

- (1) Automobile service facilities—One space for each one thousand (1,000) square feet of building area.
- (2) Clinics or doctors' offices—One space for each two hundred and fifty (250) square feet of floor area.
- (3) Offices, general—One space for each three hundred (300) square feet of floor area.
- (4) Recreational use, private or commercial—One space for every two (2) persons to be normally accommodated in the establishment.
- (5) Restaurant or cafeteria—One space for every four (4) seats under maximum seating arrangement.
- (6) Retail or personal service—One space for each two hundred (200) square feet of floor area.
- (7) Theaters, meeting rooms and places of public assembly—One space for every three (3) seats.
- (8) Banks, savings and loans, and other financial institutions—One space for each two hundred (200) square feet of floor area.

9-103 SPECIAL OFF-STREET PARKING REGULATIONS:

- (1) In computing the parking requirements for any building or development, the total parking requirements shall be the sum of the specific parking space requirements for each class of use included in the building or development.
- (2) Any lights used to illuminate a parking area shall be so arranged as to reflect away from any adjacent residential uses or residential districts.
- (3) In the A, B, C, D, E, F, G and H Districts, no off-street parking of any truck, truck trailer, van, house trailer, or mobile home shall be permitted except that one

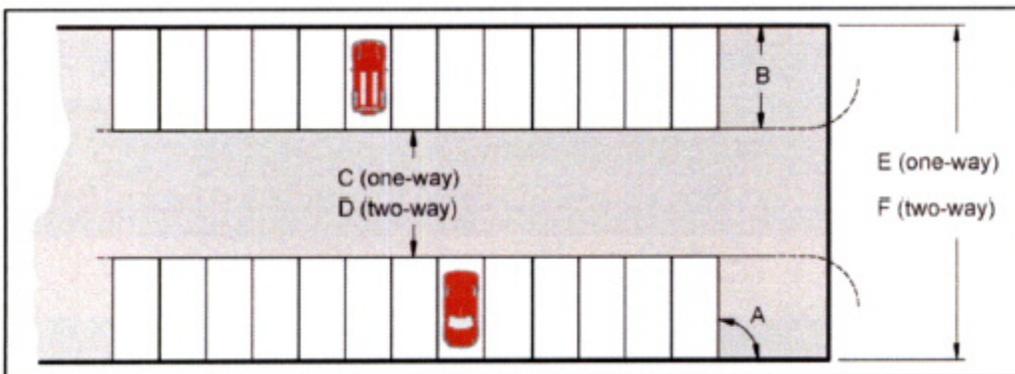
panel or pickup truck not exceeding one ton capacity, owned and operated by the owner or occupant, may be stored at any one residential unit.

(4) In the A, B, C, D, E, F, G and H Districts, a boat or recreational vehicle including a motor home or travel trailer may be stored at any residential unit provided that such boat, vehicle or motor home may be stored only within an accessory structure or within that portion of any residential lot or building site designated as the rear yard.

(5) In B, C, D, E, F, and G districts, a garage facing a side property line with a front or rear entry driveway shall provide a driveway with a minimum distance from the face of the garage to the side property line of twenty-three feet (23'). The minimum interior turning radius shall be fifteen feet (15'). Building sites fifty feet (50') in width in "G" Zoning Districts are permitted to provide a minimum of thirteen feet (13') interior turning radius, provided that the garage is a minimum of twenty feet (20') wide and twenty-one feet (21') deep, both interior wall-to-wall dimensions with a minimum opening width of eighteen feet (18') for two-vehicle doors and nine feet (9') for one-vehicle doors.

(6) In G, H, CS, GR, CC, and PD districts parking lots and parking structures shall be designed in accordance with the following standard (See Figure C):

Parking Angle ^{1,3}	Stall Depth ²	Min. Aisle One-Way ²	Min. Aisle Two-Way ²	Module One-Way ²	Width Two-Way ²
(A)	(B)	(C)	(D)	(E)	(F)
Parallel	9.0	12.0	20.0	30.0	38.0
30	15.0	11.0	20.0	41.0	50.0
45	17.5	12.0	20.0	47.0	55.0
60	19.0	16.0	20.0	54.0	58.0
90	20.0	20.0	20.0	NA	60.0



1. Angle measurements shown in degrees maximum, i. e. 30°[.]

2. Dimensional measurements shown in feet, i.e. 9.0'[,]
3. Dimensional measurements shall apply to each maximum angle increment as listed. If the angle increment is exceeded, then next greater angle increment shall apply.

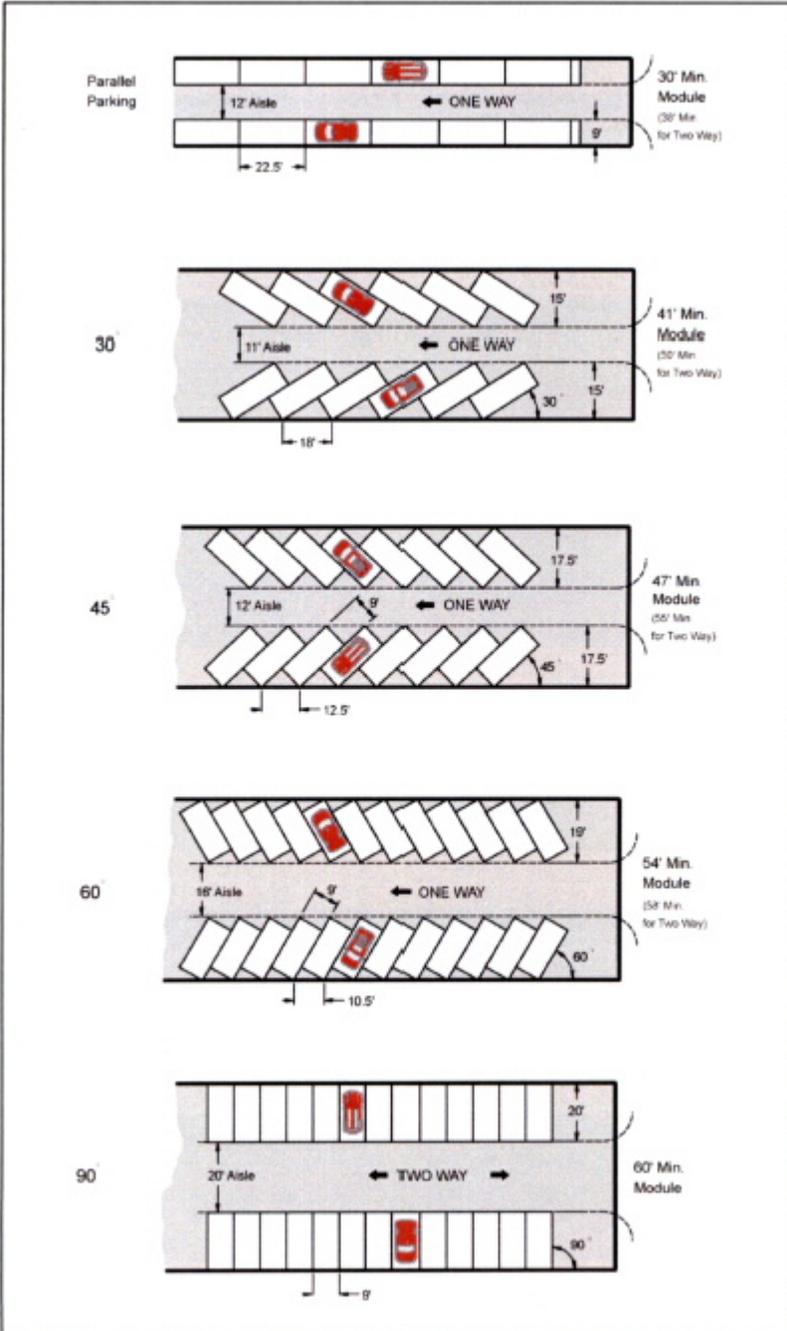


Figure C

9-104 OFF-STREET LOADING SPACE SHALL BE PROVIDED ON EACH LOT IN ACCORDANCE WITH THE FOLLOWING:

(1) All retail and service structures shall provide and maintain off-street facilities for the loading and unloading of merchandise and goods within the building or on an area adjacent to a public alley or private service drive. Such space shall consist of a minimum area of ten (10) feet by twenty-five (25) feet for each twenty thousand (20,000) square feet of floor space or fraction thereof in excess of three thousand (3,000) square feet in the building or on the lot.

(Ordinance 740, sec. 8, adopted 5/4/70; Ordinance 847, sec. 1, adopted 3/1/76; Ordinance 1008, sec. 1(7), (8), adopted 9/6/83; Ordinance 1780, sec. 5, 6, adopted 1/26/09; Ordinance 1873, sec. 5, adopted 10/24/11)

SECTION 10. HEIGHT REGULATIONS

10-100 NO BUILDING OR STRUCTURE SHALL BE LOCATED, ERECTED, OR ALTERED SO AS TO EXCEED THE HEIGHT LIMIT HEREINAFTER SPECIFIED FOR THE DISTRICT IN WHICH THE BUILDING IS LOCATED.

10-101 IN THE FOLLOWING ZONING DISTRICTS THE MAXIMUM HEIGHT OF BUILDINGS AND STRUCTURES SHALL BE:

- | | |
|---|---|
| (1) A, One-Family Residence Districts | Three (3) stories not to exceed forty-five (45) feet, except as noted in 10-102 following. |
| (2) B, One-Family Residence Districts | Two and one-half (2-1/2) stories not to exceed thirty-five (35) feet, except as noted in 10-102 following. |
| (3) C, D, and E, One-Family Residence Districts and F, Two-Family Residence Districts | A. Two (2) stories not to exceed twenty-six (26) feet for mansard roofs, roofs with a flat surface, or roofs with a slope less than 3:12, except as noted in 10-102 following.

B. Two (2) stories not to exceed thirty-five (35) feet to the roof ridge or projected roof ridge, whichever is higher for sloped roofs or roofs with a pitch of 3:12 or greater, except as noted in 10-102 following. |
| (4) G, Multifamily Residence Districts | A. Three (3) stories not to exceed forty-three (43) feet to the roof |

ridge or projected roof ridge and thirty-five (35) feet to the top of the top plate.

B. On fifty (50) feet wide building sites, height is limited to thirty-five (35) feet for mansard roofs or roofs with a flat surface, except as noted in [10-102](#) following.

- (5) H, Multifamily Residence Districts Three (3) stories or to twenty (20) stories when additional setback requirements are observed, except as noted in [10-102](#) following.
- (6) CC, Country Club-Golf Course Districts Three (3) stories not to exceed forty (40) feet, except as noted in [10-102](#) following.
- (7) CS, Community Service Two (2) stories not to exceed thirty (30) feet, except as noted in [10-102](#) following.
- (8) GR, General Retail Districts Three (3) stories not to exceed forty (40) feet, except as noted in [10-102](#) following.
- (9) PD, Planned Development Districts To any height approved by the Town Council, provided the Floor Area Ratio does not exceed 1:1 and special setbacks, as specified by the Town Council, are observed, and as noted in [10-102](#) following.

10-102 SPECIAL HEIGHT REGULATIONS

(1) In all districts, roofs with a slope of less than 3:12 shall be considered flat roofs or roofs with a flat surface. Roofs with a slope of 3:12 or greater, up to and including a slope of 18:12, shall be considered pitched roofs. Roofs with a slope of greater than 18:12 shall be considered a vertical wall and be limited to the maximum plate height limitation for the district where applicable.

- (2) In C, D, E and F Districts, the height to the top of the top plate shall be a maximum of twenty-six (26) feet, except as limited by [Section 8-601](#).
- (2A) In G Multifamily districts, the height to the top of the top plate for structures on fifty (50) feet wide building sites shall be a maximum of thirty-five (35) feet.
- (3) In all districts except C, D, E, and F, roof gables may extend not more than ten (10) feet above the maximum permitted building height.
- (4) In all districts, chimneys, vent stacks, and antennas may extend not more than ten (10) feet above the maximum permitted building height.
- (5) Cooling towers, elevator bulkheads, and ornamental features including cupolas, domes, or spires shall not exceed thirty-five (35) feet in height in C, D, E, and F districts, or not more than ten (10) feet above the maximum permitted height in all other districts.
- (6) In residential districts C, D, E, and F, parapet walls cannot exceed the maximum height of twenty-six (26) feet.
- (7) In nonresidential districts, parapet walls can extend an additional height not to exceed four (4) feet above the maximum for the district for mansard roofs, roofs with a flat surface, or roofs with a slope less than 3:12.
- (8) When a roof contains more than one slope, the steeper roof slope above the second floor plate line shall be extended to form a projected roof ridge which shall be limited to the maximum permitted height for the district as outlined in Section 10-101.
- (9) Roof designs other than those described in this section, including but not limited to domes or arched roofs, shall be permitted provided the entire roof structure is completely contained within the area defined by both building and roof regulations in this ordinance.
- (10) In residential districts C, D, E, and F, one architectural feature per building site will be permitted to exceed the twenty-six (26) feet height of the top plate provided the feature complies with all of the following:
- A. The maximum height to the top plate shall be limited to thirty (30) feet.
 - B. The maximum horizontal width above the twenty-six (26) foot top plate line shall not exceed twice the width of the required side yard to a maximum of fifteen (15) feet.
 - C. The roof slope shall be 3:12 or greater, and comply with the maximum permitted height for the district.

D. Such feature shall be limited in use for additional ceiling height in the room directly below but in no case shall the space be used for living area above the second floor nor be used to accommodate or provide headroom for a stairway or elevator shaft to the living area located in the attic as permitted in [Section 10-102](#)(11).

E. For purposes of this subsection, a dormer shall not be considered an architectural feature.

(11) Subject to all applicable Town building regulations, living area in attic space of two-story dwellings will be permitted provided the roof line is not altered or designed for other than a two-story building. Openings for windows or dormers cannot exceed four (4) feet in width, must be separated by a minimum of four (4) feet, and must be set back a minimum of thirty (30) inches from the top plate.

(12) In G Multifamily Districts:

A. Windows shall not be permitted on the third story facing the rear yard adjacent to a residential zoning district.

B. On fifty (50) feet wide building sites, doors shall not be permitted on the on the [sic] third floor facing the alley.

C. Minimum required roof pitch will be 5:12. Parapets are not permitted.

(13) In the C, E [D], E and F Districts, windows or dormers above the second floor top plate line shall face a front street. Fixed skylights that are flush-mounted with the roof shall be allowed above the top plate line of the second story, provided that the skylight at its lowest elevation is a minimum of six (6) feet measured vertically above the finished floor.

(Ordinance 971, sec. 1, adopted 12/21/81; Ordinance 972, sec. 6, 12/28/81; Ordinance 1008, sec. 1(9), (10), adopted 9/6/83; Ordinance 1422, sec. I, 11/1/99; Ordinance 1570, secs. 1, 2, adopted 11/3/03; Ordinance 1634, secs. 2, 3, adopted 9/26/05; Ordinance 1780, secs. 7, 8, adopted 1/26/09; Ordinance 1873, sec. 6, adopted 10/24/11)

SECTION 11. SPECIFIC USE PERMITS

11-100 THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS, AFTER PUBLIC HEARING AND PROPER NOTICE TO ALL PARTIES AFFECTED AND AFTER RECOMMENDATIONS BY THE TOWN ZONING COMMISSION MAY AUTHORIZE THE ISSUANCE OF SPECIFIC USE PERMITS FOR THE USES INDICATED ON THE USE SCHEDULE IN DISTRICTS DESIGNATED AND SHOWN BY [7-102](#) THROUGH 7-107.

11-101 The Town Zoning Commission in considering and determining its recommendation or the Town Council in considering any request for a specific use permit may require from the applicant, plans, information, operating data and expert evaluation concerning the location, function and characteristics of any building or use proposed. The Town Council may in the

interest of the public welfare and to assure compliance with this ordinance, establish conditions of operation, location, arrangement and construction of any use for which a permit is authorized. In authorizing the location of any of the uses listed as specific use permits, the Town Council may impose such development standards and safeguards as the conditions and location indicate important to the welfare and protection of adjacent property from excessive noise, dust, fumes, odor, glare, offensive view or other adverse, undesirable or hazardous conditions.

SECTION 12. ACCESSORY BUILDING REGULATIONS

12-100 DEFINITION AND USE REGULATION

- a. In a residence or apartment district, an accessory building cannot be rented, cannot contain kitchen facilities nor can an accessory building be used for commercial purposes.
- b. In other districts, an accessory building is a subordinate building, the use of which is incidental to and used only in conjunction with the main building.

12-101 AREA REGULATIONS FOR ACCESSORY BUILDINGS IN RESIDENTIAL AND MULTIFAMILY DISTRICTS:

(1) Front Yard.

(a) Attached accessory buildings shall have a front yard not less than that required for the main building. Detached accessory buildings shall be located in the area defined as the rear yard, except as provided in Subsection (b).

(b) Any detached accessory building located on a combined building site must be located in the rear yard, or in a side yard, to the rear of a line joining the midpoint of one side lot line with the midpoint of the opposite side lot line. (See Appendix Illustration 9)

(2) Side Yard.

(a) Except as provided in Subsection (b), there shall be a side yard for any detached accessory building of not less than three (3) feet from any side lot line, alley line or easement line, except that adjacent to a side street the side yard requirement shall be the same as that required for the main building. An attached or detached accessory building on a corner lot which opens directly to and is entered from the side street shall provide a side yard of not less than twenty (20) feet. Maximum overhang of roof of an accessory building into the required side yard is eighteen (18) inches.

(b) Except as provided below in Subparagraph 4 (Nonconforming Accessory Buildings), any detached accessory building to be located on a combined building site shall have a side yard that is not less than ten feet from any side lot line, alley line, or easement line. All other provisions of Subsection (a) shall apply to any detached accessory building located on a combined building site.

(3) Rear Yard. There shall be a rear yard for any accessory building of not less than (3) feet from the rear property lot line, alley line, or easement line, except that if no alley exists, the rear yard shall not be less than eight (8) feet as measured from the rear property line. In A, B, G and H Districts, the main dwelling and all accessory buildings shall not cover more than sixty (60) percent of that portion of the lot lying to the rear of a line erected joining the midpoint of one side lot line with the midpoint of the opposite side lot line. In C, D, E and F Districts, coverage for the main building and all accessory buildings is limited to not more than fifty (50) percent. Carports, garages or other detached accessory buildings located within the rear portion of the lot as heretofore described shall not be located closer than ten (10) feet to the main building, nor nearer than three (3) feet to any side lot line, except that a breezeway not exceeding fifteen (15) feet in height and six (6) feet in width, as measured to the outside face of support posts and exclusive of a maximum eighteen (18) inch roof overhang, shall be permitted connecting the dwelling structure to an accessory building, provided it is open on all sides from the eaves of the roof to the ground. Carports and garages which open directly to and are entered from an alley shall not be located nearer than ten (10) feet to the rear lot line. Maximum overhang for roofs of accessory buildings into the required rear yard is eighteen (18) inches.

(4) Special Provision for Play Structures. Play structures are permitted only in the rear yard, or in the side yard behind the midpoint of the lot depth. There shall be a side yard setback and rear yard setback of not less than three (3) feet, including any roof overhang, to any property line, alley line, or easement line.

12-102 AREA REGULATIONS FOR NONCONFORMING ACCESSORY BUILDINGS IN RESIDENTIAL AND MULTIFAMILY DISTRICTS.

(1) Where existing, nonconforming accessory buildings on a building site do not provide the minimum yard dimensions specified, no addition or change to such buildings may be made which will increase the degree of nonconformity.

(2) Any addition or change to an existing, nonconforming accessory building located on a combined building site shall conform to the requirements of [sections 12-101\(1\)\(b\)](#) and (2)(b) of this section.

(3) Nonconforming accessory buildings may be replaced provided:

(a) That the new, nonconforming accessory building is occupied by the same or similar use;

(b) That the new, nonconforming accessory building has a maximum height not to exceed that of the accessory building being replaced, and all portions thereof shall comply with [section 8-601\(1\)](#), (7), (8), (9) and (10).[;]

(c) That the nonconforming side and rear yard dimensions are not reduced;

(d) That no portion of the nonconforming accessory building (including an overhang) extends across a property or easement line.

(4) On building sites where the main building is being replaced, any new accessory building shall comply with the provisions of this ordinance.

(Ordinance 740, sec. 9, adopted 5/4/70; Ordinance 847, sec. 1, adopted 3/1/76; Ordinance 1008, sec. 1(11), adopted 9/6/83; Ordinance 1631, sec. 6, adopted 8/22/05; Ordinance 1780, sec. 9, adopted 1/26/09; Ordinance 1873, secs. 7–8, adopted 10/24/11; Ordinance 1927, secs. 4–5, adopted 9/9/13)

SECTION 13. SPECIAL AREA AND USE REGULATIONS

13-100 Courts—Where an apartment building or buildings are erected so as to create inner courts, the faces of all opposite walls in such courts shall be a minimum distance of thirty (30) feet apart and no balcony or canopy shall extend into such court area for a distance greater than five (5) feet.

13-101 Location of Dwellings and Buildings—Only one main building for one-family, two-family or multiple-family use with permitted accessory buildings may be located upon a lot or platted tract. Every dwelling shall face or front upon a public street, or approved place, other than an alley, which means of access shall have a minimum width of forty (40) feet. Whenever two (2) or more main buildings, or portions thereof, are proposed to be placed upon a single lot or tract and such buildings will not face upon a public street, the same may be permitted when the site plan for such development is approved by the Town Council so as to comply with the normal requirements for platting. No parking area, storage area, or required open space for one (1) building shall be computed as being the open space, yard or area requirements for any other dwelling or other use.

13-102 Temporary Construction Buildings—Temporary buildings, and temporary building material storage areas to be used for construction purposes may be permitted for a specified period of time in accordance with a permit issued by the Building Inspector and subject to periodic renewal by the Inspector for cause shown. Upon completion or abandonment of construction or expiration of permit, such field offices and buildings shall be removed at the direction of the Building Inspector.

13-103 Location of Tennis Courts, Multi-purpose Game Courts and Swimming Pools, and Water Storage—

(a) Private tennis courts or multi-purpose game courts which are accessory uses shall be located on a building site and shall not cover more than twenty percent (20%) of the building site.

(b) Except as provided in Subsection (d), no portion of a tennis court or multi-purpose court surface, fence or other appurtenance shall be located within the required front yard or side yard nor nearer to any side lot line than permitted for a building as specified in [Section 8-501](#) (minimum and maximum required side yard schedule) of the zoning ordinance nor nearer than three (3) feet from the rear property line, easement line or alley line. Fences or walls that exceed ten (10) feet in height shall be set back from any side lot line one (1) foot for each foot the fence or wall

exceeds ten (10) feet from the setback permitted for a building under [Section 8-501](#) of the zoning ordinance.

(c) All swimming pools and equipment shall be located behind the front building line. The edge of the pool's water surface shall be located a minimum of three (3) feet from the side or rear yard line or easement line, if no alley exists. Pool equipment shall not be permitted in the required side yard, but may be located to the rear property line or easement line if no alley exists.

(d) A tennis court or multi-purpose court surface, swimming pool or other appurtenance located on a combined building site shall be located only in the rear yard or, in a side yard to the rear of a line joining the midpoint of one side lot line with the midpoint of the opposite side lot line, provided that such improvement(s) is (are) set back a minimum distance of ten (10) feet from the side lot line. (See Appendix Illustration 9)

(e) Groundwater reclamation and rainwater harvesting systems shall be allowed in the front yard if located entirely below the natural front yard grade. Systems located partially above, or entirely above, the natural ground level, shall not be located in the front yard and shall:

1. provide a minimum side yard setback of five (5) feet;
2. be screened from view with a fence or wall; and
3. not exceed the height of the adjacent fence.

13-104 Convex Safety Mirrors—Convex Mirror regulations refer to the placement of convex (rounded) mirrors placed adjacent to alleys and at alley intersections for safety purposes. Convex safety mirrors may be attached to private property (i.e., a fence or wall) with permission of the property owner where the mirror is placed. Mirrors may overhang into the public right-of-way up to twelve (12) inches, but may not be placed by residents in the public right-of-way. Mirrors may not exceed eighteen (18) inches in diameter and may not be placed higher than ten (10) feet or lower than seven (7) feet above grade.

13-105 Small Solar Energy Systems—Small Solar Energy Systems are permitted in all zoning districts as follows:

A. Accessory Use. A Small Solar Energy System is allowed as an accessory use in all zoning districts.

B. General Standards. Small Solar Energy System devices must be designed and located to avoid glare or reflection onto: (i) neighboring properties, inclusive of properties across an alley, easement, or street, and (ii) adjacent roadways. The devices shall not interfere with traffic or create a safety hazard, and must meet the following applicable requirements:

- (1) Ground-Mounted.

(a) Ground-mounted Small Solar Energy Systems are considered structures and must meet applicable setbacks for the zoning district, and shall be located in the rear yard.

(b) The solar panel collector and supporting framework of the Small Solar Energy System cannot extend more than six (6) feet above the existing grade.

(2) Roof-Mounted.

(a) Roof-mounted Small Solar Energy Systems located on pitched roofs shall be mounted as flush as possible to the roof, but in any case, shall not extend more than twelve (12) inches above the point of attachment.

(b) Roof-mounted Small Solar Energy Systems on flat roofs cannot extend more than six (6) feet above the roof surface.

(c) Roof-mounted Small Solar Energy Systems must also be in compliance with the maximum building height for the applicable zoning district.

(d) Roof-mounted Small Solar Energy Systems shall not be visible from any street.

13-106 Wind Energy Devices and/or Systems Prohibited–Wind Energy Devices shall be prohibited from all zoning districts of the Town of Highland Park, Dallas County, Texas.

13-107 Flags and Flagpoles–The regulations set out in this Section apply to flags and detached flagpoles in all residential zoning districts as follows:

A. Setbacks - The minimum setback from any property line, overhead utility line, or public right-of-way shall be a distance equal to the vertical distance from the ground to the top of the pole.

B. Size - The height of the flagpole shall not exceed twenty-five feet (25') measured from the natural grade, set back a minimum distance equal to the height of the flagpole, measured at natural grade, from all adjoining property lines. The size of the flag shall be appropriate for the height of the flagpole, but each individual flag shall in no event exceed twenty-four (24) square feet in area.

C. Number - No more than one (1) flagpole shall be allowed per building site.

D. Manner of Display - Flags and insignia of any government should be displayed in an approved manner pursuant to federal guidelines in Title 4, United States Code, Chapter 1 (the Federal Flag Code).

13-108 Temporary Storage Units–Temporary storage units and similar portable storage containers may be located in the front yard, or in the side yard forward of the midpoint of the lot

depth, for a period not to exceed four (4) days. Units may be placed in the rear yard, or in the side yard behind the midpoint of the lot depth, for a period not to exceed thirty (30) days.

Exception: Temporary storage units used in conjunction with a home renovation are excluded from these rear yard and side yard location and time restraint regulations and shall be removed upon completion of the home renovation project.

(Ordinance 884, sec. 4, adopted 2/6/78; Ordinance 1258, sec. 3, adopted 7/12/93; Ordinance 1631, sec. 7, adopted 8/22/05; Ordinance 1927, secs. 6–7, adopted 9/9/13)

SECTION 14. SIGN REGULATIONS

14-100 Objectives and Purpose. The principal objectives and purpose of this section of the Zoning Ordinance are:

- (1) To provide a reasonable system for the control of signs;
- (2) To encourage signs which are well designed and pleasing in appearance;
- (3) To encourage a desirable urban character compatible with the general residential environment of the Town which has a minimum of overhead clutter;
- (4) To enhance the economic value of the community through the location and the design of signs;
- (5) To provide for signs, for which the principal purpose will be to furnish information necessary for business and commerce;
- (6) To reduce possible traffic and safety hazards through good signage; and
- (7) To provide for proper sign area and height with relation to viewing distance and other circumstances.

14-101 Definitions. For the purpose of this section, unless otherwise apparent from the context, certain words and phrases used in this section are defined as follows:

- (1) Address Sign. Shall mean a sign not exceeding seventy-two (72) square inches in exposed surface used to identify the address of the premises and is not illuminated or lighted.
- (2) Area of Sign. Shall mean the area within the outer dimensions of a sign, including those portions of the frame or support structure which (A) border or adjoin the face of the sign, or (B) are of size, dimension or configuration which attracts attention or (C) are in excess of that necessary to support the sign. In the case of a multiple-faced sign, each face shall be deemed to be a separate sign for the purpose of determining sign area and each face is entitled to the allowable sign area. If a sign is placed on a wall or other surface, or if letters or other portions of the sign are

supported individually, without any border, the area shall be computed by enclosing the entire sign within sets of parallel lines. (See Figure D)

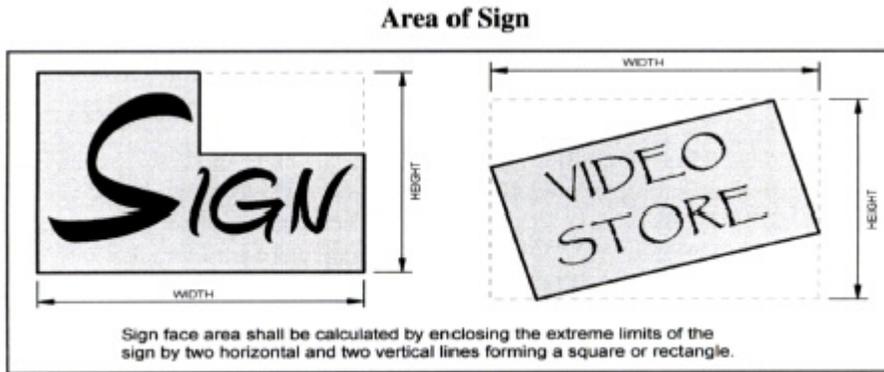


Figure D

- (3) Banner. Flexible material, usually made of cloth or plastic, often bearing a symbol or slogan, and which is attached at each end on a pole, or which hangs vertically on a pole.
- (4) Billboard. An off-premise sign.
- (5) Business Sign. Shall mean a structure or graphic display placed or arranged for the purpose of directing attention to the occupant, building, service or product existing or offered on the premises on which such sign is located.
- (6) Commercial Message. Wording on any sign, logo, or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service, or other commercial activity.
- (7) Construction Sign. Shall mean a sign stating the names of the general contractor and, if desired, those individuals or businesses directly connected with a construction project. For the purposes of construction signs, a “general contractor” shall be an individual, firm, corporation, or other entity that has lawfully obtained a building permit.
- (8) Face, Sign Face, or Face of a Sign. Shall mean any surface of a sign which is painted, stained, lighted, has lettering, or is illustrated, separately or in combination, to attract attention.
- (9) Ground Sign. Shall mean a sign which is supported by a pedestal or other solid foundation in or upon the ground. It shall also include signs referred to as “monument signs.”
- (10) Illuminated Sign or Lighted Sign. These terms may be used interchangeably and shall refer to any sign which has a source of light, either internal or external, for the purpose of illuminating such sign.

(11) Nonconforming Sign. Shall mean a sign which was not in violation of any ordinance of the Town at the time of its erection, which was intended to be and which is permanent, and does not constitute a hazard to public safety or a nuisance, but which does not conform to the requirements of [section 14](#).

(12) Noncommercial Sign. Any sign that does not contain or is not used to convey a commercial message.

(13) Off-Premise Sign. Shall mean any sign not constructed on the same building site as the business it is advertising.

(14) Pole Sign. Shall mean any detached sign taller than six feet (6') which is supported by one or more poles, pylons, or similar structural fixture(s) permanently affixed to the ground.

(15) Political Sign. Shall mean a temporary sign indicating the name, picture, and/or information related to an individual seeking election or appointment to a public office, or relating to a forthcoming public election or referendum, or pertaining to the advocating by persons, groups, or parties of political views or policies.

(16) Portable Business Sign. Shall mean any outdoor advertising display sign not permanently attached to a support structure via commonly used construction standards.

(17) Real Estate Sign. Shall mean a sign advertising the sale, lease, or rental of property only for a use for which it is legally zoned.

(18) Sign. The term “sign,” as used herein, shall refer to any structure, object, or graphic device which is located, placed, colored, designed, arranged, lighted, or erected for the purpose of attracting attention to a building, premises, commodity, product, business, service, or activity or which gives information about same.

(19) Temporary Sign. Shall mean a nonilluminated sign designed for the limited and/or temporary advertisement of specific events for the property on which it is located.

14-102 Permits Required. It shall be unlawful to erect, re-erect, construct, or alter any sign except as provided by [section 14](#), pursuant to a required sign permit for the same issued by the Building Inspection Department. Except as hereinafter provided, a permit shall be required for each sign. In addition, electrical permits shall be obtained for lighted or illuminated signs.

14-103 Permits Not Required for Certain Signs. The following shall be subject to other requirements of this article even though a permit shall not therefore be required:

(1) Maintenance and repairs to existing signs for which a valid sign permit was obtained, if required at the time of the initial installation;

- (2) Signs for public safety and convenience such as directional signs, provided that they do not exceed three (3) square feet in size. Signs include “Entrance,” “One-Way,” “No Trespassing,” “Do Not Enter,” “No Parking,” and similar types, and are not permitted in the right-of-way.[:]
- (3) Public notice signs, such as notices to remove weeds;
- (4) Political signs;
- (5) Garage sale or estate sale signs;
- (6) Detached or attached signs designating a building or place as historic, provided that they are no larger than six (6) square feet in size;
- (7) Security protection signs not exceeding one (1) square foot in size;
- (8) “For Sale,” “For Lease,” and other similar real estate signs;
- (9) Certain temporary window signs pursuant to [section 14-109](#);
- (10) School, civic, religious, charitable, and other nonprofit and noncommercial signs;
- (11) Address signs.

14-104 Nonconforming Signs. Any words, symbols or other graphic materials of a nonconforming sign may be replaced or changed. Except as provided in [section 14-103](#), a permit is required to make other changes to a nonconforming sign. A permit for alteration of a sign which involves only a change in copy, symbols or color, and which does not involve any change in any part of the structure or lighting of the sign itself, shall not be denied on the basis that the sign is otherwise nonconforming, if such sign was erected in accordance with applicable Town ordinances. If any such sign is (1) dismantled, (2) removed, or (3) destroyed by fire, vandalism, windstorm, or other natural forces or events beyond the control of the owner, to the extent of more than 60% of the cost of erecting a new sign of the same type at the same location, it shall not be replaced, re-erected or re-built without a sign permit conforming to [section 14](#).

14-105 Sign Permit Applications. All applications for sign permits shall be made in writing on forms furnished by the Town available at the Town Hall or online at the Town’s website. The Building Official shall have the authority to prepare application forms with application requirements such as scaled drawings, sign dimensions and colors, applicant contact information, and other relevant information as appropriate and necessary to process the sign permit request.

14-106 Maintenance of Signs. All signs shall be maintained so as to be structurally safe, clean, and in a good state of maintenance and repair. Any unsafe signs shall be removed by the property owner by order of the Building Official.

14-107 Unlawful or Prohibited Signs:

(1) Posting on Public Places. It shall be unlawful for any person to post, suspend, print, stick, stamp, tack or otherwise affix, or cause the same to be done, any notice, placard, bill, card, poster, sticker, banner, sign, advertising, or other device calculated to attract the attention of the public to, over, or upon any street right-of-way (including the parkway, except for address signs), public sidewalk, curb (except house numbers) lamp post, hydrant, tree, electric light pole, telephone pole, or upon any fixture of the telephone systems, traffic-control poles or supports, or similar or related systems involving governmental or public service of the Town, or upon any public building, structure, or utility. (This subsection is not applicable to public convenience, safety, and regulatory signs erected by the Town.)

(2) Moving Signs. It shall be unlawful for any person to erect or install any sign which, in whole or in part, moves, rotates, flashes, reflects, blinks, or appears to do any of the foregoing, or which simulates motion in any manner. Time and temperature signs shall be permitted, but shall not change less than every five (5) seconds.

(3) Prohibited Support. A sign shall not be supported in whole or in part from any public utility installation or any tree on private premises.

(4) Off-Premise Signs. Off-premise signs are prohibited in any zoning district within the Town.

(5) Obscene Signs. Signs displaying indecent, obscene gestures or pictures or profanity are prohibited in any zoning district within the Town.

(6) Pole Signs. Pole signs are prohibited in any zoning district within the Town.

(7) Portable Signs. Portable business and similar signs are not permitted in any zoning district within the Town.

(8) Construction Signs. Construction signs are not permitted in residential zoning districts.

(9) Business Signs. Business signs are not permitted in residential zoning districts.

14-108 Detached Business Signs. Detached business signs shall be permitted in CS, GR, and PD 1 districts as follows:

(1) Only on-site business signs are permitted as detached signs. All business signs not affixed to a building are deemed detached signs.

(2) Detached signs shall be ground signs.

(3) Detached business signs shall meet the following standards:

(a) No more than two (2) ground signs per site.

- (b) Maximum sign height is six feet (6') and maximum width is ten feet (10').
- (c) The sign face area shall not exceed 60 square feet per sign face and shall not exceed a total of 120 square feet for all sides or faces (See Figure E) and the combined size of all detached signs shall not exceed 120 square feet.
- (d) Detached signs can be used for the one business or multiple tenants.
- (e) Detached signs shall not be closer than ten feet (10') apart.
- (f) Only external lighting is permitted on detached signs. However, individually back-lit opaque letters are permitted. See [section 14-114](#) for intensity of sign lighting permitted.
- (g) Detached signs shall be set back a minimum of five feet (5') from the property line. Signs shall not be placed that obstruct the view at an intersection or create a traffic hazard. No sign shall be located or placed so as to interfere with the line of sight at an intersection from a distance of twenty-four inches (24") above the top of the adjacent street curb for a distance of twenty-five feet (25') back from the intersection in each direction along the street curb.
- (h) Signs shall be constructed of metal with a matte finish, stone, concrete, wood, brick, or fiberglass with a matte finish.

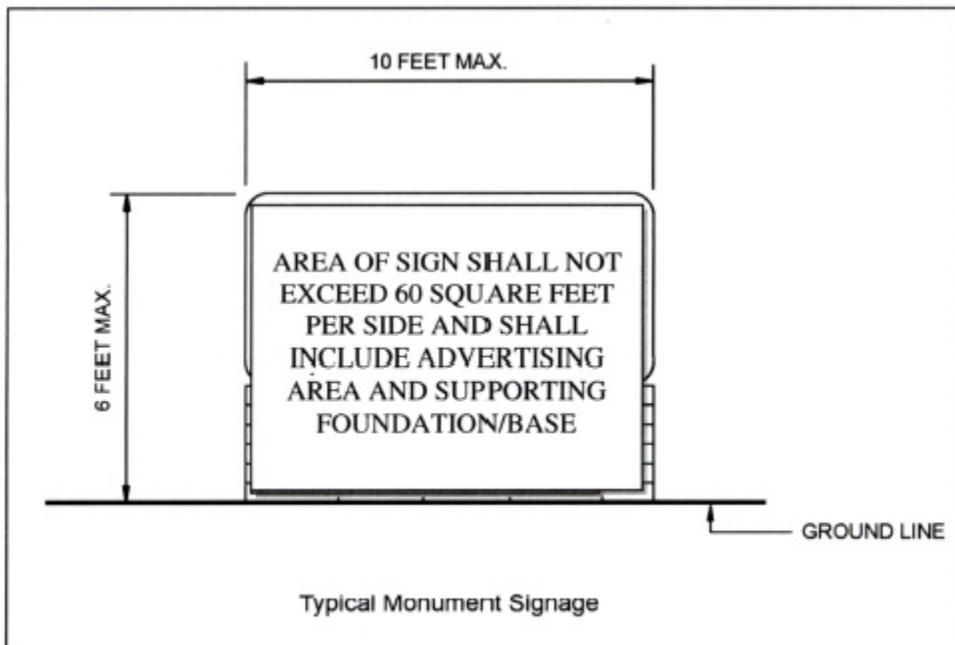


Figure E

14-109 Wall or Attached Business Signs. Wall or attached business signs shall be permitted in CS, GR, and PD 1 districts as follows:

- (1) Signs painted on the wall of the building.
- (2) Signs composed solely of individual letters provided that no portion thereof shall extend more than eight inches (8") from the wall, building, or structure to which it is attached.
- (3) Attached wall signs shall not face a residential zoning district unless separated by a public street, except a nonilluminated sign, not exceeding two (2) square feet, shall be permitted to face a residential zoning district when separated by a public street, a parking lot, an easement, or alley.
- (4) Attached wall signs shall not exceed two (2) square feet in area for each one (1) foot of first story of linear frontage. There is no limit on the number of signs per wall, but in no case shall the square footage of any single sign exceed 200 square feet.
- (5) Attached signs shall not exceed the height of the wall to which the sign is attached.
- (6) Internally illuminated and back-lit signs are permitted, including LED signs, except LED signs with exposed bulbs, which are prohibited.
- (7) Signs in windows or inside a building which are visible from a street or a sidewalk are exempt from area and size requirements, but must meet all other requirements for attached signs. Window signs in vacant tenant spaces shall not be lit in any manner.
- (8) Murals and other wall paintings or graphics larger than permitted in this subsection may be permitted by specific use permit (SUP) in nonresidential zoning districts only.

14-110 Projecting Blade Signs. Projecting blade signs shall be permitted in CS and GR districts as follows:

- (1) Only one projecting blade sign per business shall be allowed.
- (2) Projecting blade signs may be utilized as business identification signs in nonresidential zones provided that such signs: (a) do not exceed three (3) square feet in area and six inches (6") in thickness; (b) are erected at least seven feet (7') above grade or sidewalk, (c) are mounted with connectors which are an integral part and in keeping with the overall design of the sign, (d) shall not be internally illuminated, and (e) are erected so that the structural elements shall not be exposed unless the same are an integral part and in keeping with the overall design and theme of the sign. Projecting blade signs may be constructed of metal, wood, or fiberglass with matte finish.

14-111 Signs on Projecting Overhangs and Awnings. Signs on projecting overhangs or awnings shall be considered attached signs.

14-112 Color of Signs. Signs requiring a permit shall be limited to earth-tone colors as determined from a color palette approved by the Town Administrator, or his designee, and on file in the Building Inspection Department. For the purpose of this section, “sign” shall include the lighting or illumination and, in the case of a sign placed on a building surface without any border and with its background the same color as the building surface, the color of the building surface shall not be considered as a color of the sign. For the purposes of this section, black and white shall not be considered colors.

14-113 Lighting of Signs. Any external sign lighting shall be limited to white light and permitted only when such lighting is installed on private property and hooded or shielded so that direct beams therefrom do not fall upon public streets, alleys, or other private property. Sodium vapor or other colored exterior lights or lighting are not permitted.

14-114 Intensity of Lighting/Luminance. Signs that interfere with the proper operation of, or cause confusion to the operator of a motor vehicle on the public streets by virtue of the intensity, or direction of their lighting or illumination shall not be permitted. Signs which are lighted or illuminated shall not have luminance greater than 5 footcandles within two feet (2') of the sign face.

14-115 Real Estate Signs. One real estate sign per street frontage, such as “for sale” or “for lease,” per property ownership or vacant tenant space is permitted and shall not exceed eight (8) square feet in area, including riders or additional plates not exceeding two (2) in number, which may be attached. Such signs shall be erected or constructed so that no portion thereof exceeds a height of six feet (6') from the ground. In addition, an “Open” sign, not to exceed two (2) square feet in area, may be used on the property when the dwelling is open for public inspection. Real estate signs must be removed not later than ten (10) days after the transaction pursuant to which the property is sold or leased is closed.

14-116 Address Signs. Address signs are permitted as an accessory use in all zoning districts in the Town and are permitted in the parkway when not on a permanent foundation.

14-117 Political Signs. Political signs, not exceeding thirty-six (36) square feet in area or eight feet (8') in height, shall be permitted. Such signs shall not be illuminated nor have any moving parts.

14-118 Nonresidential Construction Signs. Nonresidential construction signs shall be permitted in CS, GR, and PD 1 districts. Nonresidential construction signs shall not exceed twenty (20) square feet in size or eight feet (8') in height. Only one construction sign per site is permitted. Construction signs shall be removed when the construction, as specified on the building permit, is complete.

14-119 Noncommercial Signs. A noncommercial sign may be located in all zoning districts of the Town.

- (1) Noncommercial signs located in CS, GR and PD districts shall be subject to dimensional, design, and other requirements as set forth in [section 14-108](#) for that district.

(2) Noncommercial signs located in A, B, C, D, E, F, G, and H districts shall not exceed eight feet (8') in height or exceed thirty-six (36) square feet in area. When multiple signs are located on a property, the total area of the combined sign faces shall not exceed one hundred twenty (120) square feet.

14-120 Multifamily Identification Signs:

(1) One attached multifamily identification sign is permitted per site in the “G” and “H” zoning districts. Attached signs shall not exceed twenty (20) square feet.

(2) One detached multifamily identification ground sign is permitted per site. Detached signs shall not exceed one (1) square foot per one linear foot of building width.

(3) The total square footage of attached and detached signs shall not exceed sixty (60) square feet.

14-121 Temporary Signs:

(1) Require a permit from the Building Inspection Department prior to installation and/or display;

(2) Are only permitted in the CS, GR, PD, and multifamily zoning districts;

(3) Shall not exceed a total cumulative area of thirty (30) square feet in size; and

(4) May be on display for no more than a thirty (30) day period, and for no more than two (2) such 30-day periods per calendar year.

14-122 Signs in Highland Park Village (PD 1). Signs in the Highland Park Shopping Village (PD 1) shall comply with the standards established in [section 14](#). In addition, the following standards shall apply only to PD 1:

(1) Detached Signs:

(a) Four (4) monument signs are permitted for the entire PD 1, but no more than two (2) such signs are permitted on any street frontage.

(b) One detached interior sign per two (2) acres or portion thereof, is permitted, but not exceeding seven feet (7') in height and a maximum of three (3) square feet per side. Interior signs shall not be permitted in the front yard.

(c) One sandwich board sign designed to display changeable messages per business tenant is allowed. A sandwich board sign shall not exceed four feet (4') in height and thirty inches (30") in width. Sandwich board signs shall not obstruct a sidewalk, but may be placed on the sidewalk provided that a minimum of four feet (4') is maintained for pedestrian movement. Sandwich board signs are not permitted in the front yard.

(2) Attached Signs:

(a) No attached wall signs shall face a public street, except Preston Road or Mockingbird Lane.

(b) One projecting blade or hanging sign per tenant is permitted, but shall not project more than four feet (4') from the wall and not exceed six (6) square feet in size. Projecting blade or hanging signs shall not exceed six inches (6") in thickness and shall be a minimum of seven feet (7') above the sidewalk or ground. Projecting blade signs shall not face a public street.

(3) Fourteen (14) special event or tenant flags are authorized, but shall not be located in the front yard. A permit from the Building Inspection Department shall not be required for such flags.

(4) Other signs not specifically set forth herein may be approved by the Town Council by site plan amendment to PD 1.

14-123 Theater Signs. Theaters shall be allowed signs on permanent, fixed marquees. Such signs shall not exceed ten percent (10%) of the front elevation of the theater and in no case, shall such sign exceed 120 square feet in area.

14-124 Signs On University Property. All signs on property owned by Southern Methodist University shall comply with standards established in [section 14](#). In addition, property in a nonresidential zoning district adjacent to Mockingbird Lane shall be permitted to have:

(1) One banner per building site for special events not exceeding two feet by six feet (2' x 6') in size.

(2) Banners shall be allowed on poles or light support standards for a maximum of thirty (30) days per event.

(3) Banners shall be a minimum of eight feet (8') and a maximum of twenty feet (20') above the top of the adjacent street curb.

(4) Banners shall not extend across property lines or into the right-of-way.

(5) Other signs permitted by specific use permit (SUP).

14-125 Other Signs. Signs in a PD and CC districts may be approved by ordinance by the Town Council.

(Ordinance 847, sec. 1, adopted 3/1/76; Ordinance 1008, sec. 2(1), adopted 9/6/83; Ordinance 1246, sec. 2, adopted 4/5/93; Ordinance 1873, sec. 9, adopted 10/24/11)

SECTION 15. FENCE REGULATIONS

15-100 NO FENCE, WALL OR OTHER FENCE-TYPE SPACE ENCLOSURE SHALL BE ERECTED, PLACED OR ALTERED IN RESIDENTIAL DISTRICTS, A THROUGH H, AND CC DISTRICT, UNLESS SUCH FENCE, WALL OR STRUCTURE IS IN CONFORMANCE WITH THE FOLLOWING STANDARDS:

15-101 In residentially zoned districts A through H, and CC Districts, fences or walls may be erected to a maximum height of eight (8) feet above the grade as measured from the nonowner's side when located in the required rear and side yards and along either the required side or rear lot line. No fence or wall may be erected or placed in front of the required front yard line.

A fence or wall may be erected, not to exceed eight (8) feet in height, along or within the front building line; provided, that said fence shall not extend into, on or around the required front yard.

A masonry or concrete retaining wall may be constructed in the required front yard, provided the retaining wall is no higher than the ground level immediately adjacent to the enclosed side of the retaining wall.

Every fence erected along and adjacent to any alley shall have an opening not less than three (3) feet in width and seven (7) feet in height, and closed with a gate to provide access to the rear yard in case of fire and to permit the removal of garbage or trash.

Swimming pools shall be completely surrounded by a fence or wall not less than four (4) feet in height, which shall be so constructed as not to have openings, holes or gaps larger than four (4) inches in any dimension except for doors and gates. A dwelling house or accessory building may be used as part of such enclosure. All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device for keeping the gates or doors securely closed at all times when not in actual use, except that the door of any dwelling which forms a part of the enclosure need not be so equipped.

15-102 No fence or wall erected under the provisions of [section 15-101](#) and no screens, hedges, shrubs or trees shall be so located as to be dangerous or detrimental to the health or safety of persons living on adjoining premises, nor shall a fence, wall, hedge, shrub, tree or screen be so placed or planted so as to cause danger or hazard to traffic by obstructing the view at any street or alley intersection within the sight visibility easement. No fence, wall, hedge, tree, shrub or screen shall be located or placed so as to interfere with the line of sight at an intersection from a distance of twenty-four (24) inches to eight (8) feet above the top of the curb. The sight visibility easement (See Appendix Illustration 10) shall extend as follows:

- A. At the intersection of two (2) public streets - a distance of twenty-five (25) feet back from the intersection in each direction as measured along the street curblines.
- B. At the intersection of a public street and an alleyway - a distance of fifteen (15) feet back from the intersection in each direction as measured along the street curblines and the edge of alley paving.

15-103 Temporary construction fences not exceeding eight feet (8') in height are permitted in nonresidential zoning districts and will be removed when the construction, as specified on the building permit, is completed or upon written request by the Building Official.

Editor's note—Ordinance 1008, sec. 2(2), adopted 9/6/83, amended the zoning ordinance by deleting the provisions of subsection 15-103, pertaining to the erection of fences and walls on sloping ground, and illustration 8. Former subsection 15-103 and said illustration were derived from Ordinance 847, secs. 1, 2, adopted 3/1/76; and Ordinance 972, sec. 7, adopted 12/28/81.

(Ordinance 740, sec. 10, adopted 5/4/70; Ordinance 847, sec. 1, adopted 3/1/76; Ordinance 972, secs. 7, 8, adopted 12/28/81; Ordinance 1008, secs. 2(2), 3, adopted 9/6/83; Ordinance 1873, sec. 10, adopted 10/24/11; Ordinance 1927, sec. 8, adopted 9/9/13)

SECTION 16. NONCONFORMING USES AND STRUCTURES

16-100 A NONCONFORMING STATUS SHALL EXIST UNDER THE FOLLOWING PROVISIONS OF THIS ORDINANCE:

- a. When a use or structure which does not conform to the regulations prescribed in the district in which such use or structure is located was in existence and lawfully operating prior to July 3, 1929, and has been operating since without discontinuance.
- b. When on the effective date of this ordinance the use or structure was in existence and lawfully constructed, located and operating in accordance with the provisions of the prior zoning ordinance or which was a nonconforming use thereunder, and which use or structure does not now conform to the regulations herein prescribed for the district in which such use or structure is located.

16-101 Any nonconforming use of land or structures may be continued for definite periods of time subject to such regulations as the Board of Adjustment may require for immediate preservation of the adjoining property prior to the ultimate removal of the nonconforming use.

16-102 Reconstruction and/or Repair of Nonconforming Structures:

- a. The term “nonconforming structure,” as referenced in this section, does not include the term “nonconforming accessory building” as used in [section 12-102](#).
- b. Partial reconstruction of a nonconforming structure, damaged by fire or natural disaster, will be permitted when the reconstruction does not exceed fifty percent (50%) of the total square footage of such structure. The size of the reconstructed, nonconforming structure shall not be expanded beyond the size of the nonconforming structure prior to the loss, nor shall there be an increase in the degree of nonconformity.
- c. Reconstruction of a nonconforming structure, damaged by fire or natural disaster, must conform to the regulations established in this ordinance when the reconstruction exceeds fifty percent (50%) of the total square footage of such structure.
- d. Reconstruction of a nonconforming structure shall begin within twelve (12) months of the damaging event, or result in the loss of these nonconforming reconstruction and/or repair provisions. If the reconstruction and/or repair is delayed by contested insurance claims, litigation, or similar causes, then the twelve (12)

month period may be extended up to an additional twelve (12) months by the Building Official.

e. If a nonconforming structure is razed and/or demolished, then the replacement structure or new structure shall comply with the requirements of this ordinance.

f. Any voluntary, exterior reconstruction of any portion of a nonconforming structure shall not be permitted, unless the reconstruction conforms to the regulations established in this ordinance.

g. The total square footage of a structure, as referenced herein, shall be the total under roof square footage recorded on the most recent Town approved tax roll. If such square footage data is unavailable, and/or inaccurate, then the Town shall use information from the most recent building permit data on file.

h. If a structure occupied by a nonconforming use is damaged by fire or natural disaster, and such damage exceeds fifty percent (50%) of the total square footage, then the nonconforming use may not continue to occupy or reoccupy, this structure.

(Ordinance 740, sec. 11, adopted 5/4/70; Ordinance 1873, sec. 11, adopted 10/24/11)

SECTION 17. BOARD OF ADJUSTMENT

17-100 Organization: There is hereby created a Board of Adjustment consisting of five (5) members, each to be appointed by resolution of the Town Council for a term of two years and removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member, whose place becomes vacant for any cause, in the same manner as the original appointment was made. Two members heretofore appointed shall serve until May 15, 1966, or until their successors are appointed and three members, as heretofore appointed, shall serve until May 15, 1967, or until their successors are appointed, and thereafter each member reappointed or each new appointee shall serve the full term of two years unless removed as hereinabove provided. Provided, however, that the Town Council may appoint two alternate members of the Board of Adjustment who shall serve in the absence of one or more of the regular members when requested to do so by the Mayor, so that all cases to be heard by the Board of Adjustment will always be heard by a minimum number of four members. The alternate members, when appointed shall serve for the same period as the regular members, which is for a term of two years, and any vacancy shall be filled in the same manner and they shall be subject to removal the same as the regular members.

17-101 The Board shall adopt rules to govern its proceedings; provided, however, that such rules are not inconsistent with this ordinance or statutes of the State of Texas. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman, or in his absence, the Acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicate such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

17-102 Appeals to the Board of Adjustment can be taken by any person aggrieved or by an officer, department or board of the municipality affected by any decision of the Administrative Officer. Such appeal shall be taken within fifteen (15) days time after the decision has been rendered by the Administrative Officer, by filing with the officer from whom the appeal is taken and with the Board of Adjustment, a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

17-103 An appeal shall stay all proceedings of the action appealed from unless the officer from whom the appeal is taken certifies to the Board of Adjustment, after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed, otherwise, than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown.

17-104 The Board of Adjustment shall fix a reasonable time for the hearing of an appeal, give the public notice thereof, as well as due notice to the parties in interest and decide the same within a reasonable time. At the hearing any party may appear in person or by attorney or by agent.

17-200 Jurisdiction: When in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the Board of Adjustment may, in specific cases, after public notice and public hearing, and subject to appropriate conditions and safeguards authorize the following special exceptions to the regulations herein established.

- a. Permit the reconstruction, extension or enlargement of a building occupied by nonconforming use on the lot or tract occupied by such building provided such reconstruction does not prevent the return of such property to a conforming use.
- b. Permit such modifications of the height, yard, fence location and fence height, coverage, easement obstruction regulations and parking regulations as may be necessary to secure appropriate development of a parcel of land which differs from other parcels in the district by being of such restricted area, shape, or slope that it cannot be appropriately developed without such modification.
- c. Require the discontinuance of nonconforming uses of land or structure under any plan whereby the full value of the structure and facilities can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this ordinance. All actions to discontinue a nonconforming use of land or structure shall be taken with due regard for the property rights of the persons affected when considered in the light of the public welfare and the character of the area surrounding the designated nonconforming use and the conservation and preservation of property. The Board shall from time to time on its own motion or upon cause presented by interested property owners inquire into the existence, continuation or maintenance of any nonconforming use within the Town of Highland Park, Texas.

17-300 Actions of the Board:

- a. In exercising its powers, the Board may, in conformity with the provisions of Articles 1011-A [to] and including 1011-J of the 1925 Civil Statutes of Texas, as amended, revise or reform, wholly or partly, or may modify the order, requirement, decisions, or determination appealed from and make such order, requirement, decision or determination as ought to be made and shall have all the powers of the officer from whom the appeal is taken including the power to impose reasonable conditions to be complied with by the applicant.
- b. The concurring vote of four (4) members of the Board shall be necessary to revise any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance or to affect any variance in said ordinance.
- c. Any person or persons, jointly or severally, aggrieved by any decision of the Board of Adjustment or any taxpayer or any officer, department or board of the municipality may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or part, specifying the grounds of the illegality. Such petition shall be presented to the court within ten (10) days after the filing of the decision in the office of the Board and not thereafter.

(Ordinance 740, sec. 12, adopted 5/4/70)

Charter reference—Board of Adjustment, [sec. 11.02](#).

State law reference—Establishment and authority of Zoning Board of Adjustment, V.T.C.A., Local Government Code, sec. 211.008 et seq.

SECTION 18. CREATION OF BUILDING SITE

18-100 NO PERMIT FOR THE CONSTRUCTION OF A BUILDING OR BUILDINGS UPON ANY TRACT OR PLOT SHALL BE ISSUED UNTIL A BUILDING SITE, BUILDING TRACT OR BUILDING LOT HAS BEEN CREATED BY COMPLIANCE WITH ONE OF THE FOLLOWING CONDITIONS:

- a. The lot or tract is part of a plat of record, properly approved by the Town Council of Highland Park, and filed in the Plat Records of Dallas County, Texas, and has not been previously utilized as all or part of building site.
- b. The site, plot or tract is all or part of a site plan officially approved by the Town Council of Highland Park, which site plan provides all utility and drainage easements, alleys, streets and other public improvements necessary to meet the normal requirements for platting including the designation of building areas and such easements, alleys and streets have been required and properly dedicated and the necessary public improvements provided.
- c. The plot, tract or lot, which is a combination of previously platted lots utilized as a single building site and has not been diminished in area or dimension and which

faces upon a dedicated street and was separately owned prior to the effective date of this ordinance in which event a building permit for only one main building may be issued on each such combination of lots or parts of lots without first filing a replat of the building sites involved which plat is approved by the Town Council as provided for in [18-100](#) a.

Editor's note—The reference to “18-100 a.” above was changed from “17-100(a)” at the request of the Town.

- d. The site, tract, or lot results from two (2) building sites that have been combined.
- e. The site, tract, or lot results from division of a building site and subsequent combination with an adjacent building site.

18-101 LIMITATION ON NEW BUILDING SITES

- a. For zoning districts B, C, D, E and F, no more than (i) two building sites or (ii) one building site and a part of an adjacent building site shall be combined to create a combined building site.
- b. No combined building site created after August 22, 2005, may be combined with another building site. The building sites to which this provision applies shall be listed in [Section 26-101](#) b., except as provided in [Section 26-101](#) a.
- c. The requirements of this section cannot be varied by the Board of Adjustment.

(Ordinance 740, sec. 13, adopted 5/4/70; Ordinance 1631, secs. 8, 9, adopted 8/22/05)

SECTION 19. CERTIFICATE OF OCCUPANCY AND COMPLIANCE

19-100 No building hereafter erected, converted or structurally altered shall be used, occupied or changed in use and no land may be used until a Certificate of Occupancy and Compliance shall have been issued by the Building Inspector of the Town of Highland Park stating that the building or proposed use of land or building complies with the provisions of this ordinance and other building laws of the Town of Highland Park. Provided that this provision shall not apply to alteration of structures which remain occupied during construction, so long as all applicable ordinances and building standards of the Town of Highland Park are complied with.

19-101 A Certificate of Occupancy and Compliance shall be applied for coincident with the application for a building permit and will be issued within ten (10) days after the completion of the erection, alteration or conversion of such building or land provided such construction or change has been made in complete conformity to the provisions of this ordinance.

19-102 A Certificate of Occupancy and Compliance shall state that the building or proposed use of a building or land, complies with all the building and health laws and ordinances and with the provisions of these regulations. A record of all certificates shall be kept on file in the office of the Building Inspector, and copies shall be furnished on request to any person having a proprietary or tenancy interest in the land or building affected.

(Ordinance 740, sec. 14, adopted 5/4/70)

SECTION 20. COMPLETION OF BUILDING UNDER CONSTRUCTION

20-100 Nothing herein contained shall require any change in the plans, construction or designated use of a building actually under construction at the time of the passage of this ordinance and which entire building shall be completed within six (6) months from the date of the passage of this ordinance. (Ordinance 740, sec. 15, adopted 5/4/70)

SECTION 21. AMENDMENTS

21-100 Any person or corporation having a proprietary interest in any property may petition the Town Council for a change or amendment to the provisions of this ordinance, or the Zoning Commission may on its own motion or on request from the Town Council institute study and proposal for changes and amendments in the public interest.

21-101 The Town Council may from time to time amend, supplement, or change by ordinance the boundaries of the districts or the regulations herein established as provided by the statutes of the State of Texas.

21-102 Before taking action on any proposed amendment, supplement or change, the governing body shall submit the same to the Town Zoning Commission for its recommendation and report.

21-103 The Town Zoning Commission shall hold a public hearing on any application for any amendment or change prior to making its recommendation and report to the Town Council. Written notice of all public hearings before the Town Zoning Commission on a proposed amendment or change shall be sent to all owners of real property lying within two hundred (200) feet of the property on which the change is requested. Such notice shall be given not less than ten (10) days before the date set for hearing by posting such notice properly addressed and postage-paid to each taxpayer as the ownership appears on the last approved Town tax roll.

21-104 A public hearing shall be held by the governing body before adopting any proposed amendment, supplement or change. Notice of such hearing shall be given by publication in the official publication of the Town of Highland Park stating the time and place of such hearing, which time shall not be earlier than fifteen (15) days from the date of publication.

21-105 If a protest against a proposed amendment, supplement or change has been filed with the Town Secretary, duly signed and acknowledged by the owners of twenty (20) percent or more, either of the area of the lots included in such proposed change or those immediately adjacent in the rear thereof extending two hundred (200) feet therefrom or of those directly opposite thereto extending two hundred (200) feet from the street frontage of such opposite lots, such amendment shall not become effective except by a three-fourths vote of the governing body.

(Ordinance 740, sec. 16, adopted 5/4/70)

SECTION 22. GENERAL DEFINITIONS

22-100 CERTAIN WORDS IN THIS ORDINANCE NOT HERETOFORE DEFINED ARE DEFINED AS FOLLOWS:

WORDS USED IN THE PRESENT TENSE INCLUDE THE FUTURE; WORDS IN THE SINGULAR NUMBER INCLUDE THE PLURAL NUMBER AND WORDS IN THE PLURAL NUMBER INCLUDE THE SINGULAR NUMBER; THE WORD “BUILDING” INCLUDES THE WORD “STRUCTURE”; THE WORD “LOT” INCLUDES THE WORDS “PLOT” OR “TRACT”; THE WORD “SHALL” IS MANDATORY AND NOT DISCRETIONARY.

- (1) Alley—A public space or thoroughfare which affords only secondary means of access to property abutting thereon.
- (2) Apartment—A room or suite of rooms in a multifamily dwelling or apartment house arranged, designed or occupied as a place of residence by a single family, individual or group of individuals.
- (3) Apartment House—Any building or portion thereof, which is designed, built, rented, leased or let to be occupied as three or more dwelling units or apartments or which is occupied as a home or place of residence by three or more families living in independent dwelling units.
- (4) Area of the Lot—The area of the lot shall be the net area of the lot and shall not include portions of streets and alleys.
- (5) Basement—A building story (consisting of not more than one level), which is partly underground but having at least one-half of its height above the average level of the adjoining ground. A basement shall be counted as a story in computing building height.
- (6) Block—An area enclosed by streets and occupied by or intended for buildings; or if said word is used as a term of measurement, it shall mean the distance along a side of a street between the nearest two streets which intersect said street on the said side.
- (7) Board—The Zoning Board of Adjustment as established in [Section 16 \[17\]](#).
- (7A) Breezeway—A covered walkway open on all sides from the eaves of the roof to the ground connecting the main structure with an accessory structure on the same building site.
- (8) Building—Any structure built for the support, shelter and enclosure of persons, animals, chattels or moveable property of any kind.
- (9) Building Site
 - (a) A platted lot of record or combination of such platted lots which has not been previously built upon and which meets the area and dimension standards of this ordinance for the creation of a building site and which does not include any area, yard or other space which is part of the required area or space of any adjacent lot or combination of lots containing main or accessory buildings.

(b) A platted lot or combination of platted lots upon which all or part of a main residential building and related accessory buildings have been built including all required yards and area standards specified by this ordinance and which is not diminished in area or dimension from the original lot or combination of lots so utilized.

(9A) Combined Building Site—A building site created subsequent to the effective date of the Zoning Ordinance, Ordinance No. 676, by either combining (i) two or more building sites pursuant to [Section 18-100](#) d., as amended, or (ii) a building site and part of an adjacent building site pursuant to [Section 18-100](#) e., as amended.

(10) Town Council—The governing body of the Town of Highland Park, Texas.

(11) Building Line—A line parallel or approximately parallel to the street line at a specific distance therefrom marking the minimum distance from the street line that a building may be erected.

(12) Carport—A building or structure detached or attached as part of the main dwelling or structure designated for the primary purpose of storing motor vehicles and which structure is open to the weather on at least two sides.

(13) Cellar—A building story (consisting of not more than one level) with more than half of its height below the average level of the adjoining ground. A cellar shall not be counted as a story in computing building height.

(14) Certificate of Occupancy or Compliance—An official certificate issued by the Town through the enforcing official which indicates conformance with or approved conditional waiver from the Zoning Regulations and authorizes legal use of the premises for which it is issued.

(15) Town Zoning Commission—The agency appointed by the Town Council as an advisory body to it and which is authorized to recommend changes in the zoning in conformance with State Laws.

(16) Court—An open, unoccupied space, bounded on more than two sides by the walls of a building. An inner court is a court entirely surrounded by the exterior walls of a building. An outer court is a court having one side open to a street, alley, yard or other permanent space.

(17) Deck—A flat, floored area, attached to a building, or a free-standing structure, without a roof or walls other than the side(s) of a building when attached.

(18) Deck, Roofed—Any deck that is completely or partially covered, including but not limited to, open beams or lattice work, that meets regulations for accessory buildings.

(19) Depth of Lot—The mean horizontal distance between the front and rear lot lines.

- (20) District—A section of the Town of Highland Park for which the regulations governing the area, height or use of the land and buildings are uniform.
- (21) Dwelling—A building or portion of building designed exclusively for residential occupancy by a family or families including one-family, two-family and multiple-family dwellings but not including mobile homes, house trailers, hotels, boarding or lodging houses.
- (22) Dwelling, Condominium—A dwelling unit owned separately from other similar units which are associated on a site wherein all or a portion of the site is owned and maintained in common. The common ownership may include yards, drives, parking areas, pools and other recreation facilities and in the case of condominium apartments the common ownership and maintenance may include corridors, halls, service areas and storage facilities.
- (23) Dwelling, One-Family—A detached building having accommodations for and occupied by not more than one family no portion of which is rented to anyone outside the immediate family and no portion of which is used for commercial purposes.
- (24) Dwelling, Two-Family—A detached building having separate accommodations for and occupied by not more than two families no portion of which is rented to anyone not a part of the immediate family occupying each dwelling unit and no portion of which is used for commercial purposes.
- (25) Dwelling, Multiple-Family—Any building or portion thereof, which is designed, built, rented, leased or let to be occupied as three or more dwelling units or apartments or which is occupied as a home or residence of three or more families and no portion of any dwelling unit which is used for commercial purposes.
- (26) Dwelling, Townhouse—A dwelling designed and constructed for occupancy by one family which is joined to another dwelling at one or more sides by a party wall or abutting separate wall and which is located on an identified lot or building site having independent separate access and utility service.
- (27) Dwelling Unit—A building or portion of a building which is arranged, occupied, or intended to be occupied as living quarters of a family and including facilities for food preparation and sleeping.
- (28) Family—Any number of individuals living together as a single housekeeping unit, in which not more than two (2) individuals are unrelated by blood, marriage or adoption, neither of which unrelated individuals pays rent to any member of the family.
- (29) Fence—A structure of wood, stone, iron, brick, tile or cement, connected together and designed for use in the position fixed, erected upon the ground for decorative or functional purposes.

(30) Floor Area—The total square feet of floor space within the outside dimensions of a building including each floor level, but excluding cellars, carports or garages.

(31) Floor Area Ratio (FAR)—An indicated ratio between the number of square feet of total floor area in the main building(s) on a lot and the total square footage of land in the lot; it is the number resulting from dividing the main building floor area by the lot area.

(32) Gable—The triangular area above the top plate formed by two sloping planes supported at their ends by a wall below.

(33) Garage—An accessory building for the storage of motor vehicles.

(34) Height

1. In Districts A, B, G, H, CC, CS, GR, and PD, height is the vertical distance of a building as measured from the average established grade at the street line or from the average natural front yard ground level at the front building setback, whichever is higher, to: (1) the highest point of the roof's surface if a flat roof, as defined in [Section 10](#) "Height Regulations"; (2) the deck line of mansard roofs; or (3) the mean height level between eaves and ridge line.

2. In Districts C, D, E, and F, height is the vertical distance of a building as measured from the average established grade at the street line or from the average natural front yard ground level at the front building setback, whichever is higher to: (1) the highest point of the roof's surface if a flat roof, as defined in [Section 10](#) "Height Regulations"; (2) to the deck line of mansard roofs; or (3) to the roof ridge or projected roof ridge, whichever is higher, of a pitched roof, as defined in [Section 10](#) "Height Regulations."

3. The mean height level between the eaves and ridge line except in G Districts, which shall be as provided in [section 10-101\(4\)A](#).

(35) Lot—Land occupied or to be occupied by a building and its accessory building, and including such open spaces as are required under this ordinance, and having its principal frontage upon a public street or officially approved place.

(36) Lot coverage—The percentage of the total area of a lot which is covered by a roof or other structure and is not open to the sky. Lot coverage includes, but is not limited to, the main building, accessory buildings, covered porches, covered terraces and carports.

(37) Lot Lines—The lines bounding a lot as defined herein.

(38) Lot of Record—A lot which is part of a subdivision, the plat of which has been recorded in the office of the County Clerk of Dallas County.

(39) Lot Width—The width of a lot at the front building line.

- (40) Main Building—The building or buildings on a lot which are occupied by the primary use.
- (41) Nonconforming Use—A building, structure or use of land lawfully occupied at the time of the effective date of this ordinance or amendments thereto, and which does not conform to the use regulations of the district in which it is situated.
- (42) Occupancy—The use or intended use of the land or buildings by proprietors or tenants.
- (43) Open Space—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 projections of fences, cornices, eaves or porches.
- (44) Parking Space, Off-Street—An enclosed or unenclosed all-weather-surfaced area of not less than one hundred eighty (180) square feet (measuring approximately nine (9) feet by twenty (20) feet) not on a public street or alley, together with an all-weather-surfaced driveway connecting the area with a street or alley permitting free ingress and egress without encroachment on the street or alley. Any parking adjacent to a public street wherein the maneuvering is done on the public street shall not be classified as off-street parking in computing the parking area requirements for any use.
- (44A) Play Structure—A recreational structure (i.e., a tree house, playhouse, fort, prefabricated play structure, etc.), located at grade or elevated, not intended for habitation and without amenities such as electricity or plumbing.
- (45) Premises—Land together with any buildings or structures occupying it.
- (46) Private Garage—An accessory building housing vehicles owned and used by occupants of the main building; if occupied by vehicles of others, it is a storage garage.
- (47) Private Open Space—Land area which is maintained without buildings, for the use of occupants of the premises and may include landscaped or surfaced areas such as a lawn, wooded area, terrace, or similar feature. For the purposes of this section private open spaces are permitted uses in a Flood Hazard area.
- (48) Residence—Same as a dwelling; also when used with “district,” an area of residential regulations.
- (49) Retaining walls—A wall constructed with the wall of no greater height than the ground level immediately adjacent to the enclosed side of such retaining wall.
- (49A) Small Solar Energy System—Any device that relies upon direct sunlight as an energy source - including, but not limited to, any device that collects sunlight for generating energy for use on site -- used to produce power for the same property/building on which the system is located. A Small Solar Energy System may

also include the use of Building Integrated Systems (BIS) which are defined as photovoltaic materials used in place of conventional building materials (such as the roof or skylights) and may also be referred to as Building-Integrated Photovoltaics (BIPV).

(50) Story—The height between the successive floors of a building or from the top floor to the roof.

(51) Street—Any thoroughfare or public driveway, other than an alley, and more than forty (40) feet in width, which has been dedicated or deeded to the public for public use.

(52) Street Line—A dividing line between a lot, tract or parcel of land and a contiguous street.

(53) Structural Alterations—Any change in the supporting member of a building, such as a bearing wall, column, beams or girders.

(54) Structure—(Same as building)

(54A) Wind Energy Device—Any portion of a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics which will be used to reduce on-site consumption of utility power.

(55) Yard—An open space, other than a court, on the lot in which a building is situated and which is not obstructed from a point thirty (30) inches above the general ground level of the graded lot to the sky, except as provided for roof overhang and similar special features.

(56) Yard, Front—An open spaces, unoccupied by structures, on a lot facing a street, extending across the front of the lot between the side lot lines and from the main building to the front lot or street line and providing the minimum horizontal distance between the street line and the main building line as specified for the district in which it is located.

(57) Yard, Rear—An open, unoccupied space, except for accessory buildings as herein permitted, extending across the rear of a lot from one side lot line to the other side lot line and having a depth between the building and the rear lot line as specified in the district in which the lot is situated.

(58) Yard, Side—An open, unoccupied space or spaces on one or two (2) sides of a main building and on the same lot with the building, situated between the building and a side line of the lot and extending through from the front yard to the rear yard. Any lot line not the rear line or a front line shall be deemed a side line.

(59) Zoning District Map—The official certified map upon which the boundaries of the various Zoning Districts are drawn and which is an integral part of the Zoning Ordinance.

(Ordinance 740, sec. 17, adopted 5/4/70; Ordinance 847, sec. 1, adopted 3/1/76; Ordinance 971, sec. 2, adopted 12/21/81; Ordinance 1008, sec. 1(12)–(15), adopted 9/6/83; Ordinance 1570, sec. 2, adopted 11/3/03; Ordinance 1631, sec. 10, adopted 8/22/05; Ordinance 1780, sec. 10, adopted 1/26/09; Ordinance 1927, sec. 9, adopted 9/9/13)

SECTION 23. PENALTY FOR VIOLATIONS

23-100 Any person, firm or corporation who shall violate any of the provisions of this ordinance or who shall fail to comply therewith or with any of the requirements thereof, or who shall build or alter any building or use in violation of any detailed statement or plan submitted and approved hereunder shall be guilty of a misdemeanor, and upon conviction thereof, may be fined as provided in [section 1.01.009](#) of this Code. The owner or owners of any building or premises or part hereof [thereof], where anything in violation of this ordinance shall be placed or shall exist, and any architect, builder, contractor, agent, person or corporation employed in connection therewith and who may have assisted in the commission of any such violation shall be guilty of a separate offense and upon conviction shall be fined as herein provided. The penalty provided herein shall be cumulative of other remedies provided to the Town by and/or under State law or regulation and/or federal law or regulation. (Ordinance 740, sec. 18, adopted 5/4/70; Ordinance 847, sec. 6, adopted 3/1/76; Ordinance 1552, sec. 36, adopted 7/21/03)

SECTION 24. PRESERVING RIGHTS IN PENDING LITIGATION AND VIOLATIONS UNDER EXISTING ORDINANCE

24-100 By the passage of this ordinance, no presently illegal use shall be deemed to have been legalized unless specifically such use falls within a use district where the actual use is a conforming use. Otherwise, such uses shall remain nonconforming uses where recognized, or an illegal use, as the case may be. It is further the intent and declared purpose of this ordinance that no offense committed, and no liability, penalty or forfeiture, either civil or criminal, incurred prior to the time the existing zoning ordinance was repealed and this zoning ordinance adopted, shall be discharged or affected by such repeal; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures may be instituted or causes presently pending proceeded with in all respects as if such prior ordinance had not been repealed. (Ordinance. 740, sec. 19, adopted 5/4/70)

SECTION 25. VALIDITY

25-100 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 provisions thereof other than the part so decided to be invalid or unconstitutional. (Ordinance 740, sec. 20, adopted 5/4/70)

SECTION 26. LIST OF SPECIFIC USE PERMITS, PLANNED DEVELOPMENTS AND COMBINED BUILDING SITES

26-100 The following listed specific use permits and Planned Development existing in the Town of Highland Park are adopted as part of this ordinance and are referenced on the Zoning District Map.

PD 1 Shopping Center–Bounded by Mockingbird Lane, Preston Road, Livingston and Douglas Avenues

PD 2 Planned Development District–Lots 22-27 of Block 162, part of Lot 7, Block 4/167, Block 164 and Block 166, 9th installment of Highland Park West addition.

CUD Ordinance No. 1244–Community Unit Development at 4200-4208 Lomo Alto Drive.

PD Ordinance No. 1257–New Middle school at Block 209, Highland Park Addition.

PD Ordinance No. 1307–Amending Ordinance 1469, to include a two-story addition at Armstrong Elementary School for the purpose of adding an elevator to meet the requirements of the Americans with Disabilities Act.

PD Ordinance No. 1307–Amending Ordinance 1507, providing for replacing the four-foot high chain link fence on the playgrounds east of Byron Avenue with four-foot high iron fence and the eight-foot high chain link fence on the north, east and south sides of the playground on the southwest corner of Cornell Avenue and Byron Avenue will be replaced with eight-foot high iron fence.

PD Ordinance No. 1307–Armstrong Elementary School–Block 53, lots 16-20, Block 54, lots 1 and 2, 20' of Block 63, Lot 3, 20' of Block 64, lots 7 and 8 in Highland Park 4th addition; amended Ordinance No. 1469; amended Ordinance No. 1507.

PD Ordinance No. 1308–Bradfield Elementary School–Block 150 of Highland Park West 2nd installment.

PD Ordinance No. 1309–Amendment to Community Unit Development at 4200-4208 Lomo Alto Drive.

PD Ordinance No. 1311–Amendment to PD for new middle school at Block 209, Highland Park Addition.

PD Ordinance No. 1324–Amendment to PD for new middle school at Block 209, Highland Park Addition.

PD Ordinance No. 1332–Amending Ordinance 1506, extending approval of one portable classroom building at Bradford Elementary School as requested by the Highland Park Independent School District until August 31, 2004, under the same terms and conditions set forth in Ordinance No. 1332.

PD Ordinance No. 1332–Repealed Ordinance No. 1324; amended Ordinance No. 1257; amended Ordinance No. 1308.

PD Ordinance No. 1370–Amending Ordinance No. 1257, relocating the athletic facilities for middle school.

PD Ordinance No. 1381–Amending Ordinance No. 1307, Armstrong Elementary School, adding two (2) portable classrooms for one year.

PD Ordinance No. 1381–Amending Ordinance 1505, extending approval of portable classroom buildings at Armstrong Elementary School as requested by the Highland Park Independent School District until August 31, 2004, under the same terms and conditions set forth in Ordinance No. 1381.

PD Ordinance No. 1405–Amending Ordinance No. 1308, replacing fencing and relocating bicycle rack at Bradfield Elementary School.

PD Ordinance No. 1406–Amending Section 3 of Ordinance No. 1332, which amended Ordinance No. 1308, extending approval of two portable classrooms at Bradfield Elementary School through August 31, 2001.

PD Ordinance No. 1407–Amending Ordinance No. 1381, extending approval for use of portable classrooms at Armstrong Elementary School through August 31, 2001.

PD Ordinance No. 1425–Designating Highland Park United Methodist Church–Property described as tract 1 being 4.27 acres of the Joel Sykes Survey, Abstract 1338, an addition to the Town of Highland Park, Dallas County, Texas.

PD Ordinance No. 1571–Amends Ordinance No. 1307, Section 2, to provide for construction of approximately 142 feet of 4-foot-high wrought iron fencing adjacent to the portable buildings at Byron Avenue and Cornell Avenue.

PD Ordinance No. 1595–Repeals Ordinance 1505; amends Ordinance No. 1381, Section 1, to extend approval of portable classroom buildings at Armstrong Elementary School as requested by the Highland Park Independent School District through July 31, 2008, under the same terms and conditions set forth in Ordinance No. 1381.

PD Ordinance No. 1596–Repeals Ordinance 1506; amends Ordinance No. 1381, Section 3, to extend approval of one (1) portable classroom building at Bradfield Elementary School as requested by the Highland Park Independent School District through July 31, 2008, under the same terms and conditions set forth in Ordinance No. 1332.

CUD Ordinance No. 1703–Community Unit Development at 3515 Normandy Avenue.

PD Ordinance No. 1732–Amending Ordinance No. 821, Planned Development No. 2, to permit a second story addition at 4400 Westside Drive.

PD Ordinance No. 1751–Amends Ordinance 1595 to extend approval of two (2) portable classroom buildings at Armstrong Elementary School as requested by the Highland Park Independent School District through August 31, 2010, under the same terms and conditions set forth in Ordinance No. 1595.

PD Ordinance No. 1752–Amends Ordinance 1596 to extend approval of one (1) portable classroom building at Bradfield Elementary School as requested by the Highland Park Independent School District through August 31, 2010, under the same terms and conditions set forth in Ordinance No. 1596.

PD Ordinance No. 1775-Amending PD Ordinance No. 1308 to amend the site plan for Bradfield Elementary School to provide for a two-story addition on the west end of the building for classrooms and a one-story addition on the north side of the building for kitchen expansion and an enclosed fire exit stairway.

PD Ordinance No. 1776-Amending PD Ordinance No. 1257 to amend the site plan for McCulloch Intermediate and Highland Park Middle Schools to provide for one- and two-story additions on the south side of the building, expansion of the southeast parking lot, and modifications to the athletic field.

PD Ordinance No. 1777-Amending PD Ordinance No. 1425 to amend the site plan for Highland Park United Methodist Church to replace the signs at the Hillcrest Avenue/Mockingbird Lane and Bishop Boulevard/Mockingbird Lane intersections and add a sign facing Bishop Boulevard near the north property line.

PD Ordinance No. 1788-Amending PD Ordinance No. 1307 to amend the site plan for Armstrong Elementary School to provide for a two-story addition on the west side of the building for classrooms and for expansion of the dining and food preparation areas; relocating an outdoor fenced seating area; adding an enclosure for the dumpster; and providing head-in parking spaces on the west side of Byron Avenue north of Cornell Avenue.

PD Ordinance No. 1796–Amending PD for the Highland Park Shopping Village to provide for placing four (4) tables with eight (8) chairs on the sidewalk in front of Unit 70 and requiring a minimum clearance of four feet (4') between the tables and chairs and the curb.

PD Ordinance No. 1806–Amending PD for the Highland Park Shopping Village to convert 1,070 square feet of storage space into Unit No. 84, office space; and to convert 504 square feet of attic space into office space to enlarge Unit No. 74.

PD Ordinance No. 1811–Amending PD for the Highland Park Shopping Village to convert office space into lounge area and restrooms and to extend the marquee to add outdoor seats.

PD Ordinance No. 1817–Amending PD Ordinance No. 1257 to amend the site plan for McCulloch Intermediate School/Highland Park Middle School to provide for the expansion of the gymnasium by ten feet (10'), the addition of a storage building, and modifications to the playground for track facilities.

PD Ordinance No. 1822–Amending PD for the Highland Park Shopping Village to reduce the size of the Village Theatre from 568 to 354 seats and add a restaurant that

will occupy the space now used by Escada on the first floor and a second-story addition of 2,000 square feet.

PD Ordinance No. 1825–Amending Ordinance No. 1308 to provide for security lighting.

PD Ordinance No. 1831–Amending Ordinance No. 1425 as amended, to amend the site plan for Highland Park United Methodist Church to provide for (1) construction of a columbarium garden, including a masonry wall with three hundred eight (308) niches, decorative iron fencing, a stone-paved seating area, masonry retaining walls, and a fountain feature in the Mockingbird Lane front yard; and (2) use of the columbarium garden niches for the interment of ashes.

PD Ordinance No. 1840–Amending the Comprehensive Transportation and Parking Plan for the Highland Park Shopping Village to reduce the number of surplus parking from 25 spaces to 15 spaces.

PD Ordinance No. 1848–Amending PD for the Highland Park Shopping Village to (1) add a new elevator and 186 square feet of covered walkways on the second floor between the center court buildings; (2) reclassify 1,189 square feet of restaurant space into retail space, demolish 313 square feet on the first floor and add a new second floor consisting of 500 square feet of retail space to Unit 69; (3) reassign the existing 43 outdoor seats from Unit 69 and Unit 70 to Unit 87, and eliminate 23 outdoor seats; (4) reclassify 1,030 square feet of restaurant space to retail space, and add 128 square feet of retail space to the first floor of Unit 70; (5) construct a 420-square-foot, first floor outdoor covered dining patio with a maximum of 32 seats, and a 686-square-foot, second floor outdoor covered dining patio with a maximum of 36 seats at Unit 87; and (6) increase the number of surplus parking from 15 spaces to 19 spaces.

PD Ordinance No. 1853–Amending PD for the Highland Park Shopping Village to reclassify 5,338 square feet of retail/personal service space on the second floor of Building 11:1 (formerly Larry North Fitness) to office space (Hill Family Offices).

PD Ordinance No. 1857–Amending PD for the Highland Park Shopping Village to provide for (1) construction of a 16-foot tall masonry and stucco wall with a wooden gate in place of an existing 8-foot tall wooden fence and gate located at the service alley entrance of Building C adjacent to Douglas Avenue behind Patrizio Restaurant; and (2) increasing the number of surplus parking spaces from 19 spaces to 58 spaces.

PD Ordinance No. 1858–Amending PD for the Highland Park Shopping Village to (1) provide for placing six tables with twenty chairs on the sidewalk at Unit 77 (Mi Cocina); (2) require a minimum clearance of four feet between the tables and chairs and the curb; and (3) decrease the number of surplus parking spaces from 58 spaces to 55 spaces.

PD Ordinance No. 1860–Amending Ordinance No. 1425 as amended, to amend the site plan for the Highland Park United Methodist Church to provide for the construction of an additional two hundred twenty-five (225) niches to be used for the

interment of ashes in the Columbarium Garden, for a total of five hundred thirty-three (533) niches.

PD Ordinance No. 1861—Amending PD for the Highland Park Shopping Village to provide for the construction of a two hundred twenty-one-square-foot addition to the second floor adjacent to the north side of Unit 74 to be used as office space and to decrease the number of surplus parking spaces from 55 spaces to 54 spaces.

PD Ordinance No. 1863—Amending PD for the Highland Park Shopping Village to: (i) provide for the construction of an eight hundred seventeen (817)-square-foot addition to the second floor adjacent to the west side of Unit 74 located in the southwest quadrant of the center court building to be used as office space; (ii) reclassify one thousand seven hundred twelve (1,712) square feet of Storage space to Office use on the second floor of Building D; (iii) reclassify two thousand four hundred thirty (2,430) square feet of Retail space to Office use on the second floor of Building D; (iv) revise the lease area in Building C to reflect a reduction of five hundred forty-eight (548) square feet; and (v) increase the number of surplus parking spaces from 54 spaces to 56 spaces.

PD Ordinance No. 1876—Amending PD for the Highland Park Shopping Village to: (i) provide for the reclassification of one thousand fifty-six (1,056) square feet of Retail space to Restaurant use to include forty-one (41) indoor dining seats at Unit 67 on the second floor of Building F; (ii) provide for the reclassification of two hundred fifty-eight (258) square feet of Retail space to Office use at Unit 25-206 on the second floor of Building C; and (iii) decrease the number of surplus parking spaces from 56 spaces to 52 spaces.

PD Ordinance No. 1882—Amending PD for the Highland Park Shopping Village to allow the installation of three (3) double-faced store directory signs. Each sign will consist of a three-foot (3') by five-foot, nine-inch (5'9") panel mounted between two seven-foot, eleven-inch (7'11") tall decorative metal poles which provide a total width of the sign structure of five feet (5'), as measured at the base. One side of the double-faced sign will display the store listings/locations, with the opposite side displaying store advertising. External lighting, affixed at the top of both sides of the panel, will be provided for each sign. The Signs will be located adjacent to: (i) the southeast corner of Building D; (ii) the south side, middle of Building F; and (iii) the northwest corner of Building G. A four-foot (4') minimum clearance will be maintained adjacent to all Signs where pedestrian access is provided.

PD Ordinance No. 1883—Amending Ordinance No. 821, PD 2, as amended, to provide for the construction of a permanent flat roof over the interior courtyard at 4347 Westside Drive.

PD Ordinance No. 1901—Amending PD for the Highland Park Shopping Village to: (i) permit construction of a new second floor consisting of approximately four thousand six hundred fifteen (4,615) square feet of retail space above Units 18 through 21 of Building B; and (ii) decrease the surplus parking from 52 to 29 spaces.

PD Ordinance No. 1912–Amending PD for the Highland Park Shopping Village to: (i) provide for the reclassification of nine hundred sixty (960) square feet of Office space to Retail use at Unit 25-209 on the second floor of Building C; and (ii) decrease the surplus parking from 29 to 27 spaces.

PD Ordinance No. 1922–Amending PD for the Highland Park Shopping Village to modify the comprehensive site plan by: (i) permitting construction of an eighty-one (81) square-foot first floor addition to the front facade of Unit 11 in Building B; and (ii) decreasing the surplus parking from 27 spaces to 26 spaces.

PD Ordinance No. 1924–Amending PD for Bradfield Elementary School to permit construction of an eleven hundred (1,100) square-foot paved area for a memorial seating space and two connecting walkways, to be known as Johnny's Place, in the front yard on the east side of the main entrance to the school on Southern Avenue.

CUD Ordinance No. 1930–Community Unit Development at 4300 Lomo Alto Drive.

PD Ordinance No. 1933–Amending PD for the Highland Park Shopping Village to allow the installation of two (2) directory signs adjacent to the east side of Building C. One sign will be an attached tenant directory, and will measure approximately two feet (2') wide by four feet, six inches (4'6") tall. This sign will be attached to the east wall of the exterior stairway. Once installed, the nine (9) existing tenant signs will be removed from the adjacent building wall. The second sign will be a detached double-faced store directory sign located in a planting area adjacent to the tree within the sidewalk. The sign will consist of a three-foot (3') by five-foot, nine-inch (5'9") panel mounted between two seven-foot, eleven-inch (7'11") tall decorative metal poles which provide a total width of five feet (5') as measured at the base of the sign structure. One side of the double-faced sign will display the store listings/locations, with the opposite side displaying store advertising or the same store listings/locations. External lighting will be affixed at the top of both sides of the panel.

PD Ordinance No. 1936–Amending PD for the Highland Park Shopping Village to: (i) provide for the reclassification of four hundred ninety (490) square feet of office space to retail space at Unit 25-201 on the second floor of Building C; and (ii) decrease the surplus parking from 26 to 25 spaces and a final parking space count of 1,059.

PD Ordinance No. 1946–Amending PD for the Highland Park Shopping Village to: (i) provide for the reclassification of three thousand two hundred (3,200) square feet of office space to retail space at Unit 30 on the second floor of Building C; and (ii) decrease the surplus parking from 25 to 16 spaces and a final parking space count of 1,059.

SP 1 Parking Lot–Ordinance Number 595

SP 2 Municipal Garage and Maintenance Center

SP 2a Telecommunications Facility, 5005 Holland Avenue–Ordinance No. 1340

SP 3 Free Parking Area–Ordinance No. 818

SP 4 Free Parking Area–Ordinance No. 889

SP 5 Free Parking Area–Ordinance No. 954

SP 6 Free Parking Area–Ordinance No. 1034

SP 7 Free Parking Area–Ordinance No. 1107

SP 8 Town Hall and Municipal Building–Ordinance No. 1872

SP 8a Telecommunications Facility, 4700 Drexel Drive–Ordinance No. 1916

SP 9 Telecommunications Facility, 3300 Mockingbird Lane–Ordinance No. 1947

26-101 COMBINED BUILDING SITES

a. The following combined building sites, each of which was created prior to August 22, 2005, shall be subject to all provisions of this Zoning Ordinance applicable to combined building sites, except [Section 18-101](#) b.; provided, however, that any building site listed in this subsection which after August 22, 2005, is combined with another building site or part of another building site, shall thereafter be subject to [Section 18-101](#) b.

<u>Zoning District</u>	<u>Address</u>	<u>Date</u>
B	4208 Armstrong Parkway	1980
D	3213 Princeton Avenue	1986
E	3215 St. Johns Drive	1987
C	3640 Beverly Drive	1990
C	3824 Gillon Avenue	1994
C	3428 Beverly Drive	1997
D	3921 Normandy Avenue	1997
B	4328 Overhill Drive	1997
B	4308 Overhill Drive	1997
E	4606 N. Versailles Avenue	1999
D	3403 Dartmouth Avenue	2000
E	4332 Potomac Avenue	2000

C	3807 Miramar Avenue	2001
D	5004 Abbott Avenue	2002
D	5008 Abbott Avenue	2002
D	3836 Stratford Avenue	2004
D	3712 Stratford Avenue	2005
B	3832 Beverly Drive	2005

b. The following combined building sites, each of which was created after August 22, 2005, shall be subject to all provisions of this Zoning Ordinance applicable to combined building sites.

<u>Zoning District</u>	<u>Address</u>	<u>Date</u>
D	4404 Belclaire Avenue	2006
D	4412 Belclaire Avenue	2006
B	4321 Overhill Drive	2006
B	4311 Rheims Place	2006
D	3801 Gillon Avenue	2007
D	3809 Gillon Avenue	2007
G	4608 Abbott Avenue	2007
G	3515 Normandy Avenue	2007
B	4464 Rheims Place	2008
D	3508 Potomac Avenue	2008
D	3516 Potomac Avenue	2008
D	3400 St. Johns Drive	2008
D	3408 St. Johns Drive	2008
E	3520 Mockingbird Lane	2008
D	3404 Cornell	2009
C	3711 Beverly Drive	2009
C	4215 Belclaire Avenue	2009
B	4400 Lakeside Drive	2009
C	3700 Euclid Avenue	2009
B	4311 Lakeside Drive	2010
B	4321 Lakeside Drive	2010
E	3217 Cornel Avenue	2010
C	3500 Beverly Drive	2010

E	4416 Beverly Drive	2010
D	3212 Dartmouth Avenue	2011
C	3509 Euclid Avenue	2011
C	3920 Euclid Avenue	2011
C	4700 St. Johns Drive	2011
E	4543 Arcady Avenue	2013
D	3801 Maplewood Avenue	2013
G	4502 Abbott Avenue	2013

(Ordinance 740, sec. 21, adopted 5/4/70; Ordinance 818 adopted 10/31/74; Ordinance 821 adopted 12/9/74; Ordinance 889 adopted 6/29/78; Ordinance 954 adopted 8/3/81; Ordinance 1034 adopted 7/2/84; Ordinance 1107 adopted 11/2/87; Ordinance 1244 adopted 12/7/92; Ordinance 1257 adopted 9/7/93; Ordinance 1307 adopted 6/5/95; Ordinance 1308 adopted 6/5/95; Ordinance 1309 adopted 6/19/95; Ordinance 1311 adopted 7/24/95; Ordinance 1324 adopted 12/8/95; Ordinance 1332 adopted 6/3/96; Ordinance 1340 adopted 9/9/96; Ordinance 1347, sec. 1, adopted 3/3/97; Ordinance 1370 adopted 12/1/97; Ordinance 1381 adopted 6/15/98; Ordinance 1405 adopted 5/4/99; Ordinance 1406 adopted 6/7/99; Ordinance 1407 adopted 6/7/99; Ordinance 1425 adopted 12/13/99; Ordinance 1469, sec. 1, adopted 7/2/01; Ordinance 1485, sec. 1, adopted 1/7/02; Ordinance 1505, sec. 1, adopted 8/5/02; Ordinance 1506, sec. 1, adopted 8/5/02; Ordinance 1507, sec. 1, adopted 8/5/02; Ordinance 1571, sec. 1, adopted 11/3/03; Ordinance 1595, sec. 1, adopted 8/23/04; Ordinance 1596, sec. 1, adopted 8/23/04; Ordinance 1631, sec. 11, adopted 8/22/05; Ordinance 1662, sec. 2, adopted 6/12/06; Ordinance 1666, sec. 2, adopted 7/24/06; Ordinance 1670, sec. 2, adopted 9/11/06; Ordinance 1699, sec. 2, adopted 6/25/07; Ordinance 1700, sec. 2, adopted 6/25/07; Ordinance 1703, secs. 2, 3, adopted 8/13/07; Ordinance 1726, sec. 2, adopted 2/11/08; Ordinance 1732, sec. 2, adopted 4/14/08; Ordinance 1750, sec. 2, adopted 6/9/08; Ordinance 1751 adopted 7/14/08; Ordinance 1752 adopted 7/14/08; Ordinance 1755, sec. 2, adopted 8/11/08; Ordinance 1771, sec. 2, adopted 11/10/08; Ordinance 1775 adopted 12/15/08; Ordinance 1776 adopted 12/15/08; Ordinance 1777 adopted 12/15/08; Ordinance 1782, sec. 2, adopted 2/9/09; Ordinance 1788 adopted 4/1/09; Ordinance 1793, sec. 2, adopted 5/26/09; Ordinance 1796 adopted 6/22/09; Ordinance 1797, sec. 2, adopted 7/27/09; Ordinance 1801, sec. 2, adopted 8/24/09; Ordinance 1806 adopted 9/14/09; Ordinance 1811 adopted 11/9/09; Ordinance 1812, sec. 2, adopted 12/14/09; Ordinance 1817 adopted 1/25/10; Ordinance 1822 adopted 3/22/10; Ordinance 1824, sec. 7, adopted 5/24/10; Ordinance 1825 adopted 5/10/10; Ordinance 1831 adopted 8/9/10; Ordinance 1840 adopted 10/11/10; Ordinance 1842 adopted 11/22/10; Ordinance 1843 adopted 11/22/10; Ordinance 1844 adopted 11/22/10; Ordinance 1848 adopted 1/24/11; Ordinance 1853 adopted 3/28/11; Ordinance 1854 adopted 4/11/11; Ordinance 1857 adopted 5/9/11; Ordinance 1858 adopted 5/23/11; Ordinance 1860 adopted 7/11/11; Ordinance 1861 adopted 7/11/11; Ordinance 1863 adopted 8/23/11; Ordinance 1869 adopted 10/24/11; Ordinance 1870 adopted 10/24/11; Ordinance 1871 adopted 10/24/11; Ordinance 1872 adopted 10/24/11; Ordinance 1876 adopted 12/12/11; Ordinance 1882 adopted 6/25/12; Ordinance 1883 adopted 8/13/12; Ordinance 1901 adopted 11/12/12; Ordinance 1911 adopted 2/25/13; Ordinance 1912 adopted 3/11/13; Ordinance 1916 adopted 5/28/13; Ordinance 1921 adopted 7/22/13; Ordinance 1922 adopted 8/13/13; Ordinance 1924 adopted 8/26/13; Ordinance 1930 adopted 10/28/13; Ordinance 1933 adopted 11/11/13;

Ordinance 1935 adopted 12/9/13; Ordinance 1936 adopted 12/9/13; Ordinance 1946 adopted 3/24/14; Ordinance 1947 adopted 3/24/14)

SECTION 27. EFFECTIVE

27-100 The fact that the present zoning regulations are inadequate to properly safeguard the general public welfare, health, peace and safety, creates an urgency and an emergency, and requires that this ordinance become effective immediately upon its passage, and it is accordingly so ordained. (Ordinance 740, sec. 22, adopted 5/4/70)

APPROVED AS TO FORM

Town Attorney

PASSED AND APPROVED 3rd day of November, 1965

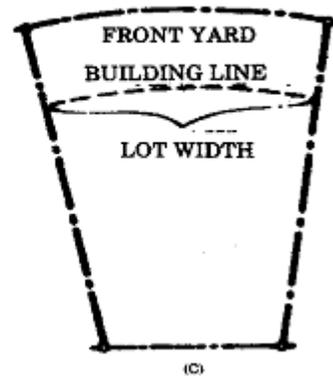
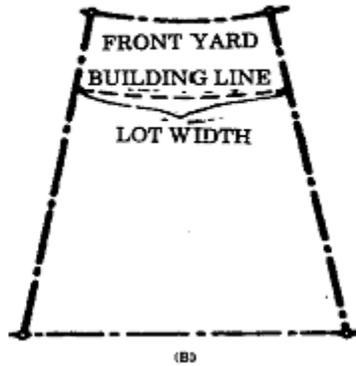
Mayor, Town of Highland Park, Texas

ATTEST:

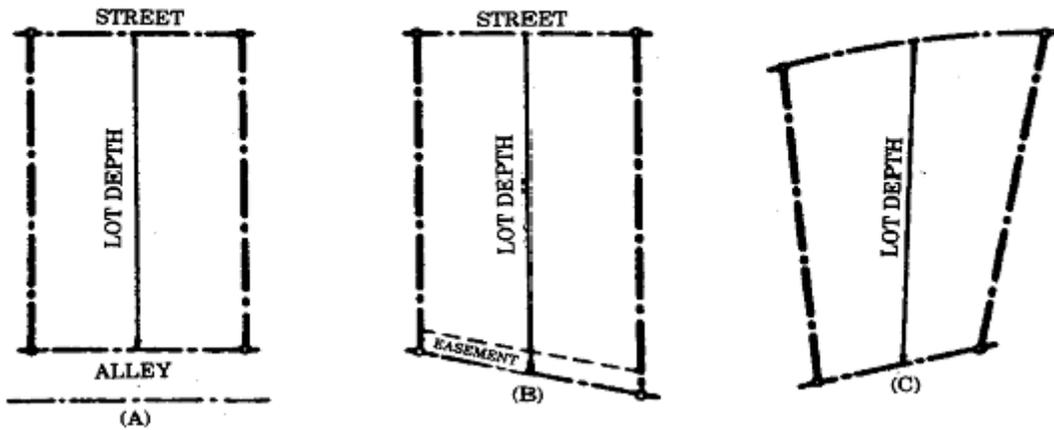
Town Secretary, Town of Highland Park, Texas

APPENDIX ILLUSTRATIONS

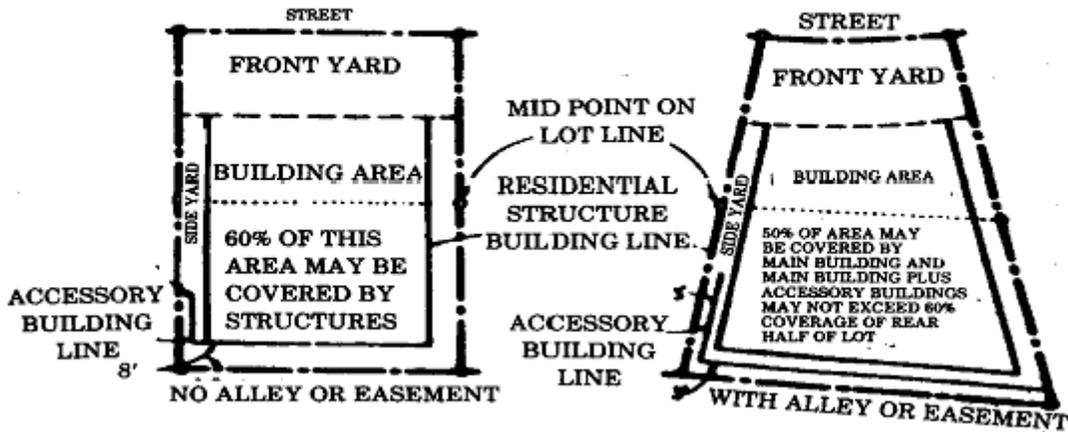
1. LOT WIDTH



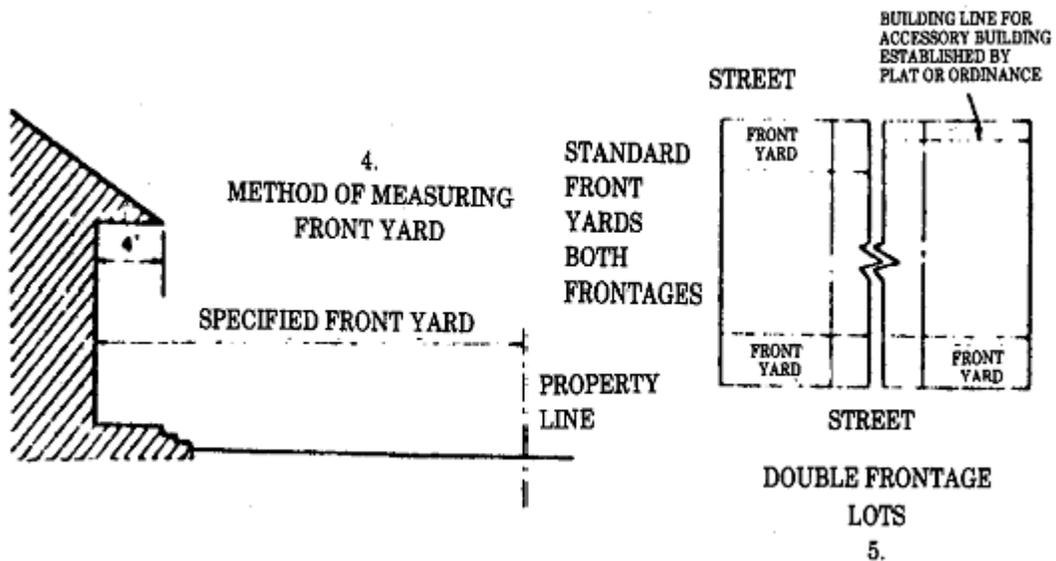
2. LOT DEPTH



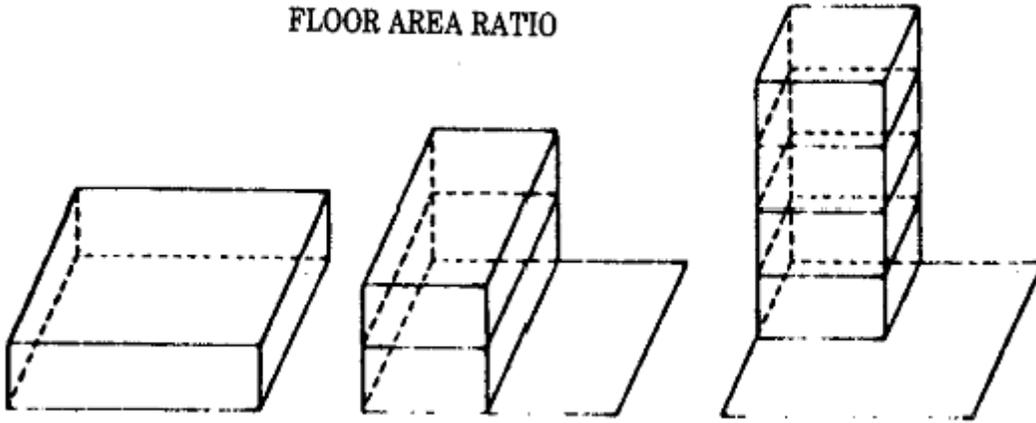
3. YARDS



(Ordinance 1008, sec. 2(3), adopted 9/6/83)

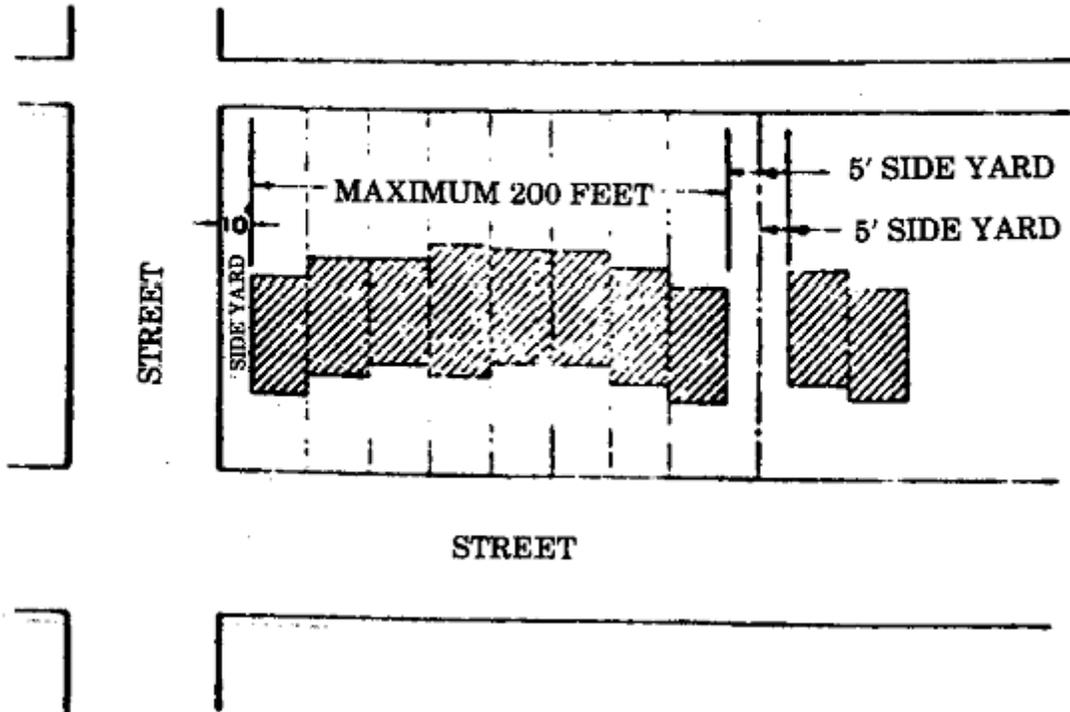


6.
FLOOR AREA RATIO



EACH DRAWING ILLUSTRATES FLOOR AREA RATIO OF 1:1

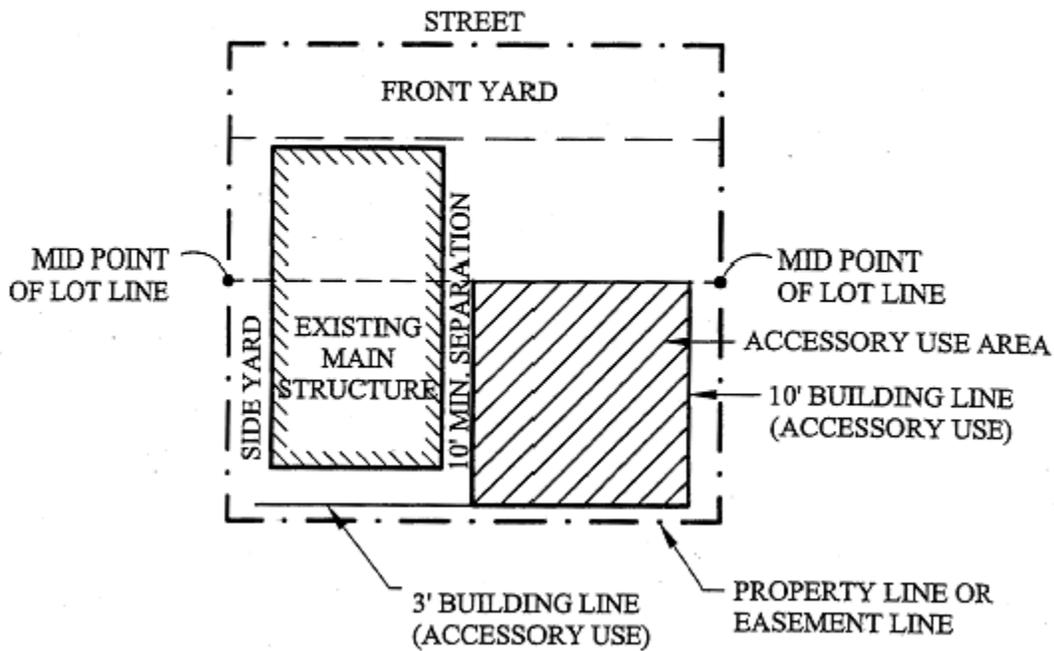
7.
SIDE YARD STANDARDS
ATTACHED SINGLE FAMILY DWELLINGS



8. (RESERVED)

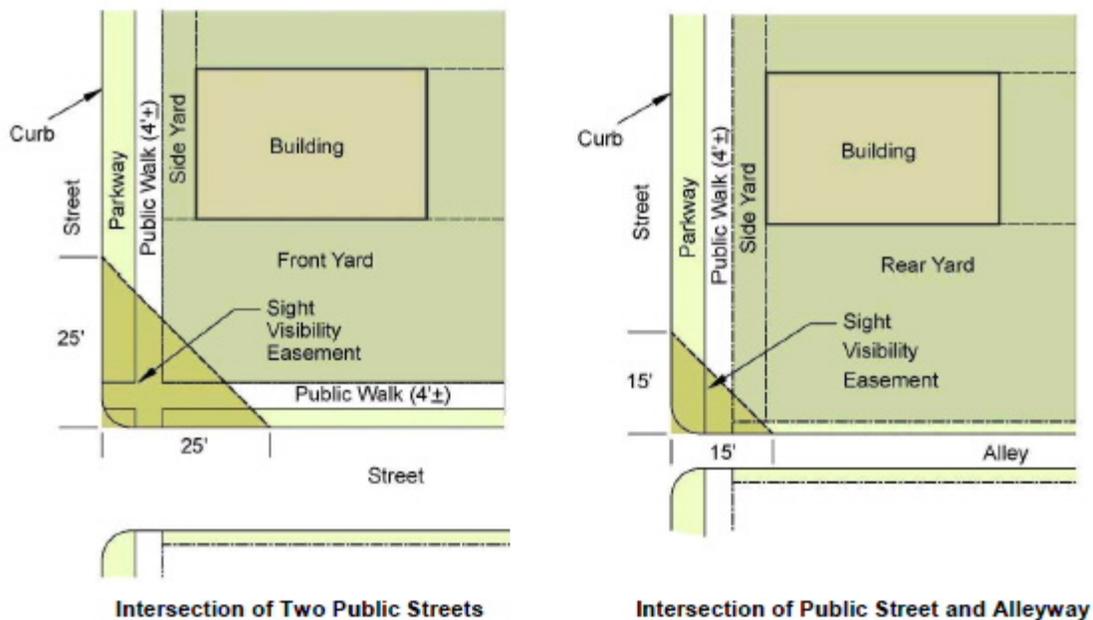
Note—See the editor's note to section 15-103.

9. COMBINED BUILDING SITES



(Ordinance 1631, sec. 12, adopted 8/22/05)

10. SIGHT VISIBILITY EASEMENT



(Ordinance 1927, sec. 10, adopted 9/9/13)