

City of Wichita Falls City Council Agenda



Stephen Santellana, Mayor
Bobby Whiteley, Mayor Pro Tem/At Large
Michael Smith, District 1
Larry Nelson, District 2
Jeff Browning, District 3
Tim Brewer, District 4
Steve Jackson, District 5

Darron Leiker, City Manager
Kinley Heggglund, City Attorney
Marie Balthrop, City Clerk



Notice Of Regular Meeting Of The Mayor And City Council Of The City Of Wichita Falls, Texas, To Be Held In The City Council Chambers, Memorial Auditorium, 1300 Seventh Street, Tuesday, August 16, 2022, Beginning At 8:30 A.M.

This meeting can be accessed and viewed at the following locations:

- 1. A livestream will be shown on the Spectrum/Time Warner Cable Channel 1300**
- 2. A livestream will be shown on the City's Facebook page (City of Wichita Falls, Texas Government) (<https://www.facebook.com/CityofWF>)**
- 3. A video of the meeting will be posted on the City's YouTube page (<https://www.youtube.com/cityofwf>)**

Item #

- 1. Call to Order**
- 2. (a) Invocation: Ken Holsberry, Minister
10th & Broad Church of Christ**
(b) Pledge of Allegiance
- 3. Presentations**
(a) Proclamation – Women's Equality Day, League of Women Voters

CONSENT AGENDA

- 4. Approval of minutes of the Mayor and City Council**
(a) August 2, 2022, Regular Meeting
(b) August 9, 2022, Special Meeting

5. Receive Minutes

- (a) MPO-TAC, April 7, 2022
- (b) MPO-TPC, April 26, 2022
- (c) Park Board, June 23, 2022
- (d) Lake Wichita Revitalization Committee, July 12, 2022

REGULAR AGENDA

6. Ordinances

- (a) Conduct a public hearing and take action on an ordinance amending the Wichita Falls Code of Ordinances, Appendix B: Zoning revising, consolidating and incorporating sections addressing: definitions, downtown zoning district boundaries, creation of special downtown zoning districts, downtown non-conforming use limitation and appeal process, development regulations (setbacks), and incorporating a downtown zoning use table; and a Land Use Plan amendment to consolidate use categories in Greater Downtown; providing a repealer clause; providing for inclusion
 - i. Public Hearing
 - ii. Take Action
- (b) Ordinance Amending Chapter 58 Article V – Lodging in Its Entirety, And Providing for Codification
- (c) Ordinance accepting and appropriating a donation for COVID Positive Individuals Housing in the amount of \$5,000 received from Wichita Falls Faith Mission

7. Resolutions

- (a) Public Hearing on the Fiscal Year 2023 Proposed Operating Budget and Resolution Setting a Date for Adoption of the FY 2023 Budget
 - i. Public Hearing
 - ii. Take Action
- (b) Resolution expressing the City Council's intent to place a proposal on a future Council agenda approving a property tax rate that exceeds the no new tax rate, but does not exceed the voter-approval tax rate; scheduling one public tax rate hearing, and establishing the date to vote on same
- (c) A Resolution of the City Council of the City of Wichita Falls, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2022 Rate Review Mechanism Filing; declaring existing

rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC's legal counsel

- (d) Resolution authorizing the City Manager to award bid and contract for the 2022 Sewer Budget Utility Improvement Project – Phase 2 to Bowles Construction Co. in the amount of \$1,192,530.00
- (e) Resolution authorizing the City Manager to award bid and contract for the 2022 Concrete Street Rehabilitation Project to Scales Concrete Construction Co. INC in the amount of \$881,287.00
- (f) Resolution authorizing the City Manager to execute an agreement with Brandy Belk, dba Suga B's, at Wichita Falls Regional Airport for Food, Beverage, and Gift Shop Concessions at Wichita Falls Regional Airport

8. Other Council Matters

- (a) Staff Reports – Update on the exhibits and holdings of the former Wichita Falls Railroad Museum (Paul Menzies, Assistant City Manager and Madeleine Calcote, Executive Director, Museum of North Texas History)
- (b) Announcements concerning items of community interest from members of the City Council. No action will be taken or discussed.

9. Comments from the public to members of the city council concerning items that are not on the city council agenda. People wishing to address the council should sign up prior to the start of the meeting. A three-minute time frame will be adhered to for those addressing their concerns. Since comments from citizens are not posted agenda items, the City Council is prohibited from deliberating or taking any action, other than a proposal to place the item on a future agenda. Staff may provide factual statements in response to inquiries or recite existing policy.

10. Adjourn

Spanish language interpreters, deaf interpreters, Braille copies or any other special needs will be provided to any person requesting a special service with at least 24 hours' notice. Please call the City Clerk's Office at 761-7409.

Every item on this agenda shall be considered a public hearing. Regardless of the agenda heading under which any item is listed, any word or phrase of any item listed on this agenda shall be considered a subject for consideration for purposes of the Texas Open Meetings Act and other relevant law, and City Council may deliberate and vote upon any such subject and resolutions related thereto. Resolutions, ordinances, and other actions concerning any word, phrase, or other subject may be voted upon, regardless of any language of limitation found in this agenda or any document referring to such action. Any penal ordinance, development regulation or charter provision of the City of Wichita Falls or item which is funded by the current or next proposed City of Wichita Falls budget, including, without limitation, any street, water pipe, sewer, drainage structure, department, employee, contract or real property interest of the City of Wichita Falls, may be discussed and deliberated, and the subject is hereby defined as such without further notice. Any item on this agenda may be discussed in executive session if authorized by Texas law regardless of whether any item is listed under "Executive Sessions" of this agenda, regardless of any past or current practice of the City Council. Executive sessions described generally hereunder may include consideration of any item otherwise listed on the agenda plus any subject specified in the executive session notice. Executive sessions described generally hereunder are closed meetings, may include consideration of any item otherwise listed on the agenda plus any subject specified in the executive session notice, and may include items under Texas Government Code Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.084, and/or 551.087.

CERTIFICATION

I certify that the above notice of meeting was posted on the bulletin board at Memorial Auditorium, Wichita Falls, Texas on the 10th day of August, 2022 at 4:30 o'clock p.m.



City Clerk



City of Wichita Falls
City Council Meeting
Minutes
August 2, 2022



Item 1 - Call to Order

The City Council of the City of Wichita Falls, Texas, met in regular session at 8:30 a.m. on the above date in the Council Chambers at Memorial Auditorium with the following members present.

Stephen Santellana	-	Mayor
Bobby Whiteley	-	Mayor Pro Tem/At-Large
Tim Brewer	-	Councilors
Jeff Browning	-	
Larry Nelson	-	
Michael Smith	-	
Darron Leiker	-	City Manager
Kinley Hegglund	-	City Attorney
Marie Balthrop	-	City Clerk

Absent: Steve Jackson, Councilor District 5

Mayor Santellana called the meeting to order at 8:30 a.m.

Item 2a – Invocation

Father Brian Chase, Church of the Good Shepherd, gave the invocation.

Item 2b – Pledge of Allegiance

Mayor Santellana led the Pledge of Allegiance.

Item 3a – Employee of the Month – Jennifer Carter, Police Department

8:34 a.m.

Manuel Borrego, Chief of Police, recognized Jennifer Carter as the Employee of the Month for August 2022 and shared a brief video. Mayor Santellana congratulated Ms. Carter and presented her with a plaque, letter of appreciation, dinner for two, and a check, and thanked her for her service.

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Item 3b – Proclamation – National Health Center Week, North Central Texas Community Healthcare Center

8:37 a.m.

Mayor Santellana read a proclamation proclaiming August 7-13, 2022, as National Health Center Week in Wichita Falls and encourage all area residents to participate this week by visiting their local health center, and celebrate the vital partnership between America's community healthcare centers and the communities they serve.

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Item 3c – Proclamation – National 811 Day, Atmos Energy

8:42 a.m.

Mayor Santellana read a proclamation proclaiming August 11, 2022, as National 811 Day in Wichita Falls and encouraged excavators and homeowners throughout the Wichita Falls area to always call 811 before digging to know what is below.

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Item 4-5 – Consent Items

8:45 a.m.

Darron Leiker, City Manager, gave a briefing on the items listed under the Consent Agenda.

Moved by Councilor Browning to approve the consent agenda.

Motion seconded by Councilor Smith and carried by the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Nelson, Smith, and Whiteley

Nays: None

Item 4 – Approval of Minutes of the July 19, 2022 Regular Meeting of the Mayor and City Council

Item 5 – Receive Minutes

- (a) Wichita Falls 4B Sales Tax Corporation, April 7, 2022
- (b) Wichita Falls Economic Development Corporation, May 19, 2022
- (c) Planning & Zoning Commission, June 8, 2022

Item 6a – Ordinance 28-2022

8:46 a.m.

Ordinance amending Chapter 22 Article III of Buildings and Building Regulations to formally adopt the 2017 National Electric Code and removing reference to the Board of Electrical Examiners and making grammatical and semantic clarifications, and providing for codification.

Moved by Councilor Brewer to approve Ordinance 28-2022.

Motion seconded by Councilor Browning.

Terry Floyd, Director of Development Services, requested that the motion be amended to include Exhibit A.

Councilor Browning moved to amend the main motion to include Exhibit A.

Motion seconded by Councilor Brewer and approved with the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Nelson, Smith, and Whiteley

Nays: None

The main motion as amended carried by the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Smith, and Whiteley

Nays: Councilor Nelson

Item 6b – Ordinance 29-2022

8:47 a.m.

Ordinance of the City Council of the City of Wichita Falls, Texas, adopting a Redistricting Plan to change the boundaries of the City's five (5) single-member Council Districts based on 2020 Census data, and providing for incorporation of the Redistricting Plan map in accordance with Section 2-26 of the City of Wichita Falls, Code of Ordinances.

Moved by Councilor Brewer to approve Ordinance 29-2022.

Motion seconded by Councilor Browning and carried by the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Nelson, Smith, and Whiteley

Nays: None

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Item 7a – Resolution 84-2022

8:52 a.m.

Resolution authorizing the City Manager to apply for non-matching Grant Funds from the FY 2022 Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$30,141.00 with co-applicant, Wichita County Sheriff's Office

Moved by Councilor Browning to approve Resolution 84-2022

Motion seconded by Councilor Smith and carried by the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Nelson, Smith, and Whiteley

Nays: None

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Item 7b – Resolution 85-2022

8:53 a.m.

Resolution finding that Leetech Solutions, LLC is in material breach of contract for the 2021 Lift Station 15, 36 & 39 Rehabilitation Project, and declaring an immediate termination of contract.

Moved by Councilor Brewer to approve Resolution 85-2022

Mayor Santellana moved to Item 7c since Item 7b needs to be discussed in Executive Session.

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Item 7c – Resolution 86-2022

8:54 a.m.

Resolution authorizing the purchase of two Smith & Loveless Model 4B2X Star One assemblies and one control panel from Smith & Loveless, Inc., in the amount of \$74,041.00 as part of the planned rehabilitation of Lift Station 61.

Moved by Councilor Browning to approve Resolution 86-2022.

Motion seconded by Councilor Smith

Russell Schreiber, Director of Public Works, discussed the sole source purchase for these items and stated that the Wichita Falls ISD will split the cost up to \$45,000.

Motion carried by the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Nelson, Smith, and Whiteley

Nays: None

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Item 7d – Resolution 87-2022

8:57 a.m.

Resolution amending the award of certain chemicals to authorize the City to revoke the awards issued to Water Tech Inc. and award certain chemicals to Univar Solutions, Shannon Chemical Corporation, and Chemrite Inc. as part of the City's annual supply of bulk chemicals for water and wastewater treatment.

Moved by Councilor Brewer to approve Resolution 87-2022.

Motion seconded by Councilor Whiteley and carried by the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Nelson, Smith, and Whiteley

Nays: None

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Item 7e – Resolution 88-2022

9:00 a.m.

Resolution authorizing award of bid for the City's estimated annual supply of unleaded gasoline and low sulfur diesel fuel to W. Douglas Distributing, LTD. (d.b.a Douglas Distributing).

Moved by Councilor Browning to approve Resolution 88-2022.

Motion seconded by Councilor Smith and carried by the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Nelson, Smith, and Whiteley

Nays: None

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Item 7f – Resolution 89-2022

9:03 a.m.

Resolution approving a substantial amendment to the PY 2019 Community Development Block Grant (CDBG) Annual Action Plan of the 2015-2019 Consolidated Plan to reallocate \$600,304.95 of CDBG – Coronavirus (CDBG-CV) funding through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) in a special allocation from US Department of Housing and Urban Development (HUD).

Moved by Councilor Browning to approve Resolution 89-2022.

Motion seconded by Councilor Smith and carried by the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Nelson, Smith, and Whiteley

Nays: None

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Item 7g – Resolution 90-2022

9:09 a.m.

Resolution approving a substantial amendment to the 2021 Action Plan Amendment of the 2020-2024 Consolidated Plan and the HOME-American Rescue Plan (HOME-ARP) Allocation Plan of the City of Wichita Falls to include any and all revisions to the plans approved by the U.S. Department of Housing and Urban Development (HUD), to receive and administer a special allocation of \$1,572,080 in HOME-ARP funds through the American Rescue Plan (ARP) in a special allocation from HUD

Moved by Councilor Brewer to approve Resolution 90-2022.

Motion seconded by Councilor Browning and carried by the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Nelson, Smith, and Whiteley

Nays: None

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Item 7h – Resolution 91-2022

9:14 a.m.

Resolution approving the 2022 Action Plan of the 2020-2024 Consolidated Plan of the City of Wichita Falls to include any and all revisions to the plans approved by the U.S. Department of Housing and Urban Development (HUD), to allocate FY 2022 Community Development Block Grant (CDBG) funds in the amount of \$1,203,986, reallocate \$100,000 in prior year CDBG funding, and 2022 HOME Investment Partnership Program (HOME) funds in the amount of \$449,845; authorizing the City Manager to execute HUD grant applications and agreements to implement the approved plans, to include any and all revisions approved by HUD.

Moved by Councilor Browning to approve Resolution 91-2022.

Motion seconded by Councilor Smith and carried by the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Nelson, Smith, and Whiteley (Mayor Santellana's vote registered as Nay, but he clarified verbally his intent was to vote Aye)

Nays: None

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Item 7i – Resolution 92-2022

9:21 a.m.

Resolution appropriating a total of \$150,000 of American Rescue Plan (ARPA) Funding to the City's General Fund for payment of salary and benefits for a Senior Grant Accountant position.

Moved by Councilor Brewer to approve Resolution 92-2022.

Motion seconded by Councilor Browning and carried by the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Nelson, Smith, and Whiteley

Nays: None

Item 8a – Staff Report

9:23 a.m.

Mr. Leiker stated there were no formal staff reports, but he reminded Council of the special meeting on August 9, 2022, to review the proposed budget. He encouraged Councilors to reach out to staff or meet with the budget team if they have any questions.

Mayor Santellana moved to Item 10 – Executive Session

Item 10 – Executive Session

City Council adjourned into Executive Session at 9:24 a.m. in accordance with Texas Government Code §551.071.

City Council reconvened at 9:54 a.m.

Mayor Santellana reconvened in open session and announced that no votes or polls were taken.

Mayor Santellana returned to Item 7b

Item 7b – Resolution 85-2022

9:54

Resolution finding that Leetech Solutions, LLC is in material breach of contract for the 2021 Lift Station 15, 36 & 39 Rehabilitation Project, and declaring an immediate termination of contract.

Russell Schreiber, Director of Public Works, discussed the breach of contract and stated that the City has paid a minimal amount to the contractor and the total the City will have to pay is the bid amount. Any differences or damages recovered will be paid by the bonding company.

A motion and second were previously made by Councilor Brewer and Councilor Smith.

The motion carried with the following vote:

Ayes: Mayor Santellana, Councilors Brewer, Browning, Nelson, Smith, and Whiteley

Nays: None

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Item 8b – Announcements concerning items of community interest from members of the City Council. No action will be taken or discussed.

9:59 a.m.

Mr. Heggland discussed law relating to council comments and citizen comments. Open meetings laws require that an item regarding City business be posted on the agenda in order to discuss the item. Council comments should be limited to items that are not City issues. Citizens may speak about city issues, but the law does not allow Councilors to comment, but staff can give factual statements or recite policy. He wanted citizens to understand why Councilors do not respond to their comments, and explained the difference between what a Councilor can comment on versus a citizen.

Councilor Nelson thanked everyone for attending. He stated that there is a Dollar General being built on East Scott, voter registration is increasing, and he discussed a poultry farm being opened on McKinney Road. He thanked Russell Schreiber for his assistance.

Councilor Whiteley stated that he has attended the Ranch Roundup yearly and every year he has received complaints. This year he attended and did not receive any complaints. He gave kudos to the MPEC staff for their hard work. He congratulated the employee of the month, and recognized how hard the public safety support team works.

Councilor Browning thanked everyone for attending the meeting.

Councilor Smith discussed the Region V Texas Municipal League meeting hosted by Wichita Falls this past week and stated it was a great meeting and opportunity to meet with other cities. He stated that he attended the United Way Early Childhood Coalition Program meeting. United Way reorganized this group and they will be opening up for membership for anyone interested. He encouraged citizens to find out more about this group and consider joining.

Councilor Brewer thanked everyone for attending and he encouraged citizens to reach out via phone or email with any concerns they may have.

Mayor Santellana thanked everyone that attended Taco Fest, and thanked those that made the event possible. Congratulations to Judge Gillen for his retirement and congratulations to Diane Dockery for being appointed as the new Municipal Judge. Congratulations to the Employee of the Month. It is nice to see the employee of the month videos, see the employee in action, and hear from those that work with them. He enjoys seeing quality employees that enjoy what they do.

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Item 9 – Comments from the Public to Members of the City Council Concerning Items That Are Not on the City Council Agenda

10:08 a.m.

Scott Poenitzsch, 3399 Peterson Rd, Iowa Park, addressed the Council in reference to the Farmer's Market. He is a small business owner and vendor at the Farmer's Market, and the current President of the Farmer's Market Association. He discussed the challenges over the past few weeks for all those involved. He noted that the Farmer's Market building is owned by the City, and the Farmer's Market Association is a business entity formed in January 2018, and has 129 voting members. The executive team has five positions that are elected, voluntary, and they receive no compensation. The association voted in May of 2022 to give the Treasurer a \$250 per month stipend. All other positions remain without compensation. MWH, a certified public accounting firm, oversees the records, books and tax filings. On December 15, 2020, the association entered into a lease agreement with Downtown Wichita Falls Development (DWFD) for \$750 per month. The lease expired on April 30, 2022, and the Association received a notice to vacate the building by August 19, 2022. Mr. Poenitzsch discussed the additional duties Association members completed on a regular basis including cleaning areas of the building, making repairs, and securing the building after events. He discussed a petition that has 3,094 signatures asking to negotiate for a fair lease amount. The Farmer's Market Association wishes to remain at the Farmer's Market building and they are prepared to pay a lease of several thousand dollars a month. The Association asked the Council to rescind the agreement with Downtown Wichita Falls Development, and provide a forum where all three parties can discuss the issues and arrive at an amicable solution that does not negatively affect the downtown area.

Carol Castro, 2515 Missile Road, owner of Carol Castro's ceramics, vendor at the Farmer's Market, and secretary of the Farmer's Market Association addressed the Council and requested that the Council revoke the contract with DWFD for managing both the facility and Market at 713 Ohio. She discussed issues with the April 19, 2022, City Council meeting, where the City Council unanimously approved the agreement with no input or mention of the Farmer's Market Association. She suggested that the Council revoke the agreement approved on April 19, 2022, appoint two market managers, and offer one contract for \$1500 per month to the Association to manage market days, and a contract with DWFD for \$2000 per month to manage the venue for all other events. She stated that this is fair to all parties and favors the City.

Philip Spangler, 4642 Summit Drive, addressed the City's press release from July 19, 2022, that stated the City Council voted unanimously to approve an agreement with DWFD to lease the Farmer's Market building for \$1.00 per year for five years. The same press release stated that the amount paid to the Farmer's Market Association to DWFD would be negotiated between those two organizations. He addressed his understanding of the offer from DWFD to the Association to lease the building for \$1350 per month and half of the Associations profits. The last offer was for \$3450 when the previous agreement was \$750. Mr. Spangler stated that as of August 1, 2022, the City website listed the Mayor and Councilor Brewer as members of the Downtown Wichita Falls Development Steering Committee. He expressed concerns about them serving on this committee, and asked that they resign immediately.

Mr. Heggland stated that under the law there is no conflict of interest for the Mayor and Councilor Brewer to serve on that committee. Mr. Leiker stated that he believes the comment is referring to the original Downtown Development Steering Committee that has been sunset for several years.

Diane Haney, 7033 Seymour Hwy, customer of the Farmer's Market stated she feels that we are kicking a good man when he is down. She discussed heat and drought issues that have affected farmers, reducing their production and income. Farmers and vendors take turns cleaning restrooms and other areas to keep the expenses down. She discussed successful events at the market that bring visitors to downtown, and how those visitors spend money at other downtown businesses. She stated that if the City charges so much that farmers quit or move out you may be closing the downtown area because of the decreased traffic.

Valerie Rhodes, 1706 Avalon Place, addressed the Council and stated that she believes Wichita Falls is a great place to live, raise children, and retire. She stated that unfortunately, there is not much to do for citizens between the age of 30-40, and she was disappointed when the last bond election for Streetscapes in the downtown area failed. Items like that attract IT workers to the area and those workers are needed in order to attract new businesses. She is a member of the East Lynwood organization and she thanked Code Enforcement for stepping up their efforts to get people to clean up. She thanked the Council for the new transportation center, and the new East Lynwood Center. She expressed concern with the air conditioner in the East Lynwood Center being too loud, and asked the City to revisit that issue and see if the unit can be quieter. She discussed Red Fox Road where there is parking on one side of the street but no parking on the side where the park is located. People park on the no parking area adjacent to the park for safety. Ms. Rhodes said they were told years ago that the City would build a niche adjacent to the park, which has not been done, and she expressed concerns for the need for street signs encouraging drivers to slow down. She asked for water relief in poor neighborhoods and cooling stations for citizens that have no air and no way to get out of the heat.

Joey Diaz, 319 Rockwood Drive, stated he has been a citizen of Wichita Falls for 20 years and a vendor at the market for six years, two of which have been under the Association. He has been excited to see growth in the market, and new businesses downtown. He expressed concerns with the inability to reach a reasonable agreement with DWFD. Mr. Diaz stated that he has a full time job, but many vendors do not and the market is their only income source. He asked that a group be brought together to discuss the issues to come to an agreement.

Mr. Heggglund clarified that the Farmer's Market is not closing and vendors can maintain their spaces for \$20 per day for farmers and \$25 per day for non-farmers.

Mr. Leiker stated that based upon what he has heard the fee might go down for vendors because the fees will be capped. The City hopes that all vendors and customers will continue to support the facility. The City has pledged to set aside any funds raised will be used to repair and upgrade the facility and complete various projects. This is why the City has asked to receive 50% of the stall fees.

Mr. Heggglund discussed the chapter in the Code of Ordinances that sets the daily stall rental fees for the Farmer's Market. The Ordinance states that fees are set by the market manager in consultation with the City Manager. Current rates are \$20 for farmers and \$25 for non-farmers. The Ordinance coupled with the contract provides set fees that cannot be modified except by the City manager, and no one can charge more or less than the set fee because it is against the law.

Mr. Leiker stated that the fees were set low to protect the vendors.

Becky Raeke, 2420 Reilly Road, Wichita Falls, thanked the Mayor and Council for all they do and for what they endure for the community. Ms. Raeke is the current President of the DWFD board. She stated that this has been a difficult situation, and that on behalf of the board and staff of DWFD all vendors are encouraged to stay and conduct business, whether they are a member of the association or not. No vendor must choose a different location and DWFD is actively seeking to maintain vendors for the success of the market. Vendor protection is in place in accordance with the contract with the City to keep stall fees stable. It was not the original intent to take over management but they have taken this opportunity to provide continuity for the vendors and customers, and improves the market. With the hiring of an experienced Program Director, coupled with a maintenance, marketing, and cleaning plan they are confident that the market will continue to thrive. They understand how vital the success of the market is to Wichita Falls, and the downtown area. They recognize that long time vendors and producers have helped make the market what it is today and they want them to stay and give DWFD an opportunity to over deliver on their promises.

Becky Morath, 10852 W. FM 171, Wichita Falls, addressed the Council and stated she has been a vendor at the market since 2007 and at that time, there was one other vendor and downtown buildings were derelict old buildings. They watched downtown grow and

the Association hosted several events, and stall fees were paid to the City. Several years later DWFD took over. They allowed other vendors at the market and it continued to grow. About six years ago, her friend wrote a half a million grant that was distributed over three years. Stall fees were paid to DWFD, and advertising and the market manager were paid for with the grant. They knew that they would need a strong association once the grant funds ended. The Association submits paperwork to TDA so they can accept WIC and senior vouchers at the market. The Association handles the marketing for all special events at the market. Before February 2021, she was only being charged \$15 per stall under DWFD, so the law was not being enforced.

Mr. Heggland clarified that the current stall fees went into effect this year.

Randy Young, 3969 State Highway 79 South, Wichita Falls stated he has been a member of the Farmer's Market for about six years. He discussed the USDA grant administered by Vernon College to help with the organization and marketing. At that time, DWFD was the governing body over the market and they did not participate other than taking fees. When the grant ended, DWFD took over and there was a downturn in the market. The association was formed and since then the market has thrived. They have doubled to triple the number of vendors and are bringing people into downtown. The association has served the community exceedingly well and he encouraged the City to continue to work with the association. He asked if the market association was considered at all when the new law went into effect.

Ruth Ann Turnbo, 1708 N. Beverly, owner of Smarty Plants Herbs, is a vendor at the Farmer's Market and her family participates in the Market to supplement their income and to be part of the community. They have participated in the market for nine years. She is a substitute teacher and stated that she feels like she is back in high school watching two individuals fighting over a chair as they try to figure out what to do with the market that is so dear to them. She proposes that the Farmer's Market be purchased by the Association, and she discussed concerns with address inconsistencies at the market. She proposes that the association purchase the building, provide the maintenance and upkeep, and remove the middleman allowing them to continue to thrive.

Steve Jackson, 1027 Crescent Lane, Wichita Falls, addressed the Council as a concerned citizen, asked to discuss the 5% pay raises, and began to recite the dollar amounts of various proposed raises. Mr. Heggland stated that Councilor Jackson was in violation of the Open Meetings law as an elected official discussing City Business that was not posted as an agenda item. Councilor Jackson continued to speak over Mr. Heggland and Mayor Santellana, and his microphone was cut off. Mayor Santellana asked Councilor Jackson to show some professionalism, and Councilor Jackson stated he was here for the citizens. Mr. Heggland asked Mr. Jackson to stop speaking because he was violating the Open Meetings Act. Mayor Santellana discussed the rules of decorum and asked Councilor Jackson to sit down or he could be removed from meeting.

Mr. Heggland clarified that it is a violation of state law for a member of the council to discuss an item of City business that is not on the agenda. The item Councilor Jackson tried to discuss is part of the budget that will be a posted agenda item discussed at the next Council meeting.

Mayor Santellana stated that at the next meeting Councilor Jackson would have the opportunity to speak about his concerns.

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Item 11 –Adjourn

Mayor Santellana adjourned the meeting at 10:46 a.m.

PASSED AND APPROVED this 16th day of August 2022.

Stephen Santellana, Mayor

ATTEST:

Marie Balthrop, TRMC, MMC
City Clerk



City of Wichita Falls
City Council Meeting
Minutes
August 9, 2022



Item 1 - Call to Order

The City Council of the City of Wichita Falls, Texas, met in regular session at 8:30 a.m. on the above date in the Council Chambers at Memorial Auditorium with the following members present.

Stephen Santellana	-	Mayor
Bobby Whiteley	-	Mayor Pro Tem/At-Large
Tim Brewer	-	Councilors
Jeff Browning	-	
Steve Jackson	-	
Larry Nelson	-	
Michael Smith	-	
Darron Leiker	-	City Manager
Kinley Heggland	-	City Attorney
Marie Balthrop	-	City Clerk

Mayor Santellana called the meeting to order at 8:30 a.m.

Item 2a – Invocation

Scott Franks, Minister, Edgemere Church of Christ gave the invocation.

Item 2b – Pledge of Allegiance

Mayor Santellana led the Pledge of Allegiance.

Item 3 – Work Session to Consider Proposed FY 2022-2023 Budget

8:32 a.m.

Jessica Williams, Director of Finance/CFO, presented an overview of the General Fund, Water Fund, Sanitation Fund, and other funds for the 2022-2023 fiscal year Proposed Budget. Ms. Williams noted that the City was awarded the Distinguished Budget Presentation Award from GFOA for the 2021-2022 fiscal year, and she reviewed the budget calendar noting the additional time built in for Council review. The proposed budget is a balanced budget that continues current service levels despite record high inflation; reduces the property tax rate from \$0.7609 to \$0.6943; increases employee pay by 5%; increases the contribution to the Firefighter's Pension Fund to 16.18%; invests \$17.9 million of surplus reserves for one-time expenditures; and proposes a water/sewer rate increase of 9%. Ms. Williams discussed operating revenues, consolidated revenues, and the list of proposed one-time expenditures.

Blake Jurecek, Assistant City Manager, discussed the one-time projects associated with the Golf Course, Castaway Cove Waterpark, Parks Master Plan, Library, Recreations, and highway mowing.

Lindsay Barker, Director of Communications, Marketing and MPEC, discussed a one-time expenditure at the MPEC for a Co-Promotional Show Fund.

Mr. Jurecek discussed one-time expenditures for MPEC facilities that include Venue Tax funds, bond funds, and one-time funding of \$2 million. Ms. Barker stated that these projects work in tandem with the new hotel project, and increase the ability to attract more artists and events.

Chief Borrego, discussed one-time expenditures to upgrade the in car video system, which will integrate all video systems, and add Automated License Plate Recognition. He is pursuing a grant for body cameras that will integrate with the new system, and is considering moving to cloud storage. This will enable one search in one database and reduce staff time to produce videos for cases and public information requests. Chief Borrego discussed the one-time expense to replace the armored vehicle, and the various uses of this vehicle.

Lou Kreidler, Director of Health, discussed a one-time expenditure to renovate the front lobby of the Health District building, which will address ADA, ergonomic, and safety issues.

Mr. Jurecek discussed a one-time expenditure for a Public Safety needs assessment for the Police Department, Central Fire, and other older Fire Stations. Councilor Whiteley discussed whether there is a need for an assessment or not.

Ms. Williams reviewed the list of one-time expenditures, and discussed Street Improvements, contingency funds, and one-time projects in other various funds.

Ms. Williams discussed above current requests, increases in personnel services, capital projects, and the impact of inflation.

Mayor Santellana recessed the meeting at 10:16 for a break and reconvened at 10:31 a.m.

Fund balance policies were reviewed and increases to the Water/Sewer Fund and Sanitation Fund were recommended. Ms. Williams gave an overview of property tax rates and tax levies in comparison with other comparable cities and noted that although our tax rate is higher, the tax levy is lower due to lower assessed values, and Mr. Leiker reiterated this point.

Councilor Smith discussed his desire to increase funding amounts to the Art's community, as that amount has stayed static for many years. Mr. Leiker stated that increases to the Art's community would decrease funds for the MPEC.

Mr. Leiker discussed the timeline to approve the budget and encouraged the Mayor and Councilors to reach out to staff as soon as possible to discuss any ideas or changes they would like to implement.

Item 4 – Announcements concerning items of community interest from members of the City Council. No action will be taken or discussed.

11:52 a.m.

Councilor Jackson stated that we have lost 2% in our lakes and are fixing to hit 65% lake levels. He asked Russell Schreiber to discuss the impact of this. Mr. Schreiber stated that he anticipates entering Stage 1 of the drought plan in late September, and the big impact will be twice a week watering based on addresses.

- - - - -

Item 5 – Comments from the Public to Members of the City Council Concerning Items That Are Not on the City Council Agenda

11:54 a.m.

There were no comments from citizens.

- - - - -

Item 6 – Executive Session

City Council adjourned into Executive Session at 11:54 a.m. in accordance with Texas Government Code §551.074.

City Council reconvened at 3:11 p.m.

Mayor Santellana reconvened in open session and announced that no votes or polls were taken.

- - - - -

Item 7 –Adjourn

Mayor Santellana adjourned the meeting at 3:11 p.m.

PASSED AND APPROVED this 16th day of August 2022.

Stephen Santellana, Mayor

ATTEST:

Marie Balthrop, TRMC, MMC
City Clerk

WICHITA FALLS METROPOLITAN PLANNING ORGANIZATION

Technical Advisory Committee

Minutes

Thursday, April 7, 2022

Voting Members Present:

Lin Barnett, Wichita Falls MPO, MPO Director, TAC Chairperson
Blane Boswell, City of Wichita Falls, City Engineer
Callan Coltharp, TxDOT, Area Engineer
David Rohmer, TxDOT, Director of Operations
Karen Montgomery-Gagne, City of Wichita Falls, Planning Administrator
Monty Brown, TxDOT, Director of Construction
Shaun Barnes, Proxy for Scot Reaves, TxDOT, Director of TP&D
Terry Floyd, Director of Development Services

MPO Staff:

Jaimie Lee, Wichita Falls MPO, Senior Transportation Planner

Non-Voting Members Present:

Mark McBurnett, SAFB

Guests:

Becky Raeke, Bike Wichita Falls

Absent:

Larry Wilkinson, City of Wichita Falls, Traffic Superintendent

I. Welcome & Introduction

Mr. Barnett, TAC chairperson, called the meeting to order at 9:33 a.m. and welcomed everyone in attendance.

II. Public Comment on Agenda and Non-Agenda Items

Mr. Barnett asked for any public comments on agenda and non-agenda items. Mrs. Raeke discussed Bike Wichita Falls and the upcoming continuing designation for the City of Wichita Falls Bicycle Friendly Community award. Mrs. Raeke discussed the vision of the local bicycle coalition to find opportunities to build hike and bike connections into the surface transportation system.

III. Review and Approval of the January 13 2022 Technical Advisory Committee's (TAC) Meeting Minutes

Mr. Barnett asked for any comments or corrections to the January 13, 2022 TAC meeting minutes. Receiving none, he asked for a motion to approve the minutes. Ms. Montgomery-

Gagne made the motion to approve. Mr. Rohmer seconded the motion, which passed unanimously.

IV. Review and Comment Regarding the January 27, 2022 Transportation Policy Committee's (TPC's) Meeting Minutes – No Action Required

Mr. Barnett asked for comments on the January 27, 2022 TPC meeting minutes. Receiving none, the committee moved on to the next agenda item.

V. Review and Recommendation to the Policy Board to Approve the April 2022 Amendment to Appendix A, 2020-2045 MTP Project List: GAP Project

Mr. Barnett directed the committee's attention to page 14 of the meeting packet. He stated there was an amendment to Appendix A to update TxDOT CSJ project 0156-04-114, commonly known as the "GAP" project, to the proper limits, description, and estimated costs. Mr. Barnett asked for any comments or questions regarding the amendment to Appendix A. Receiving none, he asked for a motion to forward the recommendation to the Policy Board for approval. Mr. Coltharp made the motion to forward. Mr. Floyd seconded the motion, which passed unanimously.

VI. Review and Recommendation to the Policy Board to Approve the 2023-2026 Transportation Improvement Program (TIP)

Mr. Barnett directed the committee's attention to page 16 of the meeting packet. Mr. Barnett discussed various changes to the updated 2023-2026 Transportation Improvement Program. He stated the WFMPO is required to update the TIP every two years. Mr. Barnett stated the updated TxDOT CSJ Project 0156-04-114, the "GAP" project was included in the update to the TIP. Mr. Barnett asked for any comments or questions regarding the updated 2023-2026 TIP. Receiving none, he asked for a motion to forward the document to the Policy Board for approval. Ms. Montgomery-Gagne made the motion to forward. Mr. Floyd seconded the motion, which passed unanimously.

VII. Review and Discussion of the Draft 2021-2022 Freight Mobility Plan

Mr. Barnett discussed all of the milestones achieved during the development of the WFMPO 2021-2022 Freight Mobility Plan. He stated Alliance Transportation Group (ATG) held a virtual public meeting on Tuesday, March 29th and received some feedback from the public. Mr. Barnett informed the committee that Alliance Transportation Group will present the final draft of the plan to the Policy Board at the April 26, 2022 TPC meeting. Following that, MPO staff will post Freight Mobility Plan on the WFMPO website for a 30-day public comment period. Then, at the July 2022 meeting, MPO staff will ask the Policy Board to adopt the plan. He asked for any comments or questions regarding the Freight Mobility Plan. Receiving none, the committee moved on to the next agenda item.

VIII. Other Business:

a. Discussion & Overview of Progress on Local Transportation Projects – City and TxDOT staff (Quarterly Review)

City: Mr. Boswell reported Taft Blvd. widening was 31% complete. The Hike and Bike Trail from Lake Wichita Park to Larry's Marina was 86% complete. 2022 Asphalt St.

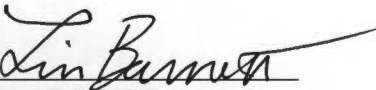
Rehab was 0% complete. 2022 Concrete St. Rehab project was 0% complete. The Business Park Streets and Drainage Project is 0% complete.

TxDOT: Mr. Coltharp reported FM 1954 on SH 79 is complete. FM 369 bridge improvement along Southwest Parkway at Holliday Creek is on schedule and making progress. SH 240 intersection improvements near Robinson Road is in the process of a 'contract take-over' and construction has not begun. Bridge Maintenance Project at various locations is scheduled to begin construction next week. FM 367 Seal Coat will begin this summer.

- b. **MPO Quarterly Financial Report (1st Quarter – October, November, December)**
Mr. Barnett reported on the 1st quarter expenses for the MPO. He stated that the MPO had spent 36% of its total allocation for FY 2022. Mr. Barnett asked for any comments or questions on the first quarter financial report. He received none.
- c. **Grouped TxDOT CSJ Projects Report**
Ms. Lee reported on the 1st quarter grouped CSJ projects report. Ms. Lee discussed the changes to the projects over the quarter.
- d. **Other Items**
There were no other items.

IX. Meeting Adjournment

The meeting adjourned at 10:36 a.m.


Irvan F. "Lin" Barnett Jr.
MPO Transportation Planning Director
Wichita Falls MPO

WICHITA FALLS METROPOLITAN PLANNING ORGANIZATION

Transportation Policy Committee

Minutes

Tuesday, April 26, 2022

Voting Members Present:

Stephen Santellana, Chairperson, Wichita Falls Mayor
Bobby Whitely, City of Wichita Falls, City Council
Dennis Wilde, North Texas Regional Planning Commission
Judge Woody Gossom, County Judge, Wichita County
Larry Nelson, City of Wichita Falls, City Council
Mike Beaver, TxDOT, District Engineer
Russell Schreiber, City Public Works Director

MPO Staff:

Lin Barnett, WFMPPO, Transportation Planning Director
Jaimie Lee, Wichita Falls MPO, Senior Transportation Planner

Absent:

Cory Glassburn, Mayor, Lakeside City
Jeff Watts, City of Pleasant Valley, Representative

Visitors:

Becky Raeke, Bike Wichita Falls
Callan Coltharp, TxDOT, Area Engineer
James Frank, State Representative
Scot Reaves, TxDOT, Director of TP&D
Shaun Barnes, TxDOT

I. Welcome & Introduction

Mayor Santellana, the TPC chairperson, called the meeting to order at 8:31 a.m. and welcomed everyone in attendance.

II. Public Comment on Agenda and Non-Agenda Items

Mayor Santellana asked for any public comments on agenda and non-agenda items. Mrs. Raeke discussed Bike Wichita Falls and the upcoming continuing designation for the City of Wichita Falls Bicycle Friendly Community award. Mrs. Raeke discussed the vision of the local bicycle coalition to find opportunities to build hike and bike connections into the surface transportation system.

III. Review and Approval of the January 27, 2022 Transportation Policy Committee's (TPC) Meeting Minutes

Mayor Santellana asked for any comments or corrections to the January 27, 2022 TPC meeting minutes. Receiving none, he asked for a motion to approve the minutes. Judge Gossom made the motion to approve. Mr. Beaver seconded the motion, which passed unanimously.

IV. Review and Comment Regarding the April 7, 2022 Technical Advisory Committee (TAC) Meeting Minutes – No Action Required

Mayor Santellana asked for any comments on the April 7, 2022 TAC meeting minutes. Receiving none, the committee moved on to the next agenda item.

V. Review and Approve the April 2022 Amendment to Appendix A, 2020-2045 MTP Project List: GAP Project

Mayor Santellana directed the committee's attention to page 14 of the meeting binder. Mr. Barnett stated there was an amendment to Appendix A to update TxDOT CSJ project 0156-04-114, commonly known as the "GAP" project, to update the proper limits, description, and estimated costs. Mayor Santellana asked for any comments or questions regarding the amendment. Receiving none, he asked for a motion to approve the amendment to appendix A. Mr. Schreiber made the motion to approve. Mr. Wilde seconded the motion, which passed unanimously.

VI. Review and Approve the 2023-2026 Transportation Improvement Program (TIP)

Mayor Santellana directed the committee's attention to page 16 of the meeting binder. Mr. Barnett discussed various changes to the updated 2023-2026 Transportation Improvement Program. He stated the WFMPO is required to update the TIP every two years. Mr. Barnett stated the updated TxDOT CSJ Project 0156-04-114, the "GAP" project was included in the update to the TIP. Mr. Barnett stated the approved TIP will be posted on the WFMPO website for a 30-day public comment period. He stated the TIP must be submitted to TxDOT Transportation Planning and Programming in Austin by June 1, 2022. Mayor Santellana asked for any comments or questions regarding the 2023-2026 Transportation Improvement Program. Receiving none, he asked for a motion to approve the document. Judge Gossom made the motion to approve. Mr. Wilde seconded the motion, which passed unanimously.

VII. Presentation of the 2021-2022 Freight Mobility Plan by Alliance Transportation Group, Inc.

Mayor Santellana introduced Ben Magallon, Consultant from Alliance Transportation Group, Inc., to present the final draft of the 2022 Freight Mobility Plan to the Policy Board for review and comment. Mr. Barnett stated the draft Freight Mobility Plan will be posted on the WFMPO website for 30 days for public review and comment. He stated the final document will be presented to the Policy Board for adoption at the July 2022 TPC meeting.

VIII. Other Business

a. Discussion & Overview of Progress on Local Transportation Projects – City and TxDOT staff (Quarterly Review)

City: Mr. Schreiber reported Taft Blvd. widening was 31% complete. The Hike and Bike Trail from Lake Wichita Park to Larry's Marina was 86% complete. 2022 Asphalt St. Rehab was 0% complete. 2022 Concrete St. Rehab project was 0% complete. The Business Park Streets and Drainage Project is 0% complete

TxDOT: Mr. Coltharp reported FM 1954 on SH 79 is complete. FM 369 bridge improvement along Southwest Parkway at Holliday Creek is on schedule and making progress. SH 240 intersection improvements near Robinson Road is in the process of

a 'contract take-over' and construction has not begun. Bridge Maintenance Project at various locations is scheduled to begin construction next week. FM 367 Seal Coat will begin this summer.

b. MPO Quarterly Financial Report (1st Quarter – October, November, December)

Mr. Barnett reported on the 1st quarter expenses for the MPO. He stated that the MPO had spent 36% of its total allocation for FY 2022. Mr. Barnett asked for any comments or questions on the first quarter financial report. He received none.

c. Grouped TxDOT CSJ Projects Report

Ms. Lee reported on the 1st quarter grouped CSJ projects report. Ms. Lee discussed the changes to the projects over the quarter.

d. Other Items

There were no other items for discussion.

IX. Meeting Adjournment

The meeting adjourned at 9:38 a.m.

A handwritten signature in blue ink, appearing to read "SL Santellana", is written over a horizontal line.

Honorable Stephen L. Santellana
Mayor Wichita Falls

**Wichita Falls Park Board Meeting
June 23, 2022**

**W.F. Recreation Center
600 11th Street Room 205
Time: 1:30pm**

Presiding: Jim Heiman

**Members Present: Alan Donaldson, Larri Jacoby, Dorcas Chasteen,
Michael Battaglino, Sandy Fleming, Patrick Hearn,**

**Members Absent: Crystal Byrd, Jessica Traw, Thomas Taylor, Charlie
Zamastil,**

City Council Representative: Absent: Steve Jackson

**Other: Blake Jurecek, Scott McGee, Terry Points (Staff
Liaison)**

1. CALL TO ORDER:

Jim Heiman called the meeting to order at 1:30 p.m.

2. APPROVAL OF MINUTES:

The minutes from April 28 2022, were put before the Board for approval. Dorcas Chasteen made the motion to approve the minutes and Alan Donaldson seconded the motion.

4. DEPARTMENTAL REPORT:

A. Recreation: Scott McGee

- 50 Plus Zone number are steady at 206 per day
- A Casino Party is being held Thursday June 23 with 50 Plus Zone Hosting
- Recreation class attendance is at 44
- Summer Camp 2nd Session, Camp Lots of Fun 53 camper 106% Summer Fun 31 campers and 62%.
- Lucy Pool Swim lesson are 90% full for season. 2nd Session begins Monday June 27, 2022
- Daily Pool Attendance is at 106 per day.
- Recreation has a new instructor for Youth Ballet & Jazz classes.
- Staff at Scotland Park Summer Fun camp did a fantastic job with the incident in the park.
- A handout was given out to committee "Defining Parks and Recreation Master Planning. October budget in progress and funds may be available

B. Parks: Terry Points

- With no rain and triple digits temperatures grass is slowing down for parks.
- Crews preparing Lake Arrowheads Parks for the July 4 celebration mowing is completed,
- City lots mowed and cleaned approximately 410 combined.
- Cemetery performed 11 funerals along with routine maintenance.
- Crews are prepping around MPEC for the 4th in the Falls Event.
- Disc Golf Tournament held June 4, 2022 update: 89 player & roughly \$5000 collected for entry fee. Group gave \$1,000 in business to the Brewery downtown during a player party. Remaining funds will go back into Course.
- The Water Fall is closed today 6-23-22 so Oncor can replace the large transformer and electrician's can make some changes.
- Parks Dept. is currently 15 people short, and we have changed our staff starting time to 6:30am due to the triple digit temperatures.
- Discussions about Belair Tennis Court being turning into a complete Pickle ball courts.

C. Lake Wichita Revitalization Committee: Mike Battaglino

- The Veteran's Memorial will be placed by the DAR memorial. Bricks are on order with names for the Veteran

D. Circle Trail Update: No update at this time

E. Parks Review Update: Tom Taylor was absent so no update.

F. Other Business, Announcements, Comments:

- Bridwell Park discussing to us CDBG funding for new tennis courts, replace concrete slab for basketball court.
- New Kayak ramps in July for Lake Wichita
- New playground equipment coming in July Lucyland West
- Park Board committee planned a July meeting and take off in August.

Meeting was adjourned at 2:38 pm

Signature: _____

Jim Heiman
Jim Heiman (First Chair)

MINUTES
LAKE WICHITA REVITALIZATION COMMITTEE
July 12, 2022

PRESENT:

David Coleman, Chair
Tim Brewer, City Council Rep
Steve Garner, Vice Chair
Matt Marrs
Sharon Roach
Mike Battaglino
Austin Cobb
Rick Hernandez
Alicia Castillo, Gold Star Family Rep

■ Members

Blane Boswell, City Engineer
Blake Jurecek, Asst City Manager
Terry Points, Parks Superintendent

■ Staff

Robert Mauk, TP&W
Bob French, DAV
Paul Carter, VFW
Kathie Forehand-Chaddick

■ Guests

ABSENT: Ford Swanson, John Strenski, Alison Sanders, Kendrick Jones

1. **Call to Order:** David called the meeting to order at 10:00 am and declared a quorum.
2. **Approval of Minutes:** June meeting minutes were approved unanimously.
3. **Project Updates:**
 - 3.a. **Veteran's Plaza Project:**

At the WF City Council meeting on June 21st, Council approved the change order to the KHA design contract for \$63,000 to amend construction plans for the site change to Lake Wichita Park. As a result, KHA produced a proposed site layout sketch, and Blane provided copies of this sketch at this meeting. After much discussion, a unanimous decision was reached to approve the sketch, with one important exception, which is to leave the existing curvy sidewalks in place, and make them both 15' wide by adding colored stamped concrete to both sides of both walkways. David communicated this with DAR Rep Kimberly Florsheim, who approved. Blane will take action with KHA to formalize this plan.

David stated that he is working with the City of Lakeside City to execute actions already approved by the LWRC, namely to transfer the funds in PayPal (approx. \$35,000) to the City to help cover the cost of the re-design work. David stated he discovered there is a Lakeside City checking account with \$500 of LWRC money in it, and these funds will be included in the transfer to the City of WF.

July 12, 2022

The Saluting Soldier statue is complete and fully paid. David will instruct the sculptor's shipping company to take the statue to the same address as the Bricks, on Call Field.

David informed the group that the progress payment was made by the WFACF in the amount of \$21,500 for the Gold Star Family monument. This will leave a final balance of \$10,750 due when the monument is completed.

The Committee discussed the wording for the black granite plaque on the walkway, and David provided draft wording, which has been approved by Brenda Patterson. After a few suggestions, a final version was agreed upon unanimously. David will communicate this wording to Blane, so he can pass along to the construction contractor. (The second plaque will be The Soldier's Prayer)

When asked about the construction schedule, Blane explained that we WILL NOT meet the Veterans Day goal. The group agreed to shoot for a dedication ceremony on Memorial Day 2023. David will let the Woody Williams Foundation and Congressman Jackson's office know about this change of schedule.

3.b. Lake Deepening: No discussion.

3.c. Kayak Launch Grant: Delivery of the Launch equipment should be next week, and Terry will schedule his crews to install it. All we need now is rain. Lots of it.

4. Discussion of Brick Sales and Fundraising Initiatives: David stated that the Bricks are fully paid for, and should be delivered next week, way ahead of schedule. Steve got approval to store the paver bricks in a warehouse on Call Field owned by Mike Shallenberger, and David will convey that address to Polar. David will ask the WFACF if we can use their lobby to get the Replica Bricks to the people who ordered them.

5. Other Business Matters: Paul Carter asked about relocating the Eternal Flame monument to the Veterans Plaza, and David replied that it's on the back burner until we find out whether we'll have left over funds when the Veterans Plaza is complete.

5.a. Website Changes: David stated he received a bill from Hoegger Communications for the website, and the group agreed the website can be terminated.

6. Adjournment: The meeting adjourned at 11:05 am.



David Coleman, Chair

9 Aug 22
Date

July 12, 2022

CITY COUNCIL AGENDA
August 16, 2022

ITEM/SUBJECT: Conduct a public hearing and take action on an ordinance amending the Wichita Falls Code of Ordinances, Appendix B: Zoning revising, consolidating and incorporating sections addressing: definitions, downtown zoning district boundaries, creation of special downtown zoning districts, downtown non-conforming use limitation and appeal process, development regulations (setbacks), and incorporating a downtown zoning use table; and a Land Use Plan amendment to consolidate use categories in Greater Downtown; providing a repealer clause; providing for inclusion.

INITIATING DEPT: Development Services/Planning Division

STRATEGIC GOAL: Redevelop Downtown

STRATEGIC OBJECTIVE: Continue implementation of the Downtown Master Plan

COMMENTARY:

- March 2017 – City Council adopts 2017 Strategic Plan – key goal: Redevelop Downtown;
- April 2017 – Council appoints a Downtown Steering Committee (DTSC) to proposed a “Downtown Plan.”
- May 2017 – September 2018 – DTSC conducts monthly meetings;
- June 2017 – DTSC subcommittees established including Marketing, Finance, Streetscapes, Historic Preservation, Regulatory, Lifestyles; Regulatory assigned to work with consultants Freese & Nichols on zoning, ordinance, and code revisions;
- Oct. 2017 – Freese & Nichols kick-off series of subcommittee workshops;
- August 2018 – DTSC recommends “Downtown Plan” to City Council;
- Sept. 18, 2018 – Council adopts DTSC recommendations which included Downtown Master Plan; Downtown Zoning Diagnostic Report; Streetscape Improvement Proposal, etc.
- May 2019 – City Council adopts 2019 Strategic Plan including goal of “Implementing Downtown Plan.”
- 2019-2020 – Downtown Zoning Realignment project initiated at staff level but paused during COVID period to ensure opportunity for public input.
- December 2021 – Public forum conducted at MPEC initiating Downtown Zoning Realignment project to greater downtown property owners and community; notices mailed to all 824 property owners in the defined downtown area.
- March 28, 2022 – Public forum conducted at WF Public Library related to the proposed amendment affecting the River Development Zoning District (RDD) downtown; notices mailed to property owners; social/TV media coverage.

- March 31, 2022 - Public forum conducted at WF Public Library related to the proposed amendment affecting the Central Business Zoning District (CBD) downtown;
- April 5, 2022 - Public forum conducted at WF Public Library related to the proposed amendment affecting the Light Industrial Zoning District (LI-D) downtown;
- April 6, 2022 – Public forum conducted at WF Public Library related to the proposed amendment affecting the General Commercial Zoning District (GC-D) downtown;
- April 21, 2022 – Project update presented to WFEDC Board at their request;
- June 7, 2022 – Project update presented to City Council;
- June 8, 2022 – Presentation/update on project as well as work session at the regularly scheduled Planning and Zoning Commission (P&Z) meeting;
- June 21, 2022 – Downtown Zoning Realignment working draft uploaded on City Wichita Falls project website and electronically sent using 'Notify Me' system to over 140-persons who requested project notifications.
- June 26, 2022 – Legal notice of forthcoming (P&Z) public hearing published in TRN in accordance with Statute;
- June 27, 2022 – Signs advertising forthcoming P&Z public hearing strategically placed in several areas downtown;
- June 29, 2022 – Downtown Wichita Falls Development Inc (DWFD) electronically distributed notice of pending public hearing;
- July 13, 2022 – The P&Z conducts public hearing and Downtown Zoning Project and recommends approval to the City Council by a vote of 6-3;
- July 25, 2022 – Project website updated with public hearing notice of forthcoming public hearing at City Council;
- July 31, 2022 – Legal notice of City Council public hearing published in TRN;
- Aug. 16, 2022 – City Council scheduled to conduct public hearing and consider ordinance adopting plan.

BACKGROUND:

Beginning in March 2017, City Council set a Strategic Plan goal of “Redevelopment of Downtown” during their annual retreat. Within that goal, the Council also established the creation of a comprehensive Downtown Master Plan as one of the goal objectives. In September 2018, the City Council approved recommendations of the DDSC and directed staff to begin implementation of those approved recommendations. One of the recommendations approved by City Council included carrying out the Downtown Zoning Diagnostic Report (DZDR) in the defined greater downtown area.

Downtowns are a focal area for a community and offer a variety of commercial, entertainment, governmental, office, higher density residential uses along with arts & culture, as such the zoning needs to reflect the unique vision for our downtown’s future. Current zoning uses and boundaries in downtown Wichita Falls have remained relatively unchanged since originally enacted in 1985 (refer to Attachment A) with only limited amendments over the years (less than five rezones over past 20 years). Downtown has changed significantly over the past 30+ years since zoning was originally enacted and will continue to evolve in the future. As such, the land use plan element and zoning ordinance must ensure a framework is in place for continued enhancement of downtown as a vibrant core providing for a range of land uses from mixed-use projects to commercial activity.

The zoning district realignment will not result in immediate changes but rather help set the stage for what is envisioned long-term for downtown - a pedestrian-oriented, higher-density core of activity. The downtown zoning realignment project will address three key implementation strategies in the DZDR in addition to other elements:

- 1) realign base zoning districts in greater downtown;
- 2) update the Central Business District (CBD) to match the vision for downtown;
- 3) revise regulations for River Development District (RDD)

ZONING ORDINANCE REVISIONS:

Summary of proposed Zoning Ordinance (Appendix B Code of Ordinances) revisions include realignment, consolidation of use categories, which either realign, revise, remove or incorporate new sections of text as part of implementing the Downtown Zoning Diagnostic Report (DZDR) strategies:

- 1) Zoning District Reorganization - Create a special section in Sec. 3000 – Zoning District Types: Greater Downtown Zoning Districts with the following categories:
 - Central Business District (CBD)
 - General Commercial-Downtown (GC-D)
 - River Development District-Downtown (RDD-D)
 - Light Industrial-Downtown (LI-D)
- 2) Zone Boundary Realignment - All existing downtown zoning district boundaries will be adjusted to reflect DZDR consultant and staff recommendations (refer to Attachment B) to better reflect current and future uses for downtown; realignment covers 23% of greater downtown (188 properties). Revised map for Greater Downtown will be incorporated as Sec. 3800 – Greater Downtown Zoning Districts Map and as an amendment to Sec. 8000 – Zoning District Map;
 - Sector A – Light Industrial (LI) change to River Development District-Downtown(RDD-D)
 - Sector B – River Development District (RDD) change to Central Business District (CBD)
 - Sector C – General Commercial (GC)/RDD change to Central Business District (CBD)
 - Sector D – Light Industrial (LI) change to Central Business District (CBD)
 - Sector E – Light Industrial (LI) change to General Commercial-Downtown (GC-D)
 - La Salle Alley – realign 5 parcels between 7th and 9th St.; Light Industrial (LI) to Central Business District (CBD) based on changed uses, having greater connection to the commercial core than to industrial/railroad related activity coupled with interest expressed from property owners.
- 3) Zoning Use Table - Create a detailed Greater Downtown Zoning Use Table (Sec. 3900) listing permitted and conditionally permitted uses by land use category;
- 4) Development Standards – Setbacks – reduce numerous setback (front, side interior, exterior side yard) requirements in downtown to provide more flexibility in both development and redevelopment allowing a greater building footprint.
- 5) Non-conforming Use (i.e. “grandfathered”) Expiration/Appeal - If a non-conforming use is terminated/ceases operations after one (1) year in downtown, it shall cease to maintain its legal non-conforming status; however, such termination can be

appealed to the Planning & Zoning Commission;

- 6) Definitions – Incorporate Sec. 2100 Greater Downtown Use Definitions for all uses listed in Sec. 3900 Downtown Zoning Use Table.
- 7) Consolidation of Definitions to Align with Federal Case Law Related to Persons with Disabilities - Revise Sec. 2030 to incorporate an all-encompassing definition Household Care Facility replacing Adult Daycare Facility; Foster Care Facility; Group Homes; Halfway House; Personal Care Home and Residential Care Facility; adding Structured Sober Living Facility.

RECOMMENDATION:

The Planning and Zoning Commission and City staff recommend approval of the ordinance.

☒ **Assistant City Manager**

☒ **Development Services Director**

ASSOCIATED INFORMATION: Attachment A – Existing Downtown Zoning Districts; Attachment B – Downtown Zoning District Realignment Map; Ordinance; Exhibit ‘A’ – Land Use Plan Amendment; Exhibit ‘B’ – Greater Downtown Zoning District Map.

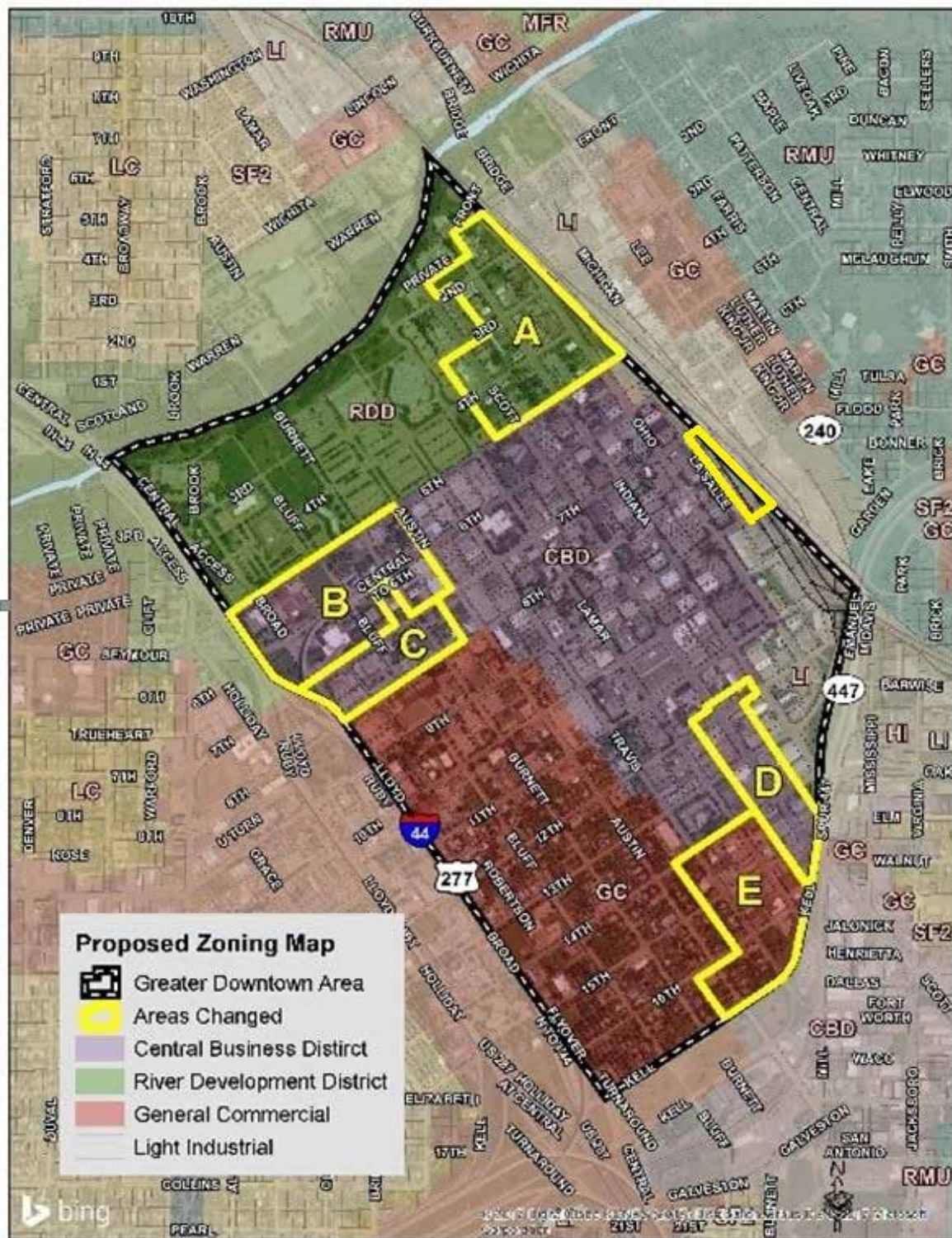
☒ **Budget Office Review:**

☒ **City Attorney Review:**

☒ **City Manager Approval**

Attachment ‘A’ – Existing Downtown Zoning Districts

Attachment 'B' - Downtown Zoning District Realignment Map



Ordinance No. _____

Ordinance amending the Wichita Falls Code of Ordinances, Appendix B: Zoning revising, consolidating and incorporating sections addressing: definitions, downtown zoning district boundaries, creation of special downtown zoning districts, downtown non-conforming use limitation and appeal process, development regulations (setbacks), and incorporating a downtown zoning use table; and Land Use Plan amendment to consolidate use categories in Greater Downtown; providing a repealer clause; providing for inclusion.

WHEREAS, the city staff has reviewed this proposal and recommend approval of these amendments to the Land Use Plan and Code of Ordinances; and,

WHEREAS, the Planning and Zoning Commission and City Council concurs with city staff's recommendation to amend the Land Use Plan and Code of Ordinances, Appendix B – Zoning for the life, health and safety of its residents; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

1. The Land Use Plan, an element of the Comprehensive Plan, as amended, attached hereto as Exhibit "A" is adopted as an element of the Comprehensive Plan for the City of Wichita Falls, Texas.

2. Appendix B of the Wichita Falls Code of Ordinances is hereby amended with revisions and additions to read as follows with deleted text shown as ~~striketrough~~ and added text shown as underlined:

Section 2000 – Definitions

Section 2100 - Greater Downtown Use Definitions;

Section 3040 – Single-Family Residential (SF-1) (large lot);

Section 3100 – Single Family Residential (SF-2) (standard lot);

Section 3170 – Multifamily Residential (MFR);

Section 3250 – Residential Mixed Use District (RMU);

Section 3360 – Limited Office District (LO);

Section 3370 – Limited Commercial District (LC);

Section 3450 – General Commercial District (GC);

Section 3510 – Light Industrial District (LI);

Section 3580 – Heavy Industrial District (HI);

Section 3640 – Planned Unit Development (PUD);

Section 3700 – River Development District (RDD);

Section 3715 – Brook Avenue District (BA);

Section 3730 – Commercial Corridor (CC);

Section 3750 – Greater Downtown Zoning District Regulations

Section 3751 – Greater Downtown Area Defined

Section 3752 – Overview and Conformance with Downtown Use Table

Section 3753 – Non-Conforming Use Limitation in Greater Downtown

Section 3765 – Greater Downtown Zoning Districts;
Section 3766 – Central Business District (CBD);
Section 3775 – General Commercial-Downtown District (GC-D);
Section 3780 – River Development District-Downtown (RDD-D);
Section 3790 – Light Industrial-Downtown (LI-D);
Section 3800 – Greater Downtown Zoning District Map;
Section 3850 - Greater Downtown Land Use Plan Map;
Section 3900 – Greater Downtown Zoning Use Table;
Section 5640 – Recreation Vehicle Parks;
Section 6146 – Non-Conforming - Discontinuance – Greater Downtown
Section 8000 – Zoning District Map

3. Appendix B of the Wichita Falls Code of Ordinances, Section 8000 - Zoning District Map, as hereby amended, and attached hereto as Exhibit “B” adopted to reflect the Greater Downtown Zoning Districts (Central Business District; General Commercial-Downtown; River Development District-Downtown and Light Industrial-Downtown).

which shall hereafter read as follows:

APPENDIX B - ZONING

Sec. 2030 Terms Defined

Group homes. A residential living arrangement defined in the Community Home for Disabled Persons Location Act, licensed by the state to provide food and shelter; personal guidance; care; supervision for not more than six disabled persons and two supervisors. This classification includes assisted living for the aged for no more than six persons and two supervisors or nursing personnel. This does not include activities defined under "personal care home".

Halfway house. A publicly or privately operated use providing housing for juveniles or adults, regardless of the number of residents, for any of the following:

- (1) — Residence in lieu of institutional sentencing;
- (2) — Housing for parolees;
- (3) — Residence to those needing correctional institutionalization.

Personal care home. A residential living arrangement that provides food, shelter and guidance for no more than six persons and two supervisors or nursing personnel, including but not limited to, maternity homes, shelters for victims of crime, abuse and neglect.

Residential care facility. A building with on-site supervisory personnel which provides shelter and care for abandoned, battered, disabled, or homeless individuals regardless of legal relationship.

Household Care Facility - A dwelling unit which provides residence and care, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, abused or neglected children; victims of domestic violence; or rendered temporarily homeless due to fire, natural disaster or financial setbacks, living together with not more than two supervisory personnel as a single housekeeping unit. This definition is subject to Art. 4442c-4 (Personal Care Facility Licensing Act) V.A.C.S. (Tex.) and Art. 101 1n (Community Homes for Disabled Persons Location Act) V.A.C.S. (Tex.) as they presently exist or may be amended in the future. This definition shall not include a hospital licensed by the State of Texas or a state licensed physician's office which office does not have facilities for patients to stay overnight.

Structured Sober Living Facility – A facility that operates a program in which a person/company:

- (1) provides alcohol-free or drug-free housing;
- (2) promotes independent living and life skills development; and
- (3) provides structured activities for recovery from substance abuse disorders in a supervised setting to a group of unrelated individuals who are:
 - a. recovering from alcohol or drug addiction;
 - b. receiving outpatient behavioral health services for substance abuse or addiction treatment while residing in the program's home.

2100. GREATER DOWNTOWN USE DEFINITIONS

Sec. 2110. Purpose.

The purpose of this subsection is to define the terms used in the ordinance under Section 3750-3799 Greater Downtown Zoning Districts and Section 3900 Greater Downtown Zoning Use Table to promote consistency in the interpretation of this zoning ordinance. For the purpose of this ordinance, all terms or words used herein shall be interpreted as set forth in this section [2100], except where the context of such words or phrases clearly indicates a different meaning or construction. Sections 2000 through 2999 shall be known as "Definitions."

Sec. 2120. Greater Downtown Terms Defined.

Accessory Building (Business or Industry) - A detached structure that is clearly incidental and subordinate to the main building or use and that is lesser in height than the main building, conforms to the minimum exterior construction standards for the main building, and is architecturally compatible in design to the principal structure.

Accessory Building to Residential Use - A detached structure that is clearly incidental and subordinate to the main building or use and that is lesser in height/square feet than the main building. Accessory buildings include garages, storage sheds, gazebos, cabanas, storm shelters, and similar structures. An accessory building may be used for hobbies insofar as such activities are an accessory use only and are not offensive by reason of odor, noise, or manner of operation. Residential accessory buildings cannot be used for commercial or business purposes.

Accessory Building as a Dwelling Unit - A detached structure clearly accessory to a principal use on the same site. Structure shall clearly be incidental and subordinate to the main building or use, is lesser in height and square footage than the main building, and is used for human habitation.

Accessory Use - A use customarily incidental, appropriately compatible, and subordinate to the principal use of land or building(s) and located upon the same lot therewith.

Aggregate Storage Yard – The use of land for the temporary storage of aggregates, including but not limited to sand and gravel, etc., for sale or use in the production of cement or asphalt.

Alcoholic Beverage Manufacture-Distillation – A premises wherein any alcoholic beverage is manufactured or distilled and stored for future sale to the public or wholesale.

Alcoholic Beverage Sales – A place providing any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted for sale. For more detail, refer to the Texas Alcoholic Beverage Code, section 1.04 (Definitions), as amended.

All-Terrain Vehicle (ATV) Dealer/Sales – A business that specializes in the sales and limited service of motorized off-highway vehicles, including but not limited to ATV, UTVs, and golf carts designed to travel on three or four low-pressure or non-pneumatic tires, having a seat designed to be straddled by the operator and handlebars for steering control. ATVs are subdivided into two types as designated by the manufacturer:

- i) Type I ATVs are intended by the manufacturer for use by a single operator and no passenger.
- ii) Type II ATVs are intended by the manufacturer for use by an operator and a passenger, and are equipped with a designated seating position behind the operator.

Alternative Financial Services - A check cashing service/payday advance/loan business or a motor vehicle title loan business. This does not include state or federally chartered banks, community development financial institutions, savings and loans, credit unions, or regulated lenders licensed in accordance with Chapter 342 of the Texas Finance Code, unless that regulated lender also offers services as a credit service organization or a credit access business under Chapter 393 of the Texas Finance Code.

Ambulance Service - A facility for the dispatch, indoor storage, and provisioning of emergency medical care vehicles.

Amusement, Indoor - An enterprise wholly enclosed in a building which is treated acoustically so that noise generated by the enterprise is not perceptible at the boundary property line and including, but not limited to, a bowling alley, gun range, health club, arcade, or billiard parlor.

Amusement/Recreation, Outdoor - An enterprise offering entertainment or games of skill to the general public for a fee or charge wherein any portion of the activity takes place in the open including, but not limited to, a drive-in theater, merry-go-round, golf driving range, archery range, and miniature golf course.

Amusement/Commercial, Temporary – Refer to Sec. 6600 – Temporary Use Regulations.

Armed Services Recruiting Office - an office where persons are recruited for military training and employment; specifically, by the military for service in the United States military branches (e.g. Air Force, Army, Coast Guard, Marine Corp., Navy and Space Force, etc.)

Animal and Pet Kennels, Boarding and Breeding - Any lot, building, structure, enclosure, or premises used for commercial purposes wherein one or more dogs and/or cats, 16 weeks of age or older, are kept or maintained for profit, including animal daycare facilities and veterinary clinics/hospitals

Animal and Pet Grooming Business - A commercial business establishment including a mobile grooming unit where animals, for a fee, are bathed, clipped, or combed to enhance their aesthetic value, health, or both.

Antique Shop (No Outside Sales or Storage) - A retail establishment engaged in the selling of works of art, furniture, or other artifacts of an earlier period, with all sales, and storage occurring inside a building.

Antique Shop (Outside Sales or Storage) - A retail establishment engaged in the selling of works of art, furniture, or other artifacts of an earlier period, with outside sales and storage of goods.

Apparel Shop - Retail stores where clothing is sold, such as department stores, dry goods and shoe stores, dress, and millinery shops.

Appliance, Major - Non-portable equipment used for domestic functions, including but not limited to washers, dryers, refrigerators, freezers, and stoves.

Appliance Rental, Service or Repair (No Outside Storage) - A retail establishment engaged in the rental, service or repair of small or major appliances. The maintenance and rehabilitation of appliances customarily used in the home. This definition includes, but is not limited to washing and drying machines, refrigerators, dishwashers, trash compactors, ovens and ranges, countertop kitchen appliances, vacuum cleaners, and hair dryers.

Appliance, Small - A portable device or instrument used for domestic functions, including but not limited to vacuum cleaners, televisions, toasters, hairdryers, mixers, fans, radios, and food processors.

Aquatic facility - A pool, spa, special aquatic activity device, public interactive water feature, fountain or venue that may be used for swimming or bathing, or other regulated water body as defined by state aquatic facility regulations.

Aquatic facility: Private - Any aquatic facility located on private, single-family residential property under the control of the homeowner or tenant, the use of which is limited to members of the homeowner's or tenant's family or invited guests.

Aquatic facility: Public - Any aquatic facility which is intended to be used by the general public for swimming, bathing or other related purposes and is operated by an owner, lessee, operator, licensee or concessionaire, regardless of whether a fee is charged for use.

Archery/Paintball/Shooting Range – Refer to Shooting Range definition.

Art Gallery/Museum/Dealer - An institution, facility or person that specializes in the collection, display, and distribution of objects of art or science that is open to the public and includes the sale of these objects.

Artist Studio – Refer to Studio definition.

Assembly – Industrial – A facility utilized for the fitting or joining of parts of a mechanism by means of fasteners, nuts and bolts, screws, glue, welding, or other similar technique. Industrial assembly does not include the construction, stamping, or reshaping of any of the component parts.

Auction House (No Auto; No Livestock) - A building, area, or areas within a building used for the public sale of goods, wares, merchandise, or equipment to the highest bidder. This definition excludes therefrom an auction, the principal purpose of which is the sale of livestock or motor vehicles.

Automobile or Auto - A self-propelled mechanical vehicle designed for use on streets and highways for the conveyance of goods and people.

Auto Accessory Store – A business that specializes in the sale and/or installation of equipment, devices, accessories, enhancements and modifications, other than those that are offered by the auto manufacturer specifically for that auto model, or that are installed by the auto dealership.

Auto Auction - A place where vehicles, operable or inoperable, are offered for sale to persons who bid on the vehicles in competition with each other.

Auto Body Painting Shop - establishment for the repair and/or painting of motor vehicle bodies but does not include facilities for the sale of fuels, lubricants, or automotive accessories, or for mechanical or electrical repairs.

Auto Detailing Shop - A facility which provides automobile-related services such as applying paint protectors, interior and exterior cleaning and polishing as well as installation of after-market accessories such as tinting, auto alarms, spoilers, sunroofs, headlight covers, and similar items. However, engine degreasing or similar automobile cleaning services shall not be included under this definition.

Automobile Driving School – A school established in accordance with Texas Department of Licensing and Regulation (TDLR) and the Department of Motor Vehicles (DMV) regulations in which person(s) are registered to conduct or offer instruction or training in operation of motor vehicles in preparation of an applicant for examination to obtain a learner's license, driving license or professional driving permit. wishing to drive motor vehicles receive instruction in driving motor vehicles.

Auto Glass Repair/Tinting Shop – A business that specializes principally in the repair and replacement of auto glass and may include service of tinting auto glass for licensed vehicles.

Auto Impound Yard - A facility that provides temporary outdoor storage for wrecked motor vehicles that are usually awaiting insurance adjustment or transport to a repair shop or to be claimed by titleholders or their agents. No vehicle shall be stored at said facility for more than 45 days.

Auto/Motor Vehicle Leasing and Rental - Rental of automobiles, motorcycles, vans, light trucks, or other light load vehicles, including incidental parking and provisioning of vehicles for rent or lease.

Auto Parts Sales (No Outside Storage; No Outside Display; No Repairs) - The use of any building or other premises for the display and sale of new or rebuilt parts for automobiles, panel trucks, vans, trailers, or recreation vehicles.

Auto Parts Sales (Outside Storage; Outside Display; Minor Repairs) - The use of any building or other premises for the display and sale of new or rebuilt parts for automobiles, panel trucks, vans, trailers, or recreation vehicles.

Auto/Motor Repair, Major - General repair or reconditioning of engines, air-conditioning systems, or transmissions for motorcycles, motor vehicles; wrecker service; collision services, including body, frame, or fender straightening or repair; customizing; vehicle steam cleaning; undercoating and rustproofing; those uses listed under Auto Repair, Minor; and other similar auto related uses.

Auto/Motor Repair, Minor or Automotive Care Center - Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil, spark plug, and filter changing; tune-ups; emergency road service; replacement of starters, alternators, hoses, brake parts; automobile washing and polishing; performing state inspections, upholstery work, and making minor repairs necessary to pass said inspection; normal servicing of air-conditioning systems, and other similar minor services for motorcycles or motor vehicles except Heavy Load Vehicles, but not including any operation named under Auto Repair, Major or any other similar use. No retail fuel sales occur on-site. Vehicles which are inoperative or are being repaired may not remain parked outside for a period greater than seventy-two (72) hours.

Auto Dealer/Sales, New - Retail sales of new Automobiles or Light Load Vehicles. This definition may include, as an accessory use/minor part of the business, the sale of used Automobiles or Light Load Vehicles.

Auto Dealer/Sales, Used - Retail sales or the offering for sale of used Automobiles or Light Load Vehicles. Outdoor display or storage may be permissible in accordance with the respective definitions and Use Regulations for Outside Display and Outside Storage.

Auto Muffler/Transmission Repair - A custom shop with the ability to fabricate new exhaust pipes or replace segments of an existing exhaust system, services for cutting a piece of replacement pipe, bending it and welding it back together to look and function as if it were new off the factory floor; related services may include transmission repairs and/or rebuilding the system for licensed vehicles.

Auto Service Station - Any commercial building or structure, premises or other place used to supply motor fuels (including alternative fuels such as natural gas or hydrogen), lubricants, tires, batteries, and other small accessories to motor vehicles, and where repair work is not done. Automobile maintenance is only permitted in conjunction with a service station. No wrecked vehicle storage permitted.

Auto Salvage/Wrecking Yard - Any lot or tract upon which two or more motor vehicles of any kind, which are incapable of being operated due to condition or lack of license, have been placed for the purpose of obtaining parts for recycling or resale.

Auto Storage or Auto Auction - The storage or impoundment of operable automobiles on a lot or tract for the purpose of holding such vehicles for sale or distribution. The subject lot or tract must be paved in accordance with the City's parking lot paving requirement.

Auto Upholstery Repair – Refer to Auto/Motor Repair, Minor or Automotive Care Center definition.

Automobile Wash - A facility used to wash motorcycles, automobiles, or other Light Load Vehicles. Use options for either: full service or self-service.

Auto Wrecker/Towing Service - Any legal entity, corporation, partnership, or individual person, either as principal, agent, or employee, in the business of removing, towing, and/or storing wrecked, disabled, or abandoned automobiles or other vehicles by the use of a wrecker or other towing device.

Awning Manufacture – A facility that fabricates awnings from various material sources, including but not limited to textiles, metal or wood, by processing raw materials into a finished product.

Bag Manufacturing – An industry that converts plastic resins into various films, sheets and bags. Final products are used by manufacturers for packing and storing products, by retailers for transporting merchandise and by consumers for household purposes. Industry operators also form, coat or laminate plastic film and sheets into single-wall or multi-wall plastic bags.

Bail Bond Agency - An establishment in which a bail bond surety provides bond services as regulated and licensed under the Texas Occupations Code.

Bakery, Commercial - A manufacturing facility for the production and distribution of baked goods and confectioneries to retail outlets.

Bakery, Retail - An establishment primarily engaged in the retail sale of baked products for off-site consumption. The products may be prepared either on- or off-site.

Bakery, Retail (Eating Establishment) – An establishment primarily engaged in the retail sale of baked products with on-site consumption but no drive-through.

Bakery, Wholesale - A bakery in which there is permitted the production and/or wholesaling of baked goods, but where over-the-counter or other retail dispensing of baked goods shall be prohibited.

Bank, Savings, and Loan or Credit Union (No Motor Bank Services) - An establishment for the custody, loan, exchange, or issue of money, the extension of credit, or facilitating the transmission of funds.

Bank-Automated Teller Machine (ATM); Drive Through – financial establishment with a facility including provisions for the conduct of banking services directly to the occupants of motor vehicles.

Barber Shop - A fixed establishment or place where one or more persons engage in the practice of barbering.

Beauty Shop/Salon - Any establishment where cosmetology services are provided including hair care, nail care, and skin care on a regular basis for compensation.

Bed and Breakfast, Homestay – Per Section 5700 Bed & Breakfast Regulations, an owner-occupied dwelling unit that is at least 50 years old or is a designated city historic landmark, and contains no more than five guest rooms, where short-term lodging, with or without meals, is provided for compensation.

Bed and Breakfast Inn – Per Section 5700 Bed & Breakfast Regulations, means a structure that is at least 50 years old or is a designated city historic landmark, and contains no more than ten guest rooms, where short-term lodging, with or without meals, is provided for compensation. Limited social functions such as receptions and private parties, with or without food service, may also be provided. However, this definition shall not permit the operation of a restaurant for customers other than the occupants of the guest rooms and their guests, or the invitees to the reception or private parties. The operator of the inn shall reside on the premises.

Bicycle - Every device propelled by human power upon which any person may ride, having two tandem wheels.

Bicycle Sales/Repairs – A business specializing in the sale of new bicycles, and the purchase and restoration/repair of used bicycles for resale. In addition, may stock replacement parts for the types of bicycles they sell as well as a variety of safety equipment/accessories such as, but not limited to, helmets, gloves, and reflective gear.

Billiard/Pool Facility - A building or portion thereof having within its premises (3) three or more pool tables or billiard tables, or combination thereof, regardless of size, and whether activated manually or by the insertion of a coin, token, or other mechanical device.

Bingo/Domino Parlor - A facility used primarily for the conduct of bingo or domino games, open to the public and not in a subsidiary nature to another use.

Boarding House - A dwelling, or part thereof, in which lodging is provided by the owner or operator to more than three boarders.

Boat and Personal Watercraft Sales (New/Indoor Repair) - A retail sales and service use in which marine goods are rented or sold primarily for use on various watercraft. Examples of goods sold include boats, personal watercraft, navigational instruments, marine hardware and paints, nautical publications, nautical clothing, or marine engines.

Boat, Watercraft Repair – A facility (which could include a boat repair garage, boat storage yard) where boats/watercraft are repaired and stored until repairs are completed.

Boat, Watercraft – Dry Dock Outside Storage – A structure or series of racks located landward of the ordinary high water mark that provide dry places and easy access for removing and returning boats, kayaks, Jet Skis, etc., from the water via a lift or hoist. A dry dock may be part of a boat livery or boat yard but shall not be permitted as part of a marina.

Book/Stationary Store - A retail establishment that, as its primary business, engages in the sale, rental, or other charge-for-use of books, magazines, newspapers, greeting cards/stationary, postcards, DVDs, computer software, or any other printed or electronically conveyed information or media, excluding any adult bookstore, and adult theatre.

Bottling Company – A commercial enterprise whose output is the bottling of beverages for distribution.

Bowling Alley - An establishment that devotes more than 50 percent of its gross floor area to bowling lanes, equipment, and playing area, with customary accessory uses such as snack bars.

Building Materials and Hardware Sales, Outdoor - Materials, tools, and hardware customarily used in the construction of buildings and other structures, including facilities for storage of materials for retail sales outside the main building.

Cabinet or Upholstery Shop - A furniture fabrication facility used to create cabinets or upholster other furniture.

Candy/Confectionary Production – An industry producing confectionery, such as hard candies, gum, candied fruits, fudge, halvah, marshmallows and toffee, as well as breakfast bars. Finished goods are distributed to confectionery and grocery wholesalers and retailers. The industry does not produce chocolates, chocolate confectionery, ice cream or frozen yogurt.

Canning Factory – A building or group of buildings containing a plant assembly where food is sealed in air-tight cans, tins or jars for preservation.

Caretaker's or Guard's Residence - A dwelling located on a premises and occupied only by a caretaker or guard employed on the premises.

Carpenter/Cabinet Shop – A premises where timber is fashioned by hand or by the use of light portable machinery or where wood carving, cutting or assembling is conducted.

Catering Service - An establishment in which the principal use is the preparation of food and meals on the premises, and where such food and meals are delivered to another location for consumption.

Cemetery or Mausoleum - Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbaria, crematoria, mausoleums and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

Cement/Concrete Batch Plant - A facility engaged in the manufacture, sorting, grading, mixing, or storage of concrete, cement, hydrated lime, or a combination of these or similar products, including any apparatus incidental to such activities.

Central Preparation Facility – Refer to Commissary/Commercial Kitchen definition.

Certificate of Occupancy (CO) - An official certificate issued by the City through the Building Official that indicates a building, structure, or use has been constructed or will be used in conformance with the zoning ordinance, building codes, and all other applicable municipal codes; may be referred to as an Occupancy Permit.

Chemical Plant - An industrial plant that processes chemicals, usually on a large scale, to create new materials via the chemical or biological transformation and or separation of materials.

Christmas Tree Sales Lot - means the business of selling, displaying for sale or offering for sale to the public, natural Christmas trees during the Christmas holiday season of November and December for a period not to exceed 45-consecutive days in any calendar year.

Check Cashing Service – Refer to Alternative Financial Services definition.

Chocolate Production – A business that processes cacao beans and other ingredients into chocolate and chocolate-based candy. Products include chocolate candy bars, boxed chocolates and chocolate-covered nuts.

Chocolaterie – A business that specializes in both the production of chocolate confections and sells them at the same location; may include artisan chocolate creations. Business may as an ancillary function offer workshops or chocolate tastings to the public for a fee.

Church/Temple/Place of Worship - A facility or area for people to gather together for public worship, religious training, or other religious activities including, but not limited to a church, cathedral, temple, mosque, synagogue, convent, monastery, tabernacle, or other structure, together with its accessory structures, including a parsonage or rectory. This use does not include home meetings or other religious activities conducted in a privately occupied residence. Accessory uses may include meeting rooms and childcare provided for persons while they are attending assembly functions. Schools and other child care services are not accessory uses and shall require approval as separate principal uses.

City Disposal Facility - A facility designated by the City of Wichita Falls for the temporary storage or permanent disposal of solid waste, including the city landfill or transfer station.

Civic Center (Municipal) – An area developed or to be developed with any of the following public buildings or uses, including offices, libraries, playgrounds, parks, assembly halls, police stations, fire stations.

Civic Club, Halls and Lodges - A membership organization that holds regular meetings and that may, subject to other regulations controlling such uses, maintain dining facilities, serve alcohol, or engage professional entertainment for the enjoyment of dues paying members and their guests. There are no sleeping facilities. *This definition shall not include fraternities or sororities.*

Clinic, Dental, Medical, or Chiropractic - A facility or group of offices for one or more physicians, dentists or chiropractors or other licensed practitioners of the healing arts for the examination and treatment of ill and afflicted human outpatients provided that patients are not kept overnight and that no emergency bay exists for the transportation of patients to or from the facility by emergency medical professionals.

Clinic, Emergency Care - an enclosed area, room or building, located within the premises of the establishment, and equipped with the necessary medical facilities and supplies, where workers maybe brought for examination and treatment of their injuries or illnesses in case of emergency, where more elaborate instruments and equipment's (such as examining bed, oxygen tank) are made available for the workers, and where the services of a more competent medical staff are provided, who may handle or treat a few simple cases of injuries or illnesses needing short-term confinement, or may refer such cases to hospitals.

Coffin Manufacture – A facility that manufactures burial caskets, cases and vaults intended to contain dead bodies during and after burial or until cremation. Consumers often purchase these items from funeral homes, but in some cases, may also purchase directly from the manufacturer.

Coin-operated amusement machine - Any machine or device of any kind or character which is operated by coins, tokens, slugs, bills, credit or debit cards, for the purpose of dispensing or affording amusement, skill, pleasure, or redemption as allowed by state law. This definition shall include, but not be limited to, arcade games, video arcade games, pinball machines, and billiard tables with or without coin operation. This definition does not include service coin-operated machines such as pay toilets and pay telephones, food or beverage vending machines, or an amusement machine designed primarily for the entertainment of a child.

Cold Storage Plants/Locker – A facility that primarily stores, for a fee, any legally-allowed temperature controlled substance that prevents that substance from decaying due to short-shelf life or not adhering to laws and regulations that apply to that item.

College or University - An accredited academic institution of higher learning recognized by the State and covering a program or series of programs of academic study.

Commercial Laundry/Linen Service - An establishment where clothing, linens, rags, rugs, or other articles are washed for remuneration by the employee(s) or agent (s) of the establishment in addition, but not limited to, industrial laundries providing services for commercial and industrial businesses not located on the same site and linen services that launder on premises.

Community Center - A building to be used as a place of meeting, cultural, recreation, or social activity for people living in the same community and not operated for profit and in which neither alcoholic beverages or meals are normally dispensed or consumed.

Community Center (Public) - A building or complex of buildings that house cultural, recreational, athletic, or entertainment facilities owned or operated by a governmental or non-profit agency.

Commissary/Commercial Kitchen – a building/facility utilized as a fully equipped commercial kitchen with rental space(s) where foodservice operators can prepare and store their food.

Comprehensive Plan - Document(s) adopted by the City that consist of graphic and textual policies which govern the future development of the City and which consist of various components governing specific geographic areas, functions, and services of the City.

Condominium, Office - A form of real property interest with portions of the property designated for separate ownership or occupancy. Typically, Office Condominiums are office spaces in a structure together with an undivided ownership interest in the land or other parts of the structure and the remainder of the real property designated for common use. Common areas are co-owned by all the

residents and a board usually oversees landscaping and other maintenance issues. They are often created as part of a mixed-use renovation in the downtown core.

Condominium, Residential - A form of real property ownership providing for individual ownership of space (dwelling units) in a structure together with an individual interest in the land or other parts of the structure in common with other owners.

Concert Hall - A large public building designed for the performance of concerts. The building may have stage fixed or removable seating.

Consignment Shop – A kind of resale shop, typically retail, that acts as a seller’s agent, rather than purchasing used goods; the business accepts items for sale, often clothing or furniture, and agrees to pay the seller a percentage of the proceeds if and when the goods sell. Consignment stores charge a fee or commission on the sale in exchange for stocking, displaying and selling the goods.

Contractor’s Office/Sales - A room or group of rooms used for conducting business affairs with the public that does not utilize any outdoor storage of materials, equipment or vehicles or authorize any outdoor sales.

Contractor’s Yard – Yards with outdoor storage of equipment and material used by contractors.

Convalescent/Nursing/Skilled Facility - A facility that provides nursing services, bed care and in-patient services for persons requiring regular medical attention, but excluding a facility providing surgical or emergency medical services. Excludes a facility providing care for alcoholism, drug addiction, mental disease, or communicable disease.

Convenience Store - A small retail store engaged in selling groceries and retail sales of non-food items or prepared foods, hot and cold beverages, packaged beverages, or a combination of these items. Drive-through or drive-up services are prohibited. Gasoline Sales, Outside Storage, or Outside Display uses are prohibited unless specifically identified and approved under the Conditional Use Permit process (Sec. 7200).

Convention Center/Exhibit Hall - A facility designed to accommodate 500 or more persons and used for conventions, conferences, seminars, product displays, recreation activities, and entertainment functions, along with accessory functions including temporary outdoor displays, and food and beverage preparation and service for on premise consumption.

Copy/Print/Trophy or Engraving Shop - An establishment that reproduces, in printed or graphic form, individual orders from an individual, business, profession, service, industry, or governmental organization and occupies less than four thousand (4,000) square feet. Reproduced materials may include trophies and awards, engraved items, binding services for books or magazines, or publishing.

Correctional Institution/Jail or Prison - A building used for incarceration of prisoners.

Country Club, Private - A land area and buildings which may include a golf course, clubhouse, dining room, swimming pool, tennis courts, and similar recreational or service uses available only to members and their guests.

Court - An open, unobstructed space, bounded on more than two sides by the walls of a building. An inner court is entirely surrounded by the exterior walls of a building. An outer court has one side open to a street, alley, yard, or other permanent open space.

Craft Store – Refer to Hobby/Handicraft Store definition.

Credit Agency – an entity that collects credit information and provides credit reports and other information regarding a person's creditworthiness and payment history, and includes a “reporting agency” as defined in the Fair Trading Act.

Crematorium - A furnace or establishment for the incineration of corpses.

Custom Personal Service Shop - A business, other than those defined elsewhere, that provides services but not goods. This definition includes, but is not limited to tailoring, dressmaking, shoe shining or repair, needlework or weaving shop, barber or hairdresser establishments, and beauty shops, including associated incidental services or accessory retail sales of products related to the services provided.

Dairy Products Distribution Center - Any premises where packaged dairy and dairy related products are sold or distributed to wholesale customers.

Dance Hall - A place of assembly, open to the public and operated for profit, where dances parties, receptions, and other gatherings are held. Dance halls may provide live entertainment, may serve alcoholic beverages, and may serve catered meals provided the owner or operator holds the appropriate licenses and permits.

Data Storage/Cryptocurrency Center - facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer or network equipment, systems, servers, appliances, and other associated components related to digital data storage and operations

Day Care Center – Commercial - Same as “day care center, limited”, but not limited to a maximum of six individuals.

Day Care Center - Limited - A facility or use of a building or portion thereof that provides care for less than 24 hours a day for six or fewer individuals. Care for an additional six individuals may be provided if the facility qualifies as a registered family home or group day care home as permitted by the Texas Department of Human Resources. This term includes nursery schools, preschools, day care centers for children or adults and similar uses but excludes public and private primary and/or secondary educational facilities. (Note: If facility is operated as a home occupation, see [section 5100](#) – Home Occupations Regulations for additional restrictions.)

Discontinuance of use - To cease or discontinue a use or activity, excluding temporary or short-term interruptions to a use or activity during periods of restoring, remodeling, maintaining, or otherwise improving a facility, or normal, seasonal cessation of a use, or other temporary cessation resulting from a change of use.

Distribution Center – A facility used for receiving, temporary storage, and distribution of goods according to orders as they're received for delivery to the ultimate customer at remote locations.

Dormitory - A building intended or used principally for sleeping accommodations where such building is related to a College or University or other academic or public institution.

Drinking Establishment/Bar - business engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises. Uses such as billiard parlors, dance halls, nightclubs, or live music venues may be included in this category if alcohol sales exceed forty-nine (49) percent of the gross revenue.

Drive-Through Establishment - An establishment where customers are able to order and purchase goods or services from their motor vehicles via a drive-through lane or service window, whether operated from a separate structure or as part of the main building.

Dry Cleaning Establishment, Off-Site - A facility for the collection; delivery; or pickup of clothing and laundry to be processed, altered, cleaned, dyed, or pressed utilizing liquid solvents of all Classes at an off-site location.

Dry Cleaning Establishment, On-Site - A facility for the collection; delivery; pickup; or on-premises processing, alterations, cleaning, dyeing, pressing of clothing and laundry utilizing liquid solvents of all Classes.

Dwelling, Duplex or Two-family. A building containing two dwelling units joined at one or more sides by a party wall, roof or abutting separate walls, each having a single front entrance and being otherwise indistinguishable from a one-family dwelling in exterior appearance.

Dwelling, Multi-Family. A building containing three or more dwelling units on a single lot. The term includes cooperative apartments and the like. For the purpose of these regulations, regardless of how rental units are equipped, any multifamily dwelling in which units are available for rental periods less than one week shall be considered a hotel, motel or bed and breakfast inn.

Dwelling, Single-Family Detached. A dwelling designed and constructed for occupancy by one family and located on a lot or separate building tract.

Dwelling Unit. A residential unit other than a mobile home providing complete, independent living facilities for one family, including permanent provisions for living, sleeping, eating, and cooking.

Dwelling, Zero Lot Line. A dwelling which is located on a lot where the building limit line on one side is zero. (See [Section 5200](#).- Zero Lot Line Regulations)

Dwelling, Single-Family Attached (Townhouse or Townhome) - A structure that has two (2) or more single-family dwelling units erected in a row as a single building on adjoining lots, each unit separated from the adjoining unit(s) by a fire wall.

Eating Establishment – Refer to Restaurant Definition.

Educational Facility - A building or any portion thereof, which is lawfully used in whole or in part for public or private education, including but not limited to a childcare center, college or university, kindergarten school, or public or parochial primary or secondary school.

Electrical Substation - An assemblage of equipment and appurtenant facilities designed for voltage transformation, or voltage control of electricity in amounts of 115,000 volts or more.

Electrical Substation, Public Utility - purposes of switching or modifying its characteristics to meet the needs of the general public, provided that in residence districts an electric substation shall not include rotating equipment, storage of materials, trucks or repair facilities, housing of repair crews, or office or place of business.

Electrical Generating Plant - An electrical energy generating facility that generates electrical power from sources other than wind or solar for the purpose of providing electricity to the electrical distribution system or transmission grid.

Equipment Sales, New or Used - Establishments engaged in the sale of tools, construction equipment, agricultural equipment, or similar industrial equipment.

Electric Vehicle (EV) – any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. Electric vehicle includes:

- 1) a battery electric vehicle (BEV);
- 2) a plug-in hybrid electric vehicle (PHEV) which includes extended range electric vehicles;
- 3) a neighborhood electric vehicle (NEV); and

4) a medium speed electric vehicle (MSEV).

Electric Vehicle (EV) Charging Station/Infrastructure Station – a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy by conductive or inductive means to a battery or other energy storage device in an electric vehicle; includes an electric vehicle charging station equipped with Level 1 or 2 charging equipment.

Electronic Commerce - means the supply of goods or services or both, including digital products over digital or electronic network.

Electronics Store - A retail shop that specializes in selling various types of home/office electronics, computers, home appliances, audio-visual equipment, software and other accessories.

Elevator/Escalator Manufacture – A facility for the manufacture elevators for humans, freight and other transportation applications; also includes the manufacturing of escalators and moving sidewalks.

Emergency Medical Facility - A facility that is structurally separate and distinct from a hospital and which receives an individual and provides emergency care. Emergency care is defined as health care services provided in a freestanding emergency medical care facility to evaluate and stabilize a medical condition of a recent onset and severity, including severe pain, psychiatric disturbances, or symptoms of substance abuse, that would lead a prudent layperson possessing an average knowledge of medicine and health to believe that the person's condition, sickness, or injury is of such a nature that failure to get immediate medical care could result in:

i) Placing the person's health in serious jeopardy;

ii) Serious impairment to bodily functions;

iii) Serious dysfunction of a bodily organ or part;

iv) Serious disfigurement; and/or

v) In the case of a pregnant woman, serious jeopardy to the health of the woman or fetus.

Extermination Service/Company – the service of eradicating or attempting to eradicate vermin infestations from a building or structure, or the area surrounding a building or structure, and includes activities to inspect, detect, or prevent vermin infestation of a building or structure.

Fairgrounds, Rodeo Grounds, or Exhibition Area - An area wherein buildings, structures, and land are used for the exhibition of livestock, farm products, rodeo events, etc.

Farmers Market – An outdoor or partially indoor premises open to the public where a recurring assembly of farmers or their representatives or related vendors sell the food and/or food related products that they produced locally or regionally directly to consumers. Additional provisions outlined in Chapter 94 – Article V – Municipal Produce Market.

Farm, Ranch, Garden, or Orchard - An area used for growing usual farm products, vegetables, fruits, trees, and grain and for the raising thereon of the usual farm animals such as horses, cattle, and sheep and including the necessary accessory uses for raising, treating, and storing products raised on the premises, but not including the commercial feeding of offal or garbage to swine or other animals and not including any type of agriculture or husbandry specifically prohibited by ordinance or law.

Feed and Grain Store - An establishment for the selling of corn, grain, and other food stuffs for animals and livestock, and including implements and goods related to agricultural processes, but not including farm machinery.

Flea Market - An outdoor or partially indoor premises where the main use is the sale of new and used household goods, personal effects, tools, art work, small household appliances, and similar merchandise, objects, or equipment, in small quantities, in broken stalls, lots, or parcels, not in bulk, for the use or consumption by the immediate purchaser in a building, open air, or partly enclosed booths or stalls not within a wholly enclosed building. The term Flea Market includes Custom Personal Service Shops, food services establishments, retail services establishments, and auction establishments. This definition does not include wholesale sales establishments, rental services establishments, retail sidewalk sales, garage sales, or arts and crafts shows or sales held by non-profit organizations.

Floral Shop (Florist) - A retail business whose principal activity is the selling of flowers, live plants or other ancillary items related to the display or planting for such plants which are not grown on site and conducting business within an enclosed building.

Food Court – Outdoor - An established lot or parcel of land with facilities allowing two or more mobile food establishments to be parked on the property for the purpose of vending on that property. For additional regulations refer to Sec. 5925-5977 – Outdoor Food Courts.

Food Truck (Mobile Food Establishment – MFE) - a vehicle mounted, self or otherwise propelled, self-contained food service operation, designed to be readily moveable (including, but not limited to catering trucks, trailers, push carts, and roadside vendors) and used to store, prepare, display, serve or sell food in accordance with the Texas Food Establishment Rules. Mobile units must completely retain their mobility at all times. A Mobile Food Establishment does not mean a stand or a booth but a roadside food vendor and pushcart may be licensed. All MFEs shall operate from a central preparation facility or commissary kitchen which must be an approved retail food establishment where food is prepared, stored and wrapped.

Food Equipment Processing – Includes wholesalers that buy, stock and sell food processing equipment to food manufacturers. These wholesalers do not sell products to the public, but they may deal in new or used food processing equipment.

Food Manufacturing or Processing Plant - A facility used for the preparation, processing, or canning and packaging of food products. Sales of products may be permitted as an incidental use, not to exceed ten (10) percent of all business.

Footwear Manufacturing – The process of shoe making for men, women and children. A facility may produce rubber and plastic footwear, protective footwear, house slippers and slipper socks. Operators also manufacture men's or women's footwear designed for casual, formal and work environments. These products also include men's or women's shoes with rubber or plastic soles and leather or vinyl uppers.

Franchised Private Utility (Not Listed) - A utility such as one distributing heat, chilled water, closed circuit television, or similar service and requiring a franchise to operate in the City of Wichita Falls.

Fraternal Organization - An organized group having a restricted membership and specific purpose related to the welfare of the members, e.g., Elks, IOOF, Masons, Knights of Columbus, or a labor union.

Fraternity or Sorority House - A facility, dwelling, or area used as a meeting or gathering place and which facility, dwelling, or area maintains sleeping accommodations for its members.

Fueling Station – Refer to Gasoline Sales definition.

Funeral Home or Mortuary - A place for the storage of human bodies prior to their burial or cremation, or a building used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.

Furniture Manufacture - A facility engaged in manufacturing or finishing furniture.

Furniture Store - A store that specializes in the sale of furniture, and often appliances and carpeting. Merchandise is generally large and includes storage areas.

Garden Center or Greenhouse (Nursery) - Place of business for selling and/or growing flowers, plants, shrubs or trees and similar vegetation, and ancillary nursery products, potting soil, packaged fertilizers, related chemicals, or other nursery goods or landscaping, garden tools and equipment are sold at retail or wholesale and may include outside storage, growing or display of such items.

Garment Manufacture – An industry that includes the sewing, cutting, making, processing, repairing, finishing, assembling, or otherwise preparing any garment or any article of wearing apparel or accessories designed or intended to be worn by any individual, including, but not limited to, clothing, hats, gloves, handbags, hosiery, ties, scarfs, and belts, for sale or resale by any person or any persons contracting to have those operations performed and other operations and practices in the apparel industry as may be identified in regulations of the U.S. Department of Labor Department and related to the Apparel Industry Workers laws..

Gasoline Sales/Fueling Station - A retail establishment selling flammable or combustible liquids used as fuel are stored and dispersed from fixed equipment into fuel tanks of motor vehicles. Such an establishment may offer for sale at retail other convenience items as clearly secondary and may include a freestanding automatic car wash. Does not include any automobile repair services.

General Retail/Merchandise Stores (No Outside Storage) - Establishments that are retail operations that carry an assortment of merchandise from all the other categories. Such establishments may include but are not limited to department store, discount store, farm store, and similar establishments.

Golf Driving Range (Indoor) - An indoor area equipped with distance markers, clubs, balls, and tees for practicing golf drives and putting, and which may include a snack-bar and pro-shop, but excludes miniature golf courses and “putt-putt” courses.

Government Facility - A building or structure owned, operated, or occupied by a governmental agency at any level (federal, state or municipal) to provide a governmental service to the public.

Grocery or Food Store – A business where most of the floor area is devoted to the sale of food products for home preparation and consumption, which typically also offer other home care and personal care products, and which are substantially larger and carry a broader range of merchandise than convenience stores.

Hauling, Storage, or Motor Freight Terminal - A company using, or a facility housing, trucks or other Heavy Load Vehicles that transport goods, equipment and similar products. Includes companies that move residential or commercial belongings.

Health Club - An establishment that provides exercise facilities such as running, jogging, aerobics, weight lifting, court sports, and swimming, as well as locker rooms, showers, massage rooms, saunas and related accessory uses.

Heating and Air Conditioning Sales - A retail or wholesale establishment engaged in the sales of heating, ventilation, and air conditioning (HVAC) equipment; ancillary use may include minor on-site servicing/repair work.

Heavy Machinery and Equipment, Rental, Sales or Storage - A building or open area used for the display, sale, rental, or storage of materials, construction equipment, heavy machinery, tractors or similar machines, or a group of machines which function together as a unit.

Helistop/Helipad - A small, designated pad, usually with a prepared surface, on a heliport, airport, landing or takeoff area, apron or ramp, or movement area intended to be used for takeoff, landing or parking of helicopters.

Hobby/Handicraft Store – A building or part of a building where craft products are offered for sale, and may include a craft workshop.

Home for Aged, Residence (Assisted Living) - This term shall mean a place where assisted or supervised living and care services are provided to elderly persons. Meals, lodging, laundry service, and limited nursing care or aid means nurses and other persons providing occasional assistance to the residents and are available on an "as needed" or "on call" basis (but not full-time individual care) for limited individual treatment or personal care assistance. Assisted care shall not mean full-time care provided to persons permanently confined to a bed.

Home Improvement Center/Building Materials Sales (Outdoor Storage) - Materials, tools, and hardware customarily used in the construction of buildings and other structures, including facilities for storage of materials for retail sales. Sometimes referenced as a home improvement center.

Home Occupation – Use of a portion of a residential structure by the inhabitant(s) for a non-residential occupation or activity conducted by the inhabitant(s) which is clearly accessory and secondary to the use of the dwelling for dwelling purposes and does not change the residential character. A home occupation use shall not change the residential character of the property or the neighborhood and shall be conducted entirely within the main building. The teaching of swimming in a private swimming pool is not prohibited, provided a Conditional Use Permit (CUP) specifying the operating conditions and standards, and limiting the number of students and operating times, is obtained. (Refer to Section 5100 – Home Occupations).

Hospital, Acute Care - An institution where sick or injured patients are given medical or surgical treatment intended to restore them to health and an active life and which is licensed by the State of Texas.

Hospital, Chronic Care - An institution where those persons suffering from illness, injury, deformity or deficiency of age are given care and treatment on a prolonged or permanent basis and which is licensed by the State of Texas.

Household Care Facility - A dwelling unit which provides residence and care, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, abused or neglected children; victims of domestic violence; or rendered temporarily homeless due to fire, natural disaster or financial setbacks, living together with not more than two supervisory personnel as a single housekeeping unit. This definition is subject to Art. 4442c-4 (Personal Care Facility Licensing Act) V.A.C.S. (Tex.) and Art. 101 1n (Community Homes for Disabled Persons Location Act) V.A.C.S. (Tex.) as they presently exist or may be amended in the future. This definition shall not include a hospital licensed by the State of Texas or a state licensed physician's office which office does not have facilities for patients to stay overnight.

Ice Cream Manufacture – An industry that specializes in making ice cream, frozen yogurt, sherbet, frozen tofu and other frozen desserts, except frozen bakery foods.

Ice House – A place of business where ice is made, stored, or sold either to the public or wholesale.

Incidental Use - Any use different from the primary use but which compliments or supplements the primary use. Incidental means an area that constitutes not more than fifteen (15) percent of the area devoted to the main use.

Independent Living Center – (also termed Housing for the Elderly/Seniors or Congregate Housing) - A development providing self-contained dwelling units specifically designed for the needs of the elderly. Units may be rented or owner-occupied. To qualify as retirement housing, a minimum of eighty (80) percent of the total units shall have a household head of fifty-five (55) years of age or greater. No long-term or permanent skilled nursing care or related services are provided.

Institution of Religious, Educational or Philanthropic Nature - Institutions sponsored or operated by organizations established for religious or philanthropic purposes including orphanages, homes for children, homes for aged, training, educational, recreational and multi-purpose facilities, places of residence, meeting establishments, and offices directly related to the institution or parent organization.

Iron or Steelworks Shop: Ornamental – A company that operates an ornamental iron or steel works shop engaged in producing a variety of non-structural products fabricating, assembling or manufacturing of rebar, ornamental brass, bronze or iron work, railings, balconies, fire escapes, staircases, iron shutters and other non-structural iron or steel work. The raw materials such as iron or steel rods, bars, tubes, angle stock and plate stock are removed from stock, and then cut by power saw or punch press to specifications. Products are also painted and inspected.

Jewelry Store - Shops that sell new merchandise primarily and some used merchandise from estate sales or reconstitute precious metals they purchase into jewelry forms that are sold at retail on the premises.

Juvenile Detention Center - A public facility or institution exclusively for the incarceration of people under twenty-one (21) years of age awaiting trial or sentencing or serving a court-imposed sentence.

Kindergarten or Nursery School, Private - An establishment where more than three (3) children are housed for care or training during the day or portion thereof.

Kiosk - A small, freestanding, one-story accessory structure having a maximum floor area of three hundred fifty (350) square feet and used for commercial purposes, such as automatic teller machines (ATM) or the posting of temporary information or posters, notices, or announcements. Any occupied kiosk must have a minimum floor area of twenty-five (25) square feet.

Laboratory, Medical or Dental - A facility offering diagnostic or pathological testing and analysis of blood, blood fluids, pathological specimens, DNA sampling and analysis, or any other diagnostic test generally recognized in the dental or healthcare industry.

Laboratory, Scientific or Research - A facility for scientific laboratory research in technology-intensive fields such as biotechnology, pharmaceuticals, genetics, plastics, polymers, resins, coatings, fibers, films, heat transfer, or radiation research facilities.

Landfill - A facility designated, owned and operated by the City of Wichita Falls for the temporary storage or permanent disposal of solid waste. For additional information, regulations and requirements refer to Wichita Falls Code of Ordinances Chapter 90 – Solid Waste; Article I – Sec.90-1 Definitions.

Landscape Sales - A service business providing assistance planting or maintaining living trees, shrubs, ground cover, fences, and other similar natural or decorative features.

Landscaping - Material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees or palms, and non-living durable material commonly used in landscaping, such as, but not limited to, rocks, pebbles, sand, walls, or fences, but excluding paving.

Laundromat/Washateria - A service business where patrons wash, dry, or dry clean clothing or other fabrics in machines operated by the patron.

Leather Tanning & Finishing Industry – A business involved in the following activities: tanning, currying and finishing hides and skins; having others process hides and skins on a contract basis; and dyeing and finishing furs. Operators in this industry generally purchase or obtain raw skins from slaughter houses and treat and dye them to create finished leather products.

Library (Public) - A collection in which literary, musical, artistic or reference materials (books, manuscripts, films, computers) are kept for use by the general public or loaning to patrons of the facility, but are not normally offered for sale.

Limousine Service – Any motor vehicle, other than a taxicab, offered to the public by a public limousine business for the purpose of carrying or transporting passengers for a fixed charge or fee, or an hourly rate. Additional regulations outlined in Wichita Falls Code of Ordinances Chapter 110 – Vehicles for Hire.

Liquor Store - Any business selling general alcoholic beverages, also known as sale of distilled spirits or hard liquor, for off-premises consumption. Liquor store does not include a business selling only beer and/or wine for off-premises consumption.

Loading Space - An off-street space or berth used for the delivery and loading or unloading of vehicles.

Local Utility Lines - The facilities provided by a municipality or a franchised utility company for distribution or collection of gas, water, surface drainage water, sewage, electric power or telephone service including pad and pole mounted transformers.

Locksmith – A person who provides a service of repairing and/or making locks and supplying keys.

Lumberyard/Building Materials - A site used for the storage, wholesale, and limited retail sales of lumber and related building materials and home improvement supplies.

Lyft Transportation Service – An taxicab service that uses a mobile application for securing rides in vehicles owned by contracted drivers. Additional regulations in Wichita Falls Code of Ordinances Chapter 110 – Vehicles for Hire.

Machine Shop or Welding Shop - An industrialized facility where welding or other metalwork activities are conducted for both the public or for wholesale.

Mailing Service - A commercial business which conducts the retail sale of stationery products, provides packaging and mail services (both U.S. Postal and private service), and provides mailboxes for lease.

Manufactured Homes – Refers to a HUD-code manufactured home constructed on or after June 15, 1976, according to rules of the U.S. Department of Housing and Urban Development established under the National Manufactured Housing Construction and Safety Standards Act of 1974 (Act), and which is further defined and referenced under Texas Occupations Code sec. 1201.001 et seq. This term does not include those situations where the housing unit has been modified or provide[d] openings or a pass-through not originally provided by the factory where the housing unit is subject to construction and safety inspection for HUD-code compliance; nor has received inspection and approval of such modifications by an inspector certified under the Act to perform such inspections.

Housing units so modified without such inspections shall thereafter be subject to applicable city building codes which may thereafter apply to the entire unit.

Manufactured Housing Sales - A building or area used for the display and sale of new manufactured housing.

Manufactured Home Park (HUD Code) - A parcel of land, under single ownership, on which two or more manufactured homes or mobile homes in the aggregate are located and occupied as permanent dwelling units; and which may or may not allow for temporary use vehicles.

Manufacturing - The mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials such as oils, plastics, or resins.

a) Manufacturing, Incidental – Establishments where light manufacturing uses are conducted exclusively indoors and are incidental to a principal land use such as retail sales on the same site. In no case shall such use exceed 15% of the building square footage and the manufactured product should be primarily sold on the same site.

b) Manufacturing, Light - Establishments engaged in the on-site production, processing, assembling, packaging or testing of goods primarily by hand, within enclosed structures, and involving the use of hand tools or the use of mechanical equipment commonly associated with residential or commercial uses, such as a single kiln. The detection of nuisances such as odor, noise, heat, vibration and radiation are negligible at the property lines and activities do not pose significant safety hazard such as danger of explosion.

c) Manufacturing, Heavy – Establishments engaged in the manufacturing, compounding, assembly, fabrication, packaging, smelting, refining, or other industrial processing of products primarily from extracted or raw minerals. Any manufacturing use that does not meet the criteria of Light or Incidental Manufacturing is considered Heavy Manufacturing.

Martial Arts/Mixed Martial Arts Academy/Studio – An establishment where classes are taught by a professional, certified instructor including but not limited to aikido, karate, judo, muay thai, or tae kwon do, and/or self-defense usually practiced as sport and which may involve the use of striking weapons.

Mattress Manufacture – A premise that produces innerspring, foam and other types of mattresses, in addition to box springs and mattress foundations, for distribution via wholesale, retail and direct-to-consumer channels.

Meat or Fish Market - Traditionally, a marketplace where meat is sold, often by a butcher. It is a specialized wet market. The term 'meat market' is sometimes used to refer to a meat retail store or butcher's shop.

Medical Appliance Fitting or Retail Sales - A facility offering fitting and sales of various medical appliances, including but not limited to orthopedic, prosthetic, surgical, etc., designed to perform a therapeutic or corrective function.

Medical Device Manufacture – A facility that manufactures electro-medical and electrotherapeutic apparatuses, such as magnetic resonance imaging equipment, medical ultrasound equipment, pacemakers, hearing aids, electrocardiographs and electro-medical endoscopic equipment. The industry also manufactures irradiation apparatuses and tubes for medical diagnostic, medical therapeutic, industrial, research, scientific evaluation and other applications.

Micro-Brewery - A facility in which beer, ale, or malt liquor(s) are brewed, fermented, or distilled for distribution and consumption, and which possesses a Brewer's Permit or Brewpub License from the

State of Texas. Sales to the public may range from wholesale to direct to the consumer depending on licensing. Tap rooms, restaurant sales and tastings, or other open spaces designated for the consumption of products produced on-site are permitted on the premises.

Milk Depot – Premises utilized for the collection, storage, handling or processing of milk or milk products for wholesale distribution.

Mini-Warehouse or Self-Storage Facility - Small individual storage units for rent or lease, restricted solely to the storage of items within a building or group of buildings. The conduct of sales, business, or any other activity within the individual storage units, other than storage, is prohibited. Outside Storage and Outside Display uses are prohibited unless identified and approved under a Conditional Use Permit, Sec. 7200.

Mixed Use Development - The development of a tract of land or building or structure with two or more different uses, such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment, in a compact urban form.

Mobile Home - Per Chapter 1201 of the Occupations Code, a structure constructed before June 15, 1976, built on a permanent chassis, designed for use as a dwelling with or without a permanent foundation what the structure is connected to the required utilities, transportable in one or more sections, and in the travelling mode, at least eight (8) body feet in width or at least forty (40) body feet in length or, when erected on site, at least three hundred twenty (320) square feet; and includes the plumbing, heating, air conditioning, and electrical systems of the home.

Model Home - A dwelling in a developing subdivision that is limited to temporary use as a sales office for the subdivision and to provide an example of the dwellings which have been built or which are proposed to be built in the same subdivision.

Modular Prefabricated Structure or Modular Home - Means a structure or building module as defined, under the jurisdiction and control of the Texas Commission and Department of Licensing and Regulation and that is installed and used as a residence by a consumer, transportable in one or more sections on a temporary chassis or other conveyance device, and designed to be used on a permanent foundation system. The term includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. The term does not include a mobile home as defined in the Texas Manufactured Housing Standards Act (Article 5221f V.T.C.S.); nor does it include building modules incorporating concrete or masonry as the primary structural component.

Motel or Hotel - A facility, other than a Bed and Breakfast Inn, offering temporary accommodations to the public in the form of rooms designed for the overnight lodging of guests for an established fee on a daily rate. Additional on-site services, such as restaurants, meeting rooms, room cleaning service, and recreational facilities may be included in the definition if incidental to the main use of Motel or Hotel. A hotel is distinguished from a motel chiefly in that in hotels, the doors to each room are inside the building.

Motor Freight Terminal (Hauling/Storage) - A company using, or a facility housing, trucks or other Heavy Load Vehicles that transport goods, equipment and similar products. Includes companies that move residential or commercial belongings.

Motor Vehicle Manufacture – A facility that specializes in the manufacture of automobiles and light trucks/utility vehicles (including light duty vans, pick-up trucks, minivans, and sport utility vehicles). Facilities must be engaged in manufacturing complete vehicles (body and chassis or unibody) or chassis only.

Motorcycle - A usually two-wheeled self-propelled vehicle having one or two saddles or seats, and which may have a sidecar attached. This definition includes motorbikes, mopeds, and similar vehicles.

Motorcycle Sales/Dealer – A motor vehicle dealer who exclusively sells, offers to sell, solicits, or advertises motorcycles, including alternative-speed motorcycles. Motorcycles shall not include mopeds personal mobility device system scooters as defined in this section.

Motor Vehicle Salvage Yard - Any outdoor storage yard used for the deposit of dismantled or junked motor vehicles or any outdoor storage yard used for the deposit of any discarded material which has been a part of or is intended to be a part of any motor vehicle.

Movie Studio/Motion Picture/Production – A facility utilized for the business that provides the physical basis for works in the fields of performing arts, new media art, film, television, radio, comics, interactive arts, video games, websites, music, and video. Production teams consist of technical staff to produce the media; studio space may be owned or rented.

Moving and Storage Company – A company for-hire which provides services to residents and businesses for the movement of goods with limited on-site storage. Services may range from local, long-distance, household, commercial, self – full moving services with or without incidental sales of packaging materials.

Municipal Produce Market – Refer to Farmer’s Market Definition and specific provisions in Chapter 94- Article V – Municipal Produce Market.

Museum - A room or building for exhibiting, or an institution in charge of, a collection of books, or artistic, historical, or natural and scientific objects designed to be used by members of the public for viewing, with or without an admission charge, and which may include as an accessory use the sale of goods to the public as gifts or for their own use.

Music Store - a retail business that sells musical instruments and related equipment and accessories. It may also provide maintenance services for these instruments and accessories and offer musical lessons.

Nature Center – A facility or site with environmental resources (animals, plants, reptiles, etc.) intended to be preserved in their natural/undeveloped state to provide resource protection and possible opportunities for passive recreation and environmental education for present and future generations.

Natural Gas Compressor Station – A component that is an integral part of the natural gas pipeline network that moves natural gas from individual producing well sites to end users. Compressor stations are placed strategically within the gathering and transportation pipeline network to help maintain the pressure and flow of gas to market; gas can be rerouted into storage areas during periods of low demand.

Newspaper Printing Depot – Process of using a cold type, offset printing method to produce high volumes of printed material at low cost. The printing cycle starts with a computerized desktop publishing version of the whole edition which is transferred, page for page, to a photographic etching station that produces aluminum positive plates of each page. Plates are inked and mounted on a specialized press in such a way that they transfer an image to a set of rubber rollers, which, in turn, transfers the image to the paper. The use of roller image transfer ensures high output quality. Modern newspaper presses are large machines combining all of the steps of the printing, cutting, and assembly process into one unit.

Non-Conforming Use - With respect to any provision of this appendix other than airport zoning, a legal use which is not a permitted use in that zoning district and which existed prior to the enactment of zoning within the city or a rezoning within a zoning district. The term “nonconforming use” may also apply to nonconformance with regulations which apply to parking, landscaping and signage requirements as applied to the current use which is in itself nonconforming. This definition shall not be interpreted to mean a use which was established since the rezoning of property or since zoning

was enacted in the city, and is not permitted in that zoning district, not authorized by a conditional use permit, or which has not obtained a waiver of this ordinance from the city council, such use is an illegal use.

Noxious Uses - Any use not already defined herein that could potentially create a problem to the environment due to emissions, visual quality, odor, noise, hazard or similar factors.

Nursery – Refer to Garden Center/Greenhouse Definition.

Occupancy - The use or intended use of the land or buildings by proprietors or tenants.

Office Equipment & Copier Wholesale Industry – A business that specializing in wholesaling a range of office equipment, such as calculators, copier machines, dictating equipment, mail machines and point-of-sale systems. The industry does not include wholesale office furniture, computers, computer software and peripheral equipment, stationery or other office supplies.

Office, Professional and Administrative - A room, group of rooms, or building used for conducting the affairs of a business, profession, service industry, or government, but excluding medical/dental chiropractic clinics.

Office – Showroom – A large gallery or space where merchandise is exhibited for sale and where samples are displayed for customers may view prior to purchase.

Off-Street Parking Incidental to Main Use - Off-street parking spaces provided in accordance with the requirements specified by this Ordinance and located on the lot or tract occupied by the main use.

Oil Change Facility – Refer to Quick Lube Facility definition.

Outdoor Display - An area on public sidewalks used for display incidental and accessory to a primary use on the same lot and in close proximity of the primary use building or lease space. Outdoor display areas shall abut and be contiguous or align in front of the primary use selling such merchandise. An encroachment agreement is required for outdoor display on public sidewalks. For additional restrictions, refer to section 5980 – Outdoor Display.

Outdoor Entertainment – Recreational uses conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, miniature golf courses, golf courses, swimming pools, tennis courts, and outdoor racquetball courts.

Outdoor Sales – An outdoor area where merchandise is sold or is displayed for sale, and which is freely accessible to the public, except that automotive retail sales areas shall be considered outdoor sales whether freely accessible or not. Outdoor sales may be the primary use of a lot or may be accessory to a commercial use where the sales transactions occur within a structure.

Outdoor Storage – Any material, vehicle or equipment that has been used, damaged or partially dismantled and is:

- (1) Stored outside indefinitely; or
- (2) Held outside as inventory for future sale, processing or use.

Such articles include but are not limited to inoperable motor vehicles or motor vehicle parts, appliances, boxes, crates, pipe or pipe fittings, paper, metal, tires, toys, concrete blocks, bricks, furniture, fixtures, machinery, motors, lumber, buildings or portions of buildings, building materials, barrels or clothing. For additional restrictions, refer to Wichita Falls Code of Ordinances Chapter 46 – Article V Outdoor Storage.

Package Store - An establishment engaged in retail sale of alcoholic beverages for consumption off the premises. These establishments derive more than seventy-five (75) percent of their gross revenues from the sale of alcohol.

Paint/Enamel Production – A facility that produces a surface coating of enamel or paint through the use of raw products that are ground or mixed with a combination of pigments, resins, and liquids to produce a final product that is sold or distributed to buyers or wholesalers for resale to consumers.

Paper Product Manufacturing - Includes industries in the subsector of making pulp, paper or conversion to paper products. The manufacturing of pulp involves separating the cellulose fibers from other impurities in wood or used paper. The manufacturing of paper involves matting these fibers into a sheet. Any establishment that makes paper (including paperboard), either alone or in combination with pulp manufacturing or paper converting, is classified as a paper or paperboard mill.

Parcel or Tract - Any unplatted or portion of an unplatted tract of land.

Park or Playground, Private - A recreation facility, recreation center, or park not owned or operated by a public agency such as a City or School District and available to the general public.

Park and/or Playground (Public/Municipal) - A natural or landscaped area, buildings, or structures (picnic pavilions), provided by a unit of government, to meet the active or passive recreational needs of people that may contain courts for such games as basketball or tennis.

Parking Lot/Garage (Primary/Accessory Use) - An area, structure, or parking garage designed and operated (public or private entity) for the parking of passenger cars and trucks of less than one (1) ton capacity.

Parole/Probation Office – An office with government personnel hired or appointed to investigate, report on, and supervise the conduct of convicted offenders on probation or those released from incarceration to community supervision such as parole.

Pawn Shop - An establishment where money is loaned on the security of personal property pledged in the keeping of the owners or pawnbrokers. Retail sales of primarily used items may also take place.

Personal Mobility Device/System (Bicycles/Scooters) – refers to an electric bicycle, or an electric motor-assisted scooter, pursuant to the definitions set forth in Texas Transportation Code, Sections 541.201 and 551.351, that can be located and unlocked using a smartphone app whether placed in a docking bay, self-standing, or standing with a kickstand.

Pet/Grooming Shop - A retail establishment offering small animals, fish, or birds for sale as pets and where such creatures are housed within the building, including the grooming of dogs, cats, or other animals.

Pharmacy/Drugstore - A retail establishment substantially devoted to the sale of pharmaceutical items, supplies, and equipment, to include prescription drugs, nonprescription medicines, cosmetics, and related items.

Photography Studio – A workshop of photographer(s), which may include the retail sale of portraits and/or photographs produced by the photographer and a photography shop.

Place of Assembly - Any building or portion thereof, which is lawfully used as a meeting or gathering place for persons attending private or public civic, social or recreational events, including but not limited to a civic club, community center, church, country club, day camp or care for children, or recreation center.

Planning and Zoning Commission - A board, appointed by the City Council as an advisory body, authorized to recommend changes in the zoning and other planning functions as delegated by the City Council.

Playfield or Stadium, Public - An athletic field or stadium owned and operated by a public agency for the general public including a baseball field, football field, or stadium which may be lighted for nighttime play.

Plumbing Shop – A contracting business owned or managed by a licensed master plumber which that consists of the execution of contracts requiring the experience, financial means, knowledge, and skill to install, maintain, repair, alter, extend, or, when not prohibited by law, design plumbing systems. Incidental to the contracting services provided, there may be sales of plumbing and/or irrigation system components, parts, or accessories sold to the public or wholesale.

Portable Building Sales - An establishment which displays and sells Portable Storage Structures capable of being carried and transported to another location, but not including mobile homes.

Portable/Chemical Toilet Business/Storage – A service business for the removal of wastewater removed from a wastewater system including a septic tank system, privy pit, a chemical toilet, a portable toilet or a wastewater holding tank.

Post Office - Facility that contains service windows for mailing packages and letters, post office boxes, offices, vehicle storage areas, and sorting and distribution facilities for USPS mail.

Primary Use - The principal or predominant use of any lot or building.

Private Club - An establishment providing social facilities, dining facilities, or both that may provide alcoholic beverage service, to an association of persons, and otherwise falling within the definition of, and permitted under the provisions of, that portion of Title 3, Chapter 32, Vernon's Texas Codes Annotated, Alcoholic Beverage Code, as the same may be hereafter amended, and as it pertains to the operation of private clubs.

Private Recreation Facility - A facility operated for the exclusive use of private residents, members of the club, or neighborhood groups and their guests, but not the general public.

Propane Sales/Filling Station – A facility where propane is dispensed at a fueling station designed for fueling propane vehicles.

Public Assembly (Auditorium, Gymnasium, Stadium, Meeting Hall) - A building or portion of a building used for the gathering together of 50 or more persons for such purposes as deliberation, education, instruction, entertainment, amusement, drinking, or dining or waiting transportation.

Public Display - The act of exposing, placing, posting, exhibiting, or in any fashion displaying in any location, whether public or private, an item in such a manner that it may be readily seen and its content or character distinguished by normal unaided vision viewing it from a street, highway or public sidewalk, or from the property of others or from any portion of the premises where items and material other than sexually oriented media are offered for sale or rent to the public.

Public or Private Utility Shop or Storage - A facility designed to serve the needs of a public or private utility.

Public Utility/Safety Service - The use of land for public utility purposes by an entity providing pipeline, gas, electrical, telephone, telegraph, water, or sewage service. "Public utility" also includes the use of land for utility purposes, whether or not owned, controlled, or operated by a public entity, whose services are performed for or commodities delivered to the public or any portion thereof. Private energy production, transmission relay, repeater, translator, radio and television towers and

equipment, and cable television facilities are also considered public utilities. "Public utility" does not include airports or television, radio or community television antenna system administration offices, or other types of administrative offices or maintenance yards.

Quick Lube/Oil Change Facility - Operations that provided lubrication and/or checking, changing, or additions of those fluids and filters necessary to the maintenance of a vehicle. It is intended that these services will be provided while customers wait, generally within a 20 to 30-minute time period.

Railroad Track - A public or private right-of-way on which tracks for trains are constructed.

Railroad Freight Depot - A rail facility for freight pick-up or distribution that may include intermodal distribution facilities for truck or shipping transport.

Railroad Round House – A round building used by railroads for servicing locomotives. Roundhouses are large, circular or semicircular structures that were traditionally located surrounding or adjacent to turntables. The defining feature of a traditional roundhouse is the turntable, which facilitates access when the building is used for repair facilities or for storage of steam locomotives. The turntable allows a locomotive or other rolling stock to be turned around for the return journey.

Railroad Yard /Team Track/Spur- An area of land, a portion of which is covered by a system of tracks, that provides for the making up of trains by one or more railroads or private industry concerns. Necessary functions of a railyard include but are not limited to the classifying, switching, storing, assembling, distributing, consolidating, moving, repairing, weighing, or transferring of cars, trains, engines, locomotives, and rolling stock.

Recreational Vehicle (RV) - A portable or mobile living unit used for temporary human occupancy away from the place of permanent residence of the occupants and which is self-propelled (motorized).

Recreational Vehicle (RV) Park - An area or commercial campground for RVs and similar vehicles or trailers to reside, park, rent, or lease on a temporary basis.

Recreational Vehicle (RV)/Travel Trailer Repair – A facility that specializes in having technicians who can diagnose, inspect, adjust, repair or overhaul recreational vehicles including travel trailers. Services may specialize in maintaining gas, electrical, hydraulic, plumbing, or chassis/towing systems as well as repairing generators, appliances, and interior components.

Recreational Vehicle (RV) Sales (New or Used) - Display or sales of portable or mobile living units used for temporary human occupancy away from the place of permanent residence of the occupants, including both self-propelled or motorized RVs and travel trailers.

Recreational Vehicle (RV) Storage – A parcel of land or facility dedicated to the parking or storage of licensed and operable trailers, motor vehicles and recreational vehicles.

Recycling Depot - A facility used for collection, sorting, repackaging and temporary storage of empty bottles, cans, newspapers, plastic, paper and similar household goods that can be reused and where all storage is contained within an enclosed building.

Refinishing/Restoration Shop (Non-Auto) – A business where a furniture restorer inspects, repairs and, sometimes, completely overhauls furniture in addition to also performing delicate repairs, touch-up refinishing work, light cleaning, sanding scratches, re-polishing wood, washing fabrics on antiques or worn-out pieces of furniture.

Restaurant - An eating establishment where customers are served at tables or a parked car or are self-served at a counter and food is consumed on the premises, carried out, or delivered. Refer to

the Drive-Through Establishment definition and associated use regulations for stipulations pertaining to the use of a drive-through window.

Retail Sales Establishment, Specialty - Retail operations that specialize in one type or line of merchandise. Such stores may include but are not limited to apparel stores, jewelry stores, bookstores, shoe stores, stationary stores, antique stores, and similar establishments.

Retail Stores and Shops - Any establishment engaged in the selling of goods and merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods that is not already defined herein.

Salon, Nail or Nail Bar - establishment that offers nail beautification services for men and women. Nail salons offer services for hands and feet, including manicures, pedicures, nail polish application, nail repair, and hand and foot treatments.

Salvage Yard (Non-Auto) – A parcel of land used primarily for and where discarded or waste materials are stored, bought, sold, accumulated, exchanged, packaged, disassembled, shredded or handled, including but not limited to materials such appliances, paper, rags, tires, and bottles.

Sand, Gravel, Caliche or Stone Extraction & Sales - The process of extracting sand, gravel, stone, from the earth with or without a wholesale/retail sales yard.

Scrap Metal Storage Yard - A building or facility in which recyclable scrap metal materials are collected, processed, or baled in preparation for shipment to others who will use those materials to manufacture or create new products. This definition does not include Wrecking Yards.

School, Performing Arts – Any building or facility utilized for teaching classes, practicing and/or performing the various arts, related to ballet, dance, drama, music, sculpting, singing and/or other forms of entertainment that are usually performed live in front of an audience.

School, Private/Parochial - Any building or group of buildings, the use of which meets state requirements for primary, secondary, or higher education and which does not secure the major part of its funding from any governmental agency, to exclude vocational schools.

School, Public (K-12) - Any facility licensed by the state and meeting the state requirements for any of the following: preschool; kindergarten; elementary school; middle school; junior high school; secondary school; high school; or senior high school.

School, Vocational/Trade/Business - A school or teaching institution established to provide instruction and training in a specific trade, skill, service, or art that is owned and operated privately and that does not offer a complete educational curriculum. Trade schools focus on developing students' technical abilities in skilled and mechanical trades.

Screen Printing Shop - Facilities engaged in the printing technique of screen printing to create designs, pictures, or patterns on clothing, canvas, or other substrates. This definition is intended to include the ancillary activities typically associated with screen printing such as the graphic design space or incidental retail space.

Secondhand Stores - An indoor retail establishment that buys and sells used products, including but not limited to books, clothing, furniture and household goods.

Security Monitoring Company (No Outside Sales) – A business that provides monitored security systems for commercial, residential and/or industrial customers.

Sheet Metal/Fabrication Shop – A shop that constructs structures through the process of turning raw materials such as flat sheets of steel or aluminum into metal structures or products through the

process of cutting, bending, punching and assembling. Sheet metal shops have a variety of equipment and machines in order to fabricate the metal.

Shelter/Mission Facility - A facility providing temporary sheltering and/or protective sanctuary for the homeless or victims of crime or abuse, including emergency housing during crisis intervention for individuals, such as victims of rape, child abuse, or beatings. Qualified supervision and care shall be provided for those housed in the facility.

Shooting range (indoor) - A facility which is completely enclosed within a building or structure for the use of archery and/or discharging of firearms (i.e., handgun, pistol, rifle, shotgun) for the purposes of target practice, marksmanship training, league shooting, or temporary competitions. Designed to prevent a projectile fired from a firearm at a target from going beyond the boundaries of the area, by use of a backstop or other barrier that is designed to completely stop the projectile or prevent a potentially dangerous ricochet.

Shooting range (outdoor) - A recreational facility designed and constructed for the practice of and teaching of archery and/or marksmanship and discharging of firearms using live ammunition for the purposes of target practice, silhouette, skeet and trap shooting, black powder, self-defense, temporary competitions or similar recreational and/or professional shooting.

Sign - Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illuminations or projected images. This definition shall not include the national and state flag. For specific sign regulations, refer to Sec. 6700 – Sign Regulations.

Sign Shop – Manufacture - A type of business or company that manufactures a variety of signs and signage for a variety of purposes.

Skating or Hockey Rink – An enclosed facility developed for learning of skating, hockey lessons, conducting both recreational and competitive skating performances, hockey games/tournaments and provided with all requisite equipment, change-rooms and public restroom facilities.

Skilled Nursing Facility - A residence providing primarily in-patient health care, personal care, or rehabilitative services over a long period of time to persons chronically ill, aged, or disabled who need ongoing health supervision, but not hospitalization. Also termed nursing home, convalescent home, or long-term care facility.

Slaughter House/Meat Packing Facility - A facility for the slaughtering or processing of animals, which may include the refining of their byproducts.

Small Engine Repair Shop - A facility used for the mechanical repair of small engines, including replacement of parts and where oils and other engine fluids are drained and replaced. Some items included for repair this category include but are not limited to: lawn mowers, chain saws, lawn equipment, and other similar small machines.

Solar Panel System, Rooftop - A solar-driven energy system that converts solar energy into electricity through photovoltaic panels that are installed on rooftops

Solar Panel System, Small In-Ground - A solar-driven energy system that converts solar energy into electricity through photovoltaic panels, that are supported by poles, where the system is not to exceed one thousand (1,000) square feet in size, permitted as an accessory structure wherein the primary use must be to reduce on-site consumption of electric utility power. The maximum overall height of the system shall not exceed eight (8) feet in residential districts, or twelve (12) feet in all

other districts, and the system must meet accessory building setbacks. In residential districts, the system must be installed in the rear yard only.

Solid Waste Facility – Refer to Landfill definition.

State Vehicle Inspection Station – A facility, in accordance with Texas Administrative Code, Title 37 (Public Safety & Corrections) Part I DPS (Chapter 23 – Vehicle Inspection) – Rule 23.12, as amended, Standards of Conduct), that has a certified vehicle inspector that performs inspections of all vehicles. The inspector must record the inspection of all vehicles, whether the vehicle passed, failed, or was repaired, into the appropriate state vehicle inspection database using a department provided device at the time of that inspection.

Storage Warehouse - A building used primarily for the storage of goods and materials, but not accessible to the general public. Up to twenty-five (25) percent of the building may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed.

Story - That portion of a building included between the surface of any floor and the surface of the next floor above, or if there is no floor above, then the space between the floor and the ceiling above. The maximum height for a story shall be twelve (12) feet. The definition of a story does not include parapets, gables, or other normal roof structures and basements or cellars when more than one-half (½) of its height is below ground surface.

Structured Sober Living Facility – A facility that operates a program in which a person/company:

- (1) provides alcohol-free or drug-free housing;
- (2) promotes independent living and life skills development; and
- (3) provides structured activities for recovery from substance abuse disorders in a supervised setting to a group of unrelated individuals who are:
 - a. recovering from alcohol or drug addiction;
 - b. receiving outpatient behavioral health services for substance abuse or addiction treatment while residing in the program's home.

Studio - A building or portion of a building used for the practice of an associated craft or skill; such as a studio for artists, photographers, or decorators, or a place to perform gymnastics, dance, drama, radio or television broadcasting, or music instruction, recording, or production.

Studio – Radio/ Television (No Tower) – A place to professionally live broadcast or record audio which is often in a soundproofed room for the public to listen to by sending out signals through a transmitter; and an installation room in which video productions take place, either for the production of live television and its recording onto video tape or other media such as SSDs, or for the acquisition of raw footage for post-production.

Surgical Outpatient Facility - An establishment offering any type of surgical procedures and related care which, in the opinion of the attending physician, can be performed safely without requiring inpatient overnight hospital care and exclusive of such surgical and related care as licensed physicians ordinarily may elect to perform in their private offices.

Swimming Pool, Commercial – Refer to Aquatic Facility: Public definition.

Swimming Pool, Private – Refer to Aquatic Facility: Private definition.

Tailor/Seamstress Shop – Refer to Custom Personal Service Shop definition.

Tasting Room – An outlet for the promotion of a winery's wine by providing samples of such wine to the public and for the sale of such wine at retail for consumption on the premises and for sale in closed packages for consumption off the premises. Samples of wine can be given free of charge or for a fee.

Tattoo or Body Piercing Shop - An establishment operated for the principal purpose of producing an indelible design, mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment. This definition includes the creation or piercing of openings in the body of a person for the purpose of inserting jewelry or other decorations; however, intradermal cosmetic studios or incidental micro-blading activities are not included under this use.

Taxicab Business – A passenger taxicab transportation service pursuant to Texas Local Government Code sec. 215.004(a), as amended, that is operated for hire that uses one or more taxicabs in the operation of the service. Additional regulations in Wichita Falls Code of Ordinances Chapter 110 – Vehicles for Hire; Article II – Taxicabs.

Taxidermist – A person who specializes in the business of preparing, stuffing and mounting the skins of animals to make them appear more life-like.

Telemarketing Agency – a business that utilizes a communication strategy for the promotion and selling of goods or services by calling people on the telephone.

Telecommunications Facilities Equipment Shelter - A cabinet or building located at the base of or near a wireless communication facility within which are housed, among other things, batteries and electrical equipment.

Temporary Storage Unit - Transportable units designed and used primarily for temporary storage of building materials, household goods, and personal items for use on a limited basis on a property. This definition does not include those portable units used in the removal of municipal solid waste or licensed vehicle. Refer to Chapter 46 – Environment; Article VIII. Temporary Storage Units for additional details.

Tennis Court, Private – A commercial or noncommercial establishment that provides facilities for playing tennis on a membership basis only. “Membership basis” means that the establishment sells memberships making its facilities available to members and their guests for periods of not less than one month at a time and that such facilities are not open to use by the general public.

Tennis Court, Public/Government Ownership - A public facility for the playing of tennis at which there is a clubhouse including restrooms. A tennis facility may provide additional services customarily furnished by a club, such as swimming, outdoor recreation, and related retail sales, and may include a restaurant.

Textile Product Manufacturing – A business that specializes in the conversion of fibers into yarn, then yarn into fabric. These are then dyed or printed, fabricated into cloth which is then converted into useful goods such as clothing, household items, upholstery, and various industrial products.

Theatre, Dinner, Live or Performing Arts - A building or part of a building devoted for dramatic, musical, dance or live performances. Such establishments may include related services such as food and beverage sales and other concessions.

Theatre – Drive-in Movie – references a theatre in which customers view films, multimedia or motion pictures on a large outdoor movie screen from their motor vehicles. Incidental services may include a concession stand for sale of food and beverages.

Theatre, Movie/Cineplex, Indoor – A complex structure with multiple movie theaters in which each theater is capable of showing films, movies, multi-media, motion pictures independent of the others in the complex. Structurally, theaters in a multiplex are grouped in a manner that allows them to share box or ticket offices, parking facilities, lobby area, restrooms, concession stands, signs and marquee displays, and other service and maintenance facilities.

Tire Sales/Installation or Repair - A retail establishment engaged in the sale, installation, or repair of tires for vehicles with or without outdoor storage.

Tool and Equipment Rental - A building or a portion of a building used for the display and rental of tools, light machinery, light equipment, or similar small instruments.

Tower/Antenna Support Structure - An antenna support structure is any tower, mast, pole, tripod, box frame, or other structure utilized for the purpose of supporting one or more antennas or microwave reflectors.

Tower/Antenna, Non-Commercial - An antenna or antenna support structure used for the purpose of transmission, retransmission, or reception of radio, television, electromagnetic, or microwave signals for private or personal amateur use and not for the purpose of operating a business or for financial gain. A satellite dish antenna not exceeding six (6) feet in diameter shall also be considered as a non-commercial antenna.

Towing/Wrecker Service – Refer to Auto Wrecking/Towing Service definition.

Townhouse - A single-family dwelling unit constructed in a series or group of not less than three contiguous units, but limited in this ordinance to a maximum of ten contiguous units.

Trail/Linear Park System (Public) - An area developed for one or more varying modes of recreational travel such as hiking, biking, horseback riding, and canoeing. Often times a linear park will be developed to connect recreational facilities, as well as schools and residential neighborhoods. The acreage and service area of a linear park is variable and subject to existing natural and man-made features, the existence of public right-of-way, and the public demand for this type of park. In some cases, a linear park is developed within a large land area designated for protection and management of the natural environment, with the recreation use a secondary objective.

Trailer, Hauling - A vehicle to be pulled behind Automobiles or Light Load Vehicles designed for hauling animals, produce, goods, commodities, or boats.

Trailer and Heavy Load Vehicle Repair - An establishment providing major and minor repair services to heavy load vehicles, including trucks, buses, tractor trailers, or other similar vehicles.

Trailer or Mobile Home Space - A plot of ground within a mobile home park, trailer court, or mobile home subdivision designed for the accommodation of one mobile home.

Trailer or Truck Sales or Rental - The display sale or rental of hauling trailers designed to be towed by automobiles or light load vehicles, or of new or used trucks or heavy load vehicles in operable condition.

Trailer, Travel or Camping - A portable or mobile living unit used for temporary human occupancy away from the place of residence of the occupants and not constituting the principal place of residence of the occupants or designed to be towed behind another vehicle.

Transfer Station – Refer to City Disposal Facility definition.

Transit or Passenger Terminal/Travel Center - Any premises for the transient housing or parking of motor-driven buses and the loading and unloading of passengers.

Travel Agency – A service business engaged in selling and arranging transportation, accommodations, tours, and trips for travelers.

Travel Trailer Repair – Refer to Recreational Vehicle (RV) Repair definition.

Truck - A light load or heavy load vehicle. See definitions for Vehicle - Light Load Vehicle and Heavy Load for specific details.

Truck Stop - Any building, land, area, premises, or portion thereof used for the retail dispensing or sales of fuels, lubricants, or accessories commonly utilized by Heavy Load Vehicles, but not including those uses listed under Major Automobile Repair.

Uber Transportation Services - Uber's electronic services rendered via a digital technology platform, being on--demand intermediary and related services that enable transportation providers to provide transportation services to users seeking transportation services; such Uber Services include Uber's software, websites, payment services, and related support services systems, as may be updated or modified by Uber at its discretion from time to time. Additional regulations in Wichita Falls Code of Ordinances Chapter 110 – Vehicles for Hire.

Upholstery Shop (Non-Auto) - A business that repairs and replaces upholstery to household and office furnishings; does not include motor vehicle upholstery or repair.

Urgent Care Center - A medical clinic with expanded hours that is specially equipped to diagnose and treat a broad spectrum of non-life and limb threatening illnesses and injuries. Urgent care centers are enhanced by on-site radiology and laboratory services and operate in a location distinct from a freestanding or hospital-based emergency department. Care is rendered under the medical direction of a licensed medical practitioner or physician. Urgent care centers accept unscheduled, walk-in patients seeking medical attention during all posted hours of operation.

Use - The purpose for which land or buildings are or may be occupied in a zoning district.

Utilities - Communications Facilities/Telecommunications - Facilities that provide for the transmission, transfer, and distribution of telephone service and related activities that are not a minor or major utility facility. Facilities include but shall not be limited to communications exchanges, mini-huts, maxi-huts, and other similar facilities.

Vacuum Cleaner Sales/Repair – An establishment that specializes in the sale of vacuum cleaners and ancillary supplies along with providing repair services.

Vaping Shop/Electronic Cigarette Shop – An establishment that specializes in the sale of devices and related paraphernalia permitted by the State of Texas that are in the shape of a cigarette, cigar, or pen that use a battery system and contain a solution of nicotine, flavorings, and other chemicals that are inhaled as a vapor.

Vehicle, Heavy Load - A self-propelled vehicle having a Manufacturer's Recommended Gross Vehicle Weight (GVW) of greater than eleven thousand (11,000) pounds (including trailers), such as large recreational vehicles (originally manufactured as RVs, not converted), tractor-trailers, buses, vans, and other similar vehicles. The term Truck shall be construed to mean Heavy Load Vehicle unless specifically stated otherwise.

Vehicle, Light Load - A self-propelled vehicle having a Manufacturer's Recommended Gross Vehicle Weight (GVW) not greater than eleven thousand (11,000) pounds, and having no more than two axles, such as pick-up trucks, vans, recreational vehicles less than thirty-two (32) feet in length, campers, and other similar vehicles. Light Load Vehicles does not include Automobiles and motorcycles.

Veterinarian Clinic – Small Animal - Any establishment maintained and operated by a licensed veterinarian for surgery and/or diagnosis and treatment of diseased and/or injured animals including but not limited to a mobile or outpatient clinic and may or may not include indoor boarding facilities. For the purposes of this definition, small animal shall be defined as any animal that is no larger than the largest breed of dogs, including fish, birds, and mammals.

Veterinarian Clinic – Livestock/Large Animal – Any establishment operated by a licensed veterinarian for the medical or surgical treatment of diseased or injured animals, specializing in equine, zoo animals or livestock, including but not limited to horses, cows, or wildlife. Business may include outdoor boarding facilities on premise.

Warehouse - A building used primarily for the storage of goods and materials.

Wedding Chapel – An establishment that primarily provides the facilities and services for weddings on a commercial basis. This definition does not include churches and similar congregations where weddings are an ancillary use.

Welding Shop – Refer to Machine Shop definition.

Wholesale Trade - Establishments or places of business primarily engaged in selling and/or distributing merchandise to other businesses, including retailers, industrial, commercial, institutional, or professional business users, other wholesalers, or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

Winery - a business which holds a winery permit from the State of Texas and which may engage in any activity authorized under Section 16.01 of the Texas Alcoholic Beverage Code except that the permit holder may sell or dispense wine under that section only if the wine is bottled in Texas and is at least seventy-five (75) percent by volume fermented juice of grapes or other fruit grown in Texas or a lesser percentage established by the commissioner of agriculture under Section 12.039 of the Agriculture Code.

Woodworking Shop – A facility where a skilled craftsman makes items from wood, and includes cabinet making (cabinetry and furniture), wood carving, joinery, carpentry, and woodturning.

Wrecking Yard - Any lot or tract where damaged, inoperable, or obsolete machinery such as cars, trucks and trailers, or parts thereof, are stored, bought, sold, accumulated, exchanged, disassembled, or handled.

Zoning District - A land area or zone within the City of Wichita Falls stipulating the limitations and requirements of land usage and development uniformly within the entire area.

Zoning District Map - The official map upon which the boundaries of the various Zoning Districts are drawn and which is an integral part of the Zoning Ordinance. See Sec. 3800 - Downtown Zoning District Map and Sec. 8000 - Zoning District Map.

Zoo, Private - A facility housing and displaying live animals, reptiles, or birds that is privately owned and operated for a fee or for the promotion of some other enterprise.

Zoo, Public - A publicly owned zoo or similar facility owned and operated by the City or a nonprofit zoological society where live animals, birds, and reptiles are domiciled and displayed.

3000. ZONING DISTRICT TYPES AND REGULATIONS*

Sec. 3010. Zoning districts established.

The city is hereby divided into the following zoning districts:

Section No.	Map Code	Zoning District Name
3040	SF-1	Single-family residential (large lot)
3100	SF-2	Single-family residential (standard lot)
3170	MFR	Multifamily residential
3250	RMU	Residential mixed use district
3320	MHR	Manufactured housing residential
3360	LO	Limited office district
3370	LC	Limited commercial district
3450	GC	General commercial district
3510	LI	Light industrial district
3580	HI	Heavy industrial district
Special-Purpose Zoning Districts		
3640	PUD	Planned unit development
3700 <u>3700</u>	RDD	River development district
3780	CBD	Central business district
3840 <u>3715</u>	BA	Brook Avenue district
3900 <u>3730</u>	CC	Commercial corridor
<u>3750</u>		<u>Greater Downtown Zoning District Regulations</u>
<u>3766</u>	<u>CBD</u>	<u>Central Business District</u>
<u>3775</u>	<u>GC-D</u>	<u>General Commercial-Downtown District</u>
<u>3780</u>	<u>RDD-D</u>	<u>River Development District-Downtown</u>
<u>3790</u>	<u>LI-D</u>	<u>Light Industrial-Downtown</u>

(Ordinance 64-88, sec. 3, adopted 5/31/88; Ordinance 72-99, sec. 1, adopted 8/3/99; Ordinance 71-2000, sec. 7, adopted 7/5/00; Ordinance 32-2010, sec. 1, adopted 6/1/10)

3040. SF-1—SINGLE-FAMILY RESIDENTIAL DISTRICT (LARGE LOT)

Sec. 3050. Purpose.

The purpose of the SF-1 Single-Family Residential District is to preserve low-density, large lot single-family development. This district is suitable where there are large lots of 8,500 square feet or more.

Sec. 3060. Permitted uses.

A. The following uses are permitted in the SF-1 Single-Family Residential district:

Residential uses:

Dwelling, single-family detached.

~~Group homes.~~

B. The following uses are permitted in the SF-1 Single-Family Residential District subject to the site plan review provisions of [section 7100](#):

Civic uses:

Household care facility

Park.

School, primary.

(Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 75-96, sec. 2, adopted 6/4/96)

Sec. 3070. Conditional uses.

The following uses are permitted in the SF-1 Single-Family Residential District subject to the approval process provided in [section 7200](#):

Residential uses:

Bed and breakfast homestay.

Dwelling, zero lot line single-family, subject to the provisions of [section 5200](#).

Limited multifamily residential uses, subject to the provisions of [section 5920](#).

Manufactured home, subject to the provisions of [section 5600](#).

~~Personal care home.~~

Civic uses:

Day care centers, commercial (nonresidential building).

Day care centers, limited (not conducted as a home occupation).

Private recreation areas, limited.

Public safety services.

Religious assembly.

Utility service.

Commercial uses:

Bed and breakfast inn.

Oil drilling, subject to the provisions of [appendix A](#), Subdivision and Development Regulations, [section 6.4](#) Oil and Gas Well, as amended.

(Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 31-91, sec. 3, adopted 4/2/91; Ordinance 75-96, sec. 2, adopted 6/4/96; Ordinance 8-2003, sec. 2, adopted 2/4/03; Ordinance 10-2003, sec. 2, adopted 2/4/03; Ordinance 62-2003, sec. 2, adopted 7/1/03; Ordinance 29-2007, sec. 1, adopted 3/20/07)

3100. SF-2–SINGLE-FAMILY RESIDENTIAL DISTRICT (STANDARD LOT)

Sec. 3110. Purpose.

The purpose of the SF-2 Single-Family Residential district is to provide for residential areas that are protected from intrusion by uses which diminish the quality of the neighborhood, and to promote visually attractive and quiet neighborhoods. This district is suitable for existing residential areas as well as for development of additional single-family residences.

Sec. 3120. Permitted uses

A. The following uses are permitted in the SF-2 district:

Residential uses:

Dwelling, single-family detached.

~~Group homes.~~

B. The following uses are permitted in the SF-2 district subject to the site plan review provisions of [section 7100](#):

Residential uses:

Dwelling, zero lot line single-family, subject to the provisions of [section 5200](#).

Household care facility.

Civic uses:

Park.

School, primary.

(Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 75-96, sec. 2, adopted 6/4/96)

Sec. 3130. Conditional uses.

The following uses are permitted in the SF-2 district subject to the approval process provided in [section 7200](#):

Residential uses:

Bed and breakfast homestay.

Dwelling, duplex or two-family.

Limited multifamily residential uses, subject to the provisions of [section \[5920\]](#).

Manufactured home, subject to the provisions of [section 5600](#).

~~Personal care home.~~

Civic uses:

Day care centers, commercial (nonresidential building).

Day care centers, limited (not conducted as a home occupation).

Library, public.

Private recreation areas, limited.

Public safety services.

Religious assembly.

School, secondary.

Structured sober living facility.

Utility service.

Commercial uses:

Bed and breakfast inn.

Oil drilling, subject to the provisions of [appendix A](#), Subdivision and Development Regulations, [section 6.4](#) Oil and Gas Well, as amended.

(Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 31-91, sec. 3, adopted 4/2/91; Ordinance 75-96, sec. 2, adopted 6/4/96; Ordinance 90-2002, sec. 1, adopted 11/5/02; Ordinance 8-2003, sec. 1, adopted 2/4/03; Ordinance 10-2003, sec. 2, adopted 2/4/03; Ordinance 62-2003, sec. 3, adopted 7/1/03; Ordinance 29-2007, sec. 2, adopted 3/20/07)

3170. MFR–MULTIFAMILY RESIDENTIAL DISTRICT

Sec. 3180. Purpose.

The purpose of the MFR Multifamily Residential District is to accommodate multifamily residential units which provide basic services and facilities to residents, including parking and useful recreation areas. These districts would be located near major streets and commercial facilities and other selected areas where multifamily uses may be desirable.

Sec. 3190. Permitted uses.

A. The following uses are permitted in the MFR Multifamily Residential District:

Residential uses:

Dwelling, duplex or two-family.

Dwelling, single-family detached.

~~Group homes.~~

Civic uses:

Day care centers, limited.

Private recreational areas, limited.

B. The following uses are permitted in the MFR Multifamily Residential District subject to the site plan review provisions of [section 7100](#):

Residential uses:

Bed and breakfast homestay.

Boardinghouse.

Condominiums, residential.

Dwelling, multifamily, up to 25 units per acre.

Dwelling, zero lot line single-family, subject to the provisions of [section 5200](#).

Fraternity and sorority houses.

Townhouse, subject to the provisions of [section 5300](#).

Civic uses:

Day care centers, commercial.

Library, public.

Park.

Public safety services.

Religious assembly.

School, primary and secondary.

Utility service.

Oil drilling, subject to the provisions of [appendix A](#), Subdivision and Development Regulations, [section 6.4](#) Oil and Gas Well, as amended.

(Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 31-91, sec. 3, adopted 4/2/91; Ordinance 75-96, sec. 2, adopted 6/4/96)

Sec. 3200. Conditional uses.

The following uses are permitted in the MFR district subject to the approval process provided in [section 7200](#):

Residential uses:

Dwelling, multifamily, exceeding 25 units per acre.

Household care facility.

Manufactured homes, subject to the provisions of [section 5600](#).

~~Personal care home.~~

Civic uses:

Convalescent services.

~~Residential care facility.~~

Structured sober living facility.

(Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 75-96, sec. 2, adopted 6/4/96)

3250. RMU—RESIDENTIAL MIXED USE DISTRICT

Sec. 3260. Purpose.

The purpose of the RMU Residential Mixed Use District is to accommodate areas which now have residential uses intermixed with various types of nonresidential uses. Due to the mixed use character of these areas, commercial uses will be allowed as conditional uses.

Sec. 3270. Permitted uses.

A. The following uses are permitted in the RMU Residential Mixed Use District:

Residential uses:

Dwelling, duplex or two-family.

Dwelling, single-family detached.

~~Group homes.~~

Civic uses:

Day care centers, limited.

Private recreational areas, limited.

Commercial uses:

Agricultural uses, as permitted by state law, in lots which have a minimum area of 10,000 square feet.

B. The following uses are permitted in the RMU Residential Mixed Use District subject to the site plan review provisions of [section 7100](#):

Residential uses:

Boardinghouse.

Condominium, residential.

Dwelling, multifamily, up to 25 units per acre.

Dwelling, zero lot line single-family, subject to the provisions of [section 5200](#).

Fraternity and sorority house.

Townhouse residential, subject to the provisions of [section 5300](#).

Civic uses:

Convalescent services.

Day care centers, commercial.

Library, public.

Park.

Public safety services.

Religious assembly.

School, primary and secondary.

Utility service.

Commercial uses:

Oil drilling, subject to the provisions of [appendix A](#), Subdivision and Development Regulations, [section 6.4](#) Oil and Gas Well, as amended.

(Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 75-96, sec. 2, adopted 6/4/96)

Sec. 3280. Conditional uses.

The following uses are permitted in the RMU Residential Mixed Use District subject to the approval process provided in [section 7200](#):

Residential uses:

Dwelling, multifamily, exceeding 25 units per acre.

Household care facility.

Manufactured homes, subject to the provisions of [section 5600](#).

Manufactured housing parks, subdivisions, subject to the provisions of [section 5600](#).

Manufactured housing, outside of mobile home/manufactured housing parks or manufactured housing.

~~Personal care home.~~

Civic uses:

~~Residential care facility.~~

Structured sober living facility.

Commercial uses:

Alcoholic beverage sales, subject to the provisions of [section 5400](#).

Art gallery/museum.

Auto repair service.

Auto sales and services.

Automotive service stations.

Boat sales and service.

Business and trade schools.

Clinic.

Club.

College and university.

Contractor's yard.

Convenience store.

Exterminating service, without chemical storage.

Flea market.

Funeral home.

Hospital.

Hotel.

Indoor sports and recreation.

Kennel.

Medical office.

Motel.

Movie theater.

Nursery.

Office.

Parking facility.

Radio and TV transmitting towers.

Repair services.

Restaurants.

Retail trade.

Self-storage facilities/mini-warehouse.

Services.

Stable.

Veterinary services.

Heavy commercial uses:

Warehousing facility.

(Ordinance 28-86, sec. 13, adopted 4/1/86; Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 75-96, sec. 2, adopted 6/4/96; Ordinance 35-98, sec. 1, adopted 4/21/98; Ordinance 71-2000, sec. 4, adopted 7/5/00; Ordinance 103-2000, sec. 5, adopted 10/3/00; Ordinance 95-2001, sec. 5, adopted 10/2/01)

3370. LC—LIMITED COMMERCIAL DISTRICT

Sec. 3380. Purpose.

The purpose of the LC Limited Commercial District is to accommodate small offices and limited commercial activities. These districts are intended to be adjacent to residential areas and act as a buffer between residential and more intense uses

Sec. 3390. Permitted uses.

A. The following uses are permitted in the LC Limited Commercial District:

Residential uses:

Dwelling, duplex two-family.

Dwelling, single-family detached.

~~Group homes.~~

Civic uses:

Day care centers, limited.

Private recreational areas, limited.

B. The following uses are permitted in the LC Limited Commercial District subject to the site plan review provisions of [section 7100](#) and to the provisions of [section 3420](#), “special conditions”:

Residential uses:

Bed and breakfast homestay.

Boardinghouse.

Condominium, residential.

Dwelling, multifamily, up to 25 units per acre.

Dwelling, zero lot line, single-family, subject to the provisions of [section 5200](#).

Fraternity and sorority houses.

Townhouse, residential, subject to the provisions of [section 5300](#).

Civic uses:

Day care centers, commercial, 1,200 square feet or less in gross floor area.

Library, public.

Parks.

Public safety services.

Religious assembly.

School, primary and secondary.

Utility service.

Commercial uses:

Bed and breakfast inn.

Medical offices, 1,200 square feet or less in gross floor area.

Offices, 1,200 square feet or less in gross floor area.

Oil drilling, subject to the provisions of [appendix A](#), Subdivision and Development Regulations, [section 6.4](#) Oil and Gas Well, as amended.

Services, 1,200 square feet or less in gross floor area, excluding automotive repair services and restaurants

(Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 31-91, sec. 3, adopted 4/2/91; Ordinance 75-96, sec. 2, adopted 6/4/96)

Sec. 3400. Conditional uses.

The following uses are permitted in the LC Limited Commercial District subject to the approval process provided in [section 7200](#) and to the provisions of [section 3420](#), Special Conditions:

Residential uses:

Dwelling, multifamily, exceeding 25 units per acre.

Household care facility.

Manufactured homes, subject to the provisions of [section 5600](#).

~~Personal care home.~~

Civic uses:

Day care centers, commercial, more than 1,200 square feet in gross floor area.

~~Residential care facility.~~

Structured sober living facility.

Commercial uses:

Alcoholic beverage sales, subject to the provisions of [section 5400](#).

Art gallery/museum.

Clinic.

Club.

Convenience stores.

Donation box.

Medical offices, more than 1,200 square feet in gross floor area.

Offices, more than 1,200 square feet in gross floor area.

Restaurant, limited.

Retail trade, excluding automobile sales and supermarkets.

Services, more than 1,200 square feet in gross floor area, excluding automotive repair services and restaurants.

Self-storage facility/mini-warehouse.

(Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 67-91, sec. 1, adopted 7/2/91; Ordinance 74-94, sec. 1, adopted 5/17/94; Ordinance 81-94, sec. 1, adopted 6/21/94; Ordinance 75-96, sec. 2, adopted 6/4/96; Ordinance 116-2003, sec. 1, adopted 12/2/03; Ordinance 43-2016 adopted 11/1/16)

3450. GC—GENERAL COMMERCIAL DISTRICT

Sec. 3460. Purpose.

The purpose of the GC General Commercial District is to accommodate commercial activities of a retail and service nature. These areas would be located along major streets and encouraged to use site designs which have mutual benefits with other businesses in the area. (Ordinance 51-2018, sec. 3, adopted 10/2/18)

Sec. 3470. Permitted uses.

A. The following uses are permitted in the GC General Commercial District:

Residential uses:

Dwelling, duplex two-family.

Dwelling, single-family detached.

~~Group homes.~~

~~Personal care homes.~~

B. The following uses are permitted in the GC General Commercial District subject to the site plan review provisions of [section 7100](#).

Residential uses:

Bed and breakfast homestay.

Boardinghouse.

Condominium, residential.

Dwelling, multifamily.

Dwelling, zero lot line, single-family, subject to the provisions of [section 5200](#).

Fraternity and sorority house.

Household care facility.

Townhouse, residential, subject to the provisions of [section 5300](#).

Civic uses:

Cemetery.

College and university.

Day care centers, limited and commercial.

Library, public.

Parks.

Public.

Safety services.

Religious assembly.

~~Residential care facility.~~

School, primary and secondary.

Structured sober living facility.

Utility service.

Commercial uses:

Alcoholic beverage sales, subject to the provisions of [section 5400](#).

Art gallery/museum.

Automotive sales and service.

Automotive service station.

Bed and breakfast inn.

Boat sales and service.

Business and trade schools.

Car wash.

Clinic.

Club.

Coin-operated amusement machines establishment, as regulated by [section 5905](#).

Convenience store.

Donation box.

Exterminating services, without chemical storage.

Funeral home.

Hospital.

Hotel.

Indoor sports and recreation.

Medical office.

Motel.

Movie theater.

Nursery.

Offices.

Oil drilling, subject to the provisions of [appendix A](#), Subdivision and Development Regulations, [section 6.4](#), Oil and Gas Well, as amended.

Repair services.

Restaurants.

Retail trade.

Self-storage facilities/mini-warehouse.

Services.

Shopping center.

Veterinary services.

(Ordinance 28-86, sec. 13, adopted 4/1/86; Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 31-91, sec. 3, adopted 4/2/91; Ordinance 75-96, sec. 2, adopted 6/4/96; Ordinance 35-98, sec. 1, adopted 4/21/98; Ordinance 03-2000, sec. 1, adopted 1/4/00; Ordinance 95-2001, sec. 4, adopted 10/2/01; Ordinance 43-2016 adopted 11/1/16; Ordinance 51-2018, sec. 3, adopted 10/2/18)

Sec. 3480. Conditional uses.

The following uses are permitted in the GC General Commercial District subject to the approval process provided in [section 7200](#):

Alcoholic beverage sales, subject to the provisions of [section 5400](#).

Automotive repair service.

Bus station.

Community residential center.

Contractor's yard.

Flea market.

~~Halfway house.~~

Kennel.

Light manufacturing.

Manufacturing homes, subject to the provisions of [section 5600](#).

Outdoor entertainment and recreation.

Outdoor food court.

Outdoor storage.

Parking facility.

Recreational vehicle park.

Shooting range (indoor).

Warehousing facility.

(Ordinance 23-88, sec. 2, adopted 3/1/88; Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 75-96, sec. 2, adopted 6/4/96; Ordinance 86-96, sec. 1, adopted 6/18/96; Ordinance 03-2000, sec. 2, adopted 1/4/00; Ordinance 103-2000, sec. 6, adopted 10/3/00; Ordinance 45-2001, sec. 2, adopted 5/1/01; Ordinance 95-2001, sec. 5, adopted 10/2/01; Ordinance 12-2017, sec. 1, adopted 4/4/17; Ordinance 51-2018, sec. 3, adopted 10/2/18)

3510. LI-LIGHT INDUSTRIAL DISTRICT

Sec. 3520. Purpose.

The purpose of the LI Light Industrial District is to accommodate wholesale, trucking and warehousing type activities along with light fabrication and processing. (Ordinance 72-99, sec. 1, adopted 8/3/99; Ordinance 51-2018, sec. 3, adopted 10/2/18)

Sec. 3530. Permitted uses.

The following uses are permitted in the LI Light Industrial District subject to the site plan review provisions of [section 7100](#):

Residential uses:

Existing residential units may be rebuilt or replaced if destroyed, however the number of dwelling units on a parcel shall not be increased. New dwelling units shall not be permitted unless replacing an existing unit of the same square footage.

Civic uses:

Public safety services.

Religious assembly.

Utility service.

Commercial uses:

Adult entertainment and sexually oriented commercial establishments, subject to the provisions of [section 5500](#).

Alcoholic beverage sales, subject to the provisions of [section 5400](#).

Automotive repairs.

Automotive service station.

Automotive sales and service.

Boat sales and service.

Bus station.

Business and trade schools.

Car wash.

Clinic.

Club.

Coin-operated amusement machines establishment.

Contractor's yard.

Convenience store.

Donation box.

Exterminating services, without chemical storage.

Flea market.

Funeral home.

Hospital.

Hotels.

Indoor sports and recreation.

Kennel.

Light manufacturing.

Medical office.

Motels.

Movie theater.

Nursery.

Offices.

Outdoor entertainment and recreation.

Outdoor storage.

Parking facilities.

Repair services.

Restaurants.

Retail trade.

Self-storage facilities/mini-warehouse.

Services.

Shopping center.

Veterinary services.

Light industrial uses:

Agriculture equipment sales and services.

Fabrication and assembly.

Freight hauling.

Heavy machinery sales and service.

Lumberyards.

Manufactured housing, individual accessory use.

Manufactured housing sales.

Oil drilling, subject to the provisions of [appendix A](#), Subdivision and Development Regulations, [section 6.4](#), Oil and Gas Well, as amended.

Trucking facility.

Warehousing facility.

(Ordinance 28-86, sec. 13, adopted 4/1/86; Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 35-98, sec. 1, adopted 4/21/98; Ordinance 72-99, sec. 1, adopted 8/3/99; Ordinance 71-2000, sec. 5, adopted 7/5/00; Ordinance 45-2001, sec. 3, adopted 5/1/01; Ordinance 95-2001, sec. 4, adopted 10/2/01; Ordinance 61-2006, sec. 1, adopted 8/1/06; Ordinance 43-2016 adopted 11/1/16; Ordinance 51-2018, sec. 3, adopted 10/2/18)

Sec. 3540. Conditional uses.

The following uses are permitted in the LI Light Industrial District subject to the approval process in [section 7200](#).

Airport.

Communications towers and antennas as regulated by [section 5910](#).

Community residential center.

Expansion of an existing residence.

Exterminating services, with on-site chemical storage.

Fuel and chemical storage.

Landfill.

Mining and excavation.

Motor vehicle salvage yard, subject to [chapter 46, Environment, article V, Outdoor Storage](#), Wichita Falls Code of Ordinances, as amended.

Outdoor food court.

Shooting range (indoor).

Shooting range (outdoor).

Slaughterhouse and meat packing.

Stockyards.

Structured sober living facility.

~~Halfway house.~~

(Ordinance 23-88, sec. 2, adopted 3/1/88; Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 75-96, sec. 2, adopted 6/4/96; Ordinance 86-96, sec. 1, adopted 6/18/96; Ordinance 35-98, sec. 2, adopted 4/21/98; Ordinance 72-99, sec. 1, adopted 8/3/99; Ordinance 103-2000, sec. 7, adopted 10/3/00; Ordinance 45-2001, sec. 4, adopted 5/1/01; Ordinance 95-2001, sec. 5, adopted 10/2/01; Ordinance 61-2006, sec. 1, adopted 8/1/06; Ordinance 78-2006, sec. 4, adopted 9/19/06; Ordinance 03-2015, sec. 1, adopted 1/6/15; Ordinance 51-2018, sec. 3, adopted 10/2/18)

3580. HI–HEAVY INDUSTRIAL DISTRICT

Sec. 3590. Purpose.

The purpose of the HI Heavy Industrial District is to accommodate major industrial developments that are typically located on large sites. These areas generate heavy traffic and are typically located near freeways and railroad facilities. (Ordinance 51-2018, sec. 3, adopted 10/2/18)

Sec. 3600. Permitted uses.

The following uses are permitted in the HI Heavy Industrial District subject to the site plan review provisions of [section 7100](#):

Residential uses:

Structured sober living facility.

Civic uses:

Public safety services.

Religious assembly.

Utility service.

Community residential centers.

Commercial uses:

Alcoholic beverage sales, subject to the provisions of [section 5400](#).

Coin-operated amusement machines establishment, as regulated by [section 5905](#).

Contractor's yard

Convenience stores.

Donation box.

Exterminating services, with or without chemical storage.

Offices.

Outdoor storage.

Restaurants.

Retail trade.

Services.

Shooting range (indoor).

Shopping center.

Heavy commercial uses:

Agriculture sales and services.

Airports.

Fabrication and assembly.

Freight hauling.

Fuel and chemical storage.

Heavy machinery sales and storage.

Light manufacturing.

Lumberyards.

Mining and excavation.

Manufactured housing, individual accessory use.

Manufactured housing sales.

Motor vehicle salvage yard, subject to [chapter 46, Environment, article V, Outdoor Storage](#), Wichita Falls Code of Ordinances, as amended.

Oil drilling, subject to the provisions of [appendix A](#), Subdivision and Development Regulations, [section 6.4](#), Oil and Gas Well, as amended.

Stockyards.

Trucking facilities.

Warehousing facilities.

Industrial uses:

Basic industry and manufacturing.

Industrial park.

Power generation.

Refineries.

(Ordinance 28-86, sec. 15, adopted 4/1/86; Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 50-94, sec. 1, adopted 4/19/94; Ordinance 84-94, sec. 1, adopted 6/21/94; Ordinance 86-96, sec. 1, adopted 6/18/96; Ordinance 35-98, sec. 2, adopted 4/21/98; Ordinance 71-2000, sec. 6, adopted 7/5/00; Ordinance 45-2001, sec. 5, adopted 5/1/01; Ordinance 95-2001, sec. 4, adopted 10/2/01; Ordinance 43-2016 adopted 11/1/16; Ordinance 51-2018, sec. 3, adopted 10/2/18; Ordinance 16-2021 adopted 6/1/21)

Sec. 3605. Conditional uses.

The following uses are permitted in the HI Heavy Industrial District subject to the approval process in [section 7200](#):

Communications towers and antennas as regulated by [section 5910](#).

Landfill.

Shooting range (outdoor).

Slaughterhouse and meat packing

(Ordinance 45-2001, sec. 6, adopted 5/1/01; Ordinance 51-2018, sec. 3, adopted 10/2/18; Ordinance 16-2021 adopted 6/1/21)

Section 3640. PUD – PLANNED UNIT DEVELOPMENT DISTRICT

Secs. 3691-3699. Reserved

~~Section 3700. RDD—RIVER DEVELOPMENT DISTRICT~~

~~[Sec.] 3710.— Purpose.~~

~~The purpose of a RDD River Development District is to provide a facility for recreation and leisure and to enhance tourism. The district shall incorporate uses that will upgrade the river environment into a permanent recreational and commercial facility. (Ordinance 85-2009 adopted 11/3/09)~~

~~[Sec.] 3720.— Permitted uses.~~

~~A.— The following uses are permitted in the RDD River Development District:~~

~~Residential uses:~~

~~Dwelling, duplex two-family.~~

~~Dwelling, single-family detached.~~

~~B.— The following uses are permitted in the RDD River Development District subject to the Site Plan Review provisions of [section 7100](#):~~

~~Residential uses:~~

~~Condominium residential.~~

~~Dwelling, multifamily.~~

~~Dwelling, zero lot line single-family, subject to the provisions of [section 5200](#).~~

~~Group homes.~~

~~Townhouse residential, subject to the provisions of [section 5300](#).~~

~~Civic uses:~~

~~Cemetery.~~

~~Convention center.~~

~~Daycare, limited and commercial.~~

~~Library, public.~~

~~Nature center.~~

~~Park.~~

~~Public safety services.~~

~~Religious assembly.~~

~~Schools, primary and secondary.~~

~~Utility service.~~

~~Commercial uses:~~

~~Alcoholic beverage sales, subject to the provisions of [section 5400](#).~~

~~Art gallery/museum.~~

~~Bed and breakfast inn.~~

~~Clinic.~~

~~Club.~~

~~Convenience store.~~

~~Hotels.~~

~~Indoor sports and recreation.~~

~~Medical office.~~

~~Motels.~~

~~Movie theater.~~

~~Nursery.~~

~~Offices.~~

~~Recreation vehicle park.~~

~~Restaurants.~~

~~Retail trade.~~

~~Services, except repair services.~~

~~Shopping center.~~

~~(Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 31-91, sec. 3, adopted 4/2/91; Ordinance 75-96, sec. 2, adopted 6/4/96; Ordinance 85-2009 adopted 11/3/09)~~

~~[Sec.] 3730.— Conditional uses.~~

~~The following uses are permitted in the RDD River Development District subject to the approval process provided in [section 7200](#):~~

~~Outdoor entertainment and recreation.~~

~~Outdoor food court.~~

~~Personal care home.~~

~~(Ordinance 75-96, sec. 2, adopted 6/4/96; Ordinance 103-2000, sec. 8, adopted 10/3/00; Ordinance 95-2001, sec. 5, adopted 10/2/01; Ordinance 85-2009 adopted 11/3/09; Ordinance 03-2015, sec. 1, adopted 1/6/15)~~

~~[Sec.] 3740.— Development regulations.~~

~~Each site in the RDD River Development District shall be subject to the same development regulations as provided for in [section 3490](#) [for] the general commercial district. (Ordinance 85-2009 adopted 11/3/09)~~

~~[Sec.] 3750.— Special conditions.~~

- ~~1. Each site in the RDD River Development District, except residential uses not subject to site plan review, within the RDD district must meet substantial landscaping requirements to meet the purpose of a linear park system.~~
- ~~2. Conservation of existing trees and natural areas shall be given consideration.~~
- ~~3. Dedication of open space easements may be required to install a linear trail system.~~
- ~~4. To the greatest extent possible, businesses and other public facilities must orient the buildings to face the river.~~
- ~~5. Signs must be approved through the site plan review process.~~
- ~~6. No repair services or outdoor storage/display shall be permitted.~~

~~(Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 85-2009 adopted 11/3/09)~~

3700. RIVER DEVELOPMENT DISTRICT (Outside Greater Downtown Zone)

Sec. 3701. Purpose

The River Development District is to provide a facility for recreation and leisure, enhance tourism and entertainment opportunities. The district shall incorporate uses that will upgrade the river environment into a permanent recreational and commercial facility.

Sec. 3702. Uses Defined

The zoning uses noted for RDD as defined in Section 2100 – Downtown Use Definitions.

Sec. 3703. Permitted uses.

The following uses permitted in the RDD River Development District subject to the Site Plan Review provisions of [section 7100](#):

Residential uses:

Dwelling, Multi-family > 25 units.

Civic/Office uses:

Religious assembly (church/synagogue/temple/place of worship).

Civic Center (Municipal).

Civic Club, Halls and Lodges.

Community Center (Public).

Convention Center/Exhibition Hall.

Correctional Institution, Jail.

Electrical Substation - Public Utility.

Franchised Private Utility.

Governmental Building/Facility.

Library, Public.

Museum.

Nature Center.

Park and/or Playground (Public, Municipal).

Parole-Probation Office.

Office – Professional and General Business.

Post Office (Governmental).

Public Assembly (Auditorium, Gymnasium, Stadiums, Meeting Halls, etc.).

Public Utility/Safety Services.

School – Public (K-12).

School – Parochial or Private (K-12).

Trails/Linear Park System (Public, Municipal).

Travel Agency.

Utilities – Communication Facilities/Telecom.

Commercial/Services uses:

Accessory Building/Structure (business or industry).

Alcoholic Beverage Sales. Subject to Section 5400.

Antique Shop (No outside sales or storage).

Art Gallery/Museum/Dealer.

Artist Studio.

Automobile Driving School

Bakery – Retail (Eating Establishment, No Drive Through)

Ballet/Dance/Drama/Music Schools (Performing Arts).

Book/Stationary Shop (retail only).

Catering Service.

Eating Establishment/Restaurant (No Drive Through Service).

Eating Establishment/Restaurant/Kiosk (with Drive Through Service).

Eating Establishment with Micro-brewery (Onsite Manufacturing and Sales) > 50% food sales.

Floral Shop (retail only).

Health Club (indoor).

Health Club (outdoor).

Hotel/Motel (less than 30-day occupancy).

Laundry/Dry Cleaning (Retail Only – Drop Off/Pickup).

Locksmith.

Martial Arts Studio/Classes.

Meat and Fish Market (retail only).

Music Store/Lessons.

Outdoor Food Court.

Photography Studio.

Rehabilitation Care Institution (business).

Amusement & Recreation uses:

Amusement, Commercial (indoor).

Aquatic Facility: Public.

Billiard/Pool Facility (one or two as an accessory to a permitted use).

Bowling Alley (Air conditioned and sound proofed).

Concert Hall.

Recreational Vehicle Park.

Skating/Hockey Rink.

Tennis Court (private/not lighted).

Tennis Court (public/government ownership; lighted).

Theatre, Live or Performing Arts or Dinner Theatre.

Theatre, Movie/Cinema (indoors).

Transportation/Auto Services uses:

Auto/Motor Vehicle Rental (office only).

Bicycle Sales and/or Repair.

EV Charging Station/Infrastructure Station.

Parking Lot or Garage as Accessory Use.

Parking Lot or Garage as Primary Use.

Personal Mobility Device System (Bicycles/Scooters).

Transit or Passenger Terminal/Travel Center.

Wholesale Trade/Industrial:

Containers (shipping) or Metal Trailer Unit/Modular Pods for temporary storage during construction; ONLY with permit from Building Inspection).

Utilities-Communications Facilities/Telecommunications.

(Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 31-91, sec. 3, adopted 4/2/91; Ordinance 75-96, sec. 2, adopted 6/4/96; Ordinance 85-2009 adopted 11/3/09)

Sec. 3704. Conditional uses.

The following uses are permitted in the RDD River Development District subject to the approval process provided in [section 7200](#):

Residential uses:

Dwelling – Multi-Family < 25 units.

Household Care Facility.

Multi-family above a business, < 4 units.

Multi-family upper stories, > 4 units.

Structured Sober Living Facility.

Civic/Office uses:

Bank-Automated Teller Machine (ATM) Drive Through.

Bank, Savings, and Loan or Credit Union.

Cemetery and/or Mausoleum.

Clinic – Dental, Medical, Chiropractic and/or Counseling.

College and University.

Daycare Center (Limited and Commercial).

Electrical Substation.

Fraternal Organization.

Institution of Religious, Educational or Philanthropic Nature but not meeting Church/Synagogue, Temple or Place of Worship Definition.

Office Showroom.

School – Commercial Trade (Vocational & Business).

Structured Sober Living Facility.

Studio for Radio and/or Television (No tower).

Zoo (Public).

Commercial/Services uses:

Ambulance, EMS.

Apparel Shop.

Bakery – Retail with Drive Through.

Bakery – Wholesale.

Chocolaterie / Chocolatier.

Cigar Bar/Lounge.

Club, Private.

Copy/Photocopy, Duplication Shop.

Convenience Store (No Gasoline Sales).

Dance Hall/Dancing Facility.

Drinking Establishment/Bar – Licensed as a Private Club

Drinking Establishment/Bar < 50% food sales.

Electronic Commerce (Retail Only).

Food Truck/Mobile Food Establishment (non-special event).

General Retail/Merchandise Stores (No outside storage).

Grocery Food Store.

Hobby, Handicraft and/or Crafts Store (Retail only).

Hotel/Motel – Extended Stay (more than 30-days with kitchen facilities).

Kiosk (providing an allowed use).

Locksmith.

Mailing Service (Private).

Micro-Brewery.

Motion Picture/Movie Studio/Production – Commercial.

Nursery, Garden Center or Greenhouse (inside storage).

Pharmacy/Drug Store (retail only).

Retail Sales Establishment – Specialty (Boutique, Card, Gift Shop).

Shoes/Boot Repair Shop (Retail).

Tailor, Seamstress or Dressmaker (Retail only).

Wedding Chapel.

Amusement & Recreation uses:

Amusement/Recreation, Commercial (outdoor).

Amusement, Commercial – Temporary.

Amusement Devices/Arcades.

Aquatic Facility: Private.

Archery, Paintball, Shooting Ranges Indoor.

Billiard/Pool Facility (3 or more tables).

Bingo, Domino Parlor or Similar Commercial Facility.

Coin Operated Amusement Devices/Arcade.

Fairground/Rodeo Grounds/Exhibition Area.

Golf Driving Range (indoor).

Playfield or Stadium (private).

Private Recreation Area.

Zoo (Private).

Wholesale Trade/Industrial:

Carpenter, Cabinet, Woodworking Shop.

Contractor's Office/Sales (no outside storage of vehicles).

Distribution Center.

Gases (Industrial/Medical-Grade/Specialty) Compressed/Liquid Sales.

Micro Brewery.

Manufacturing – Incidental.

Printing/Publishing Equipment, Supplies and Repairs.

Solar Panel System (Ground).

Solar Panel System (Roof).

Warehousing (Distribution / Storage).

Wholesale Trade – Durable and Nondurable Goods Not Otherwise Listed.

Winery (indoor storage only).

Woodworking Shop.

Transportation/Auto Services uses:

All-Terrain Vehicle Dealer/Sales.

Auto Dealer (New – Auto Servicing and Used Auto Sales as accessory uses only; No outdoor sales).

Automobile Driving School.

Auto Glass Repair/Tinting.

Auto Parts Sale (new or rebuilt; No Outside Storage, No Outside Display, No Repairs).

Auto/Motor Vehicle Rental.

Automobile Wash – Full Service.

Boats and Personal Watercraft Sales (New and Indoor repair).

Taxi/Uber/Lyft/Limousine Service.

Temporary Uses:

Christmas Tree Sales Lot.

Containers (shipping) or Metal/Modular Pods for temporary storage during seasonal sales and not occupying required parking or encroaching on required setbacks.

Outdoor Entertainment (non-residential; 3-day limit); refer to Section 6600.

(Ordinance 75-96, sec. 2, adopted 6/4/96; Ordinance 103-2000, sec. 8, adopted 10/3/00; Ordinance 95-2001, sec. 5, adopted 10/2/01; Ordinance 85-2009 adopted 11/3/09; Ordinance 03-2015, sec. 1, adopted 1/6/15)

Sec. 3705. Development Regulations

Each site in the River Development District (RDD) shall be subject to the same development regulations as provided for in [section 3490](#) [for] the general commercial district. (Ordinance 85-2009 adopted 11/3/09) shall be subject to the same following development regulations:

1. Lot area: 5,000 square feet, minimum.
2. Lot width: 50 feet, minimum.
3. Front setback: 10 feet ~~25-foot minimum~~; except for rear access subdivision where reduced setback as per [Section 4240](#) shall apply.
4. Side setback, interior:
 - A. ~~Single-family and duplex dwellings: Five feet, minimum.~~
 - B. ~~All other uses: No minimum; in accordance with adopted Building Code requirements.~~
5. Side setback, exterior: 15 feet ~~25-foot minimum~~, except 15-foot minimum for single-family and duplex dwellings.
6. Rear setback:
 - A. ~~Single-family and duplex dwelling: Five feet minimum from common lot line or one-foot minimum from alley. (See [Section 6500](#) for accessory structure setbacks and [Section 6210](#) for setback requirements for rear vehicular access.)~~
 - B. ~~All other uses: No minimum. However, in no case shall the roof overhang extend over the property line, and shall be in accordance with adopted Building Code requirements.~~
7. Height: No maximum.
8. Building coverage: No maximum, ~~except 50 percent of lot area maximum, for single-family and duplex dwellings.~~

9. Open space: 20 percent of lot area, minimum, for multifamily dwellings containing 25 units or more.

Sec. 3706. Special conditions:

1. Each site in the RDD River Development District, ~~except residential uses not subject to site plan review, within the RDD district~~ must meet substantial landscaping requirements to meet the purpose of a linear park system.

2. Conservation of existing trees and natural areas shall be given consideration.

3. Dedication of open-space easements may be required to install a linear trail system.

4. To the greatest extent possible, businesses and other public facilities must orient the buildings to face the river.

5. Signs must be approved through the site plan review process.

6. No repair services or outdoor storage/display shall be permitted.

Notes:

Refer to [Section 4600](#) for screening and buffering requirements.

Refer to [Section 6220](#) for a detailed parking schedule by land use.

Refer to [Section 6700](#) for a detailed schedule of sign standards.

Refer to [Section 6800](#) for detailed landscaping regulations.

Secs. 3707-3714. Reserved.

3780. CBD—CENTRAL BUSINESS DISTRICT

~~[Sec.] 3790.— Purpose.~~

~~The purpose of the CBD Central Business District is to provide a commercial core area with wide variety of office, commercial, residential, and civic activities. This district consists primarily of older business structures which predate the modern shopping center concepts, and special provisions are made for off-street parking, height, and area regulations. There shall be only one contiguous central business district in the city.~~

~~[Sec.] 3800.— Permitted uses.~~

~~The following uses are permitted in the CBD Central Business District subject to the site plan review provisions of [section 7100](#):~~

~~All uses permitted in [section 3470](#) of the GC General Commercial District.~~

~~Flea market.~~

~~Light manufacturing.~~

~~Outdoor display.~~

~~Outdoor food court.~~

~~Personal care home.~~

~~Warehousing.~~

~~(Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 75-96, sec. 2, adopted 6/4/96; Ordinance 03-2015, sec. 1, adopted 1/6/15; Ordinance 44-2016 adopted 11/1/16)~~

~~[Sec.] 3805.— Conditional uses.~~

The following uses are permitted in the CBD Central Business District subject to the approval process in [section 7200](#).

Community residential center.

Group homes.

Halfway homes.

Outdoor storage.

(Ordinance 23-88, sec. 3, adopted 3/1/88; Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 75-96, sec. 2, adopted 6/4/96; Ordinance 86-96, sec. 1, adopted 6/18/96; Ordinance 103-2000, sec. 9, adopted 10/3/00; Ordinance 95-2001, sec. 5, adopted 10/2/01)

[Sec.] 3810. — Development regulations.

Each site in a CBD Central Business District shall be subject to the following development regulations:

1. — Lot area [and] width: No minimum.

2. — Setbacks: As required by [chapter 22](#), Buildings and Building Regulations, of the Wichita Falls Code of Ordinances, as amended.

3. — Height: No maximum.

4. — Building coverage: No maximum.

Note—See [section 4600](#) for buffering requirements. See [sections 5980](#)–5986 for outdoor display requirements.

(Ordinance 30-89, sec. II, adopted 5/2/89; Ordinance 44-2016 adopted 11/1/16)

[Sec.] 3811. — Special conditions.

The following special conditions are applicable to the CBD Central Business District:

1. — Commercial uses shall not be open to the public from the hours of 2:15 a.m. through 5:30 a.m., with the exception of the following:

a. — Lodging establishments, as defined by [section 58-201](#) of this Code of Ordinances; and

b. — Businesses that engage primarily in retail trade, as defined by [section 2030](#) [of this ordinance].

(Ordinance 42-2009, sec. 1, adopted 7/7/09)

3715 ~~3840~~. BA–BROOK AVENUE DISTRICT

Sec. 3716 ~~3841~~. Purpose.

The purpose of the BA Brook Avenue District regulations is to provide for limited office use along Brook Avenue by recognizing the unique characteristics of an older residential area, the conflicting uses which existed in the area prior to the adoption of this ordinance, and the need to limit any nonresidential development to the lots abutting Brook Avenue.

Sec. 3717 ~~3842~~. Permitted uses.

A. The following uses are permitted in the BA Brook Avenue District:

Residential uses:

Dwelling, duplex two-family.

Dwelling, single-family detached.

Civic uses:

Day care centers, limited.

B. The following uses are permitted in the BA Brook Avenue District subject to the site plan review provisions of [section 7100](#):

Residential uses:

Condominiums, residential.

Dwelling, zero lot line, single-family, subject to provisions of [section 5200](#).

Dwelling, multifamily, up to 25 units per acre.

Civic uses:

Parks.

Religious assembly.

Commercial uses:

Clinic.

Medical office.

Offices.

Sec. 3718 ~~3845~~. Conditional uses.

The following uses are permitted in the BA Brook Avenue District subject to the approval process provided in [section 7200](#):

Residential uses:

Household Care Facility.

Structured Sober Living Facility.

Therapy and rehabilitation.

Sec. 3719 ~~3847.~~ Development regulations.

Each site in a BA Brook Avenue District shall be subject to the following development regulations, except for zero lot line dwellings and townhouses.

1. Lot area: 5,000 square feet, minimum.
2. Lot width: 50 feet, minimum.
3. Front setback: 25 feet, minimum, except five feet, minimum, along Brook Avenue.
4. Side setback, interior: Five feet, minimum.
5. Side setback, exterior: 25 feet, minimum, except 15 feet minimum for single-family and duplex dwellings, and five feet, minimum, along Brook Avenue.
6. Rear setback: Five feet, minimum, except one foot, minimum, when abutting an alley.
7. Height: One story, maximum, not exceeding 25 feet. The pitch of the main roof shall not be less than two [feet] of rise for each 12 feet of horizontal run.
8. Building coverage: 50 percent of lot area, maximum.
9. Brook Avenue lot frontage: Uses other than single-family and duplex dwellings shall have a minimum 145 feet lot frontage on Brook Avenue.
10. Parking. Off-street parking facilities shall be provided in accordance with [section 6200](#) with the following exceptions:

When additions or enlargements are made to an existing building or use, or any change of occupancy or manner of operation is made that would result in additional parking spaces being required, off-street parking shall be provided on-site for the entire building or use.

Furthermore, there shall be no parking of vehicles in the setback area abutting any street except for Brook Avenue. Additionally, there shall be no parking of vehicles on the street curb in this district, unless the curb abuts a single-family or duplex residential use.

11. Access: Parking facilities for non-single-family and duplex dwellings may have no more than one curb cut per lot, and may also be allowed ingress and egress from an alley.
12. Landscaping: Landscaping shall be provided in accordance with sections 6800 through 6845 of this ordinance. Furthermore, the setback area abutting any street except for Brook Avenue shall be landscaped with grass or any other similar ground cover, and shall not be paved with any impervious material except for required driveway.

Sec. 3720 ~~3849.~~ Buffering requirements.

Due to the special character of the BA Brook Avenue District, the following buffering requirements shall apply in lieu of the requirements of [section 4600](#):

Additional setback: When uses other than single-family and duplex dwellings abut an SF-2-Single-Family Residential (standard lot) District, no portion of the structure shall be closer to the SF-2-Single-Family Residential (standard lot) District than 30 feet. This requirement shall not apply if an existing structure is utilized for non-single-family or duplex dwellings.

Screening: Uses other than single-family and duplex dwellings abutting an SF-2-Single-Family Residential (standard lot) Zoning District shall provide and maintain screening in the following manner: A six-foot-high solid double-sided wooden fence placed on a concrete foundation with

brick columns placed no more than 20 feet apart, measured center line to center line, shall extend from the rear property line to the intersecting building setback line; and, a four-foot-high solid brick fence tapering to two feet in height shall extend from the building setback line to the property line.

Lighting. All outdoor lighting must be directed away from residential areas.

Sec. 3721 ~~3854.~~ Sign regulations.

Due to the special character of the BA Brook Avenue District, only the following types of signs shall be permitted:

A. On-premises ground signs. On-premises ground signs shall be permitted in accordance with the following regulations:

1. Maximum area: 60 square feet.
2. Maximum height: Three feet.
3. Setback: None, provided it does not obstruct view to motorists and pedestrians and meets the requirements of [section 102-40](#), Visibility Sight Triangle, of the Wichita Falls Code of Ordinances, as amended.
4. Maximum number: One per lot.

B. On-premises wall signs. On-premises wall signs shall be permitted in accordance with the following regulations:

1. Maximum area: 60 square feet.
2. Maximum number: One per business.

C. Miscellaneous signs. Construction, directional, nameplate, and real estate signs shall be allowed as per the provisions of [table 6741](#).

Sec. 3722 ~~3853.~~ Nonconforming uses.

Due to the special character of the BA Brook Avenue District, the following nonconforming regulations shall apply in lieu of the requirements of [section 6100](#) of this ordinance. A nonconforming use in a BA district shall not be resumed if discontinued for a period exceeding two years; expanded; converted to a different nonconforming use; or reconstructed if destroyed. Existing office uses may be converted to another office if minimum parking requirements are met. A nonconforming sign shall be removed after discontinuance of a nonconforming use.

Secs. 3723-3729. Reserved.

3730 ~~3900.~~ CC-COMMERCIAL CORRIDOR DISTRICT

Sec. 3731 ~~3905.~~ Purpose.

The purpose of the CC Commercial Corridor District is to accommodate small offices, neighborhood commercial activities and residential uses to promote a traditional neighborhood district. These districts are intended to be adjacent to residential areas and act as a buffer between residential and more intense uses.

Sec. 3732 ~~3910.~~ Permitted uses.

A. The following uses are permitted in the CC Commercial Corridor District:

Residential uses:

Dwelling, duplex two-family.

Dwelling, single-family detached.

~~Group home.~~

B. The following uses are permitted in the CC Commercial Corridor District subject to the site plan review provisions of [section 7100](#) and to the provisions of [section 3940](#), Special conditions.

Residential uses:

Bed and breakfast homestay.

Bed and breakfast inn.

Boardinghouse.

Condominium.

Dwelling, multifamily, up to 25 units per acre.

Dwelling, zero lot line single-family, subject to the provisions of [section 5200](#).

Townhouse, subject to the provisions of [section 5300](#).

Civic uses:

Day care centers, limited and commercial.

Library, public.

Parks.

Private recreational areas, limited.

Public safety services.

Religious assembly.

School, primary and secondary.

Utility service.

Commercial uses:

Art gallery/museum.

Clinic.

Exterminating services, without chemical storage.

Medical office.

Nursery.

Offices.

Oil drilling, subject to the provisions of [appendix A](#), Subdivision and Development Regulations, [section 6.4](#) Oil and Gas Well, as amended.

Restaurants.

Restaurants, limited.

Retail trade, excluding automotive sales.

Services.

(Ordinance 32-2010, sec. 2, adopted 6/1/10)

Sec. 3733 ~~3915.~~ Conditional uses.

The following uses are permitted in the CC Commercial Corridor District subject to the approval process provided in [section 7200](#) and to the provisions of [section 3940](#), Special Conditions.

Residential uses:

Dwelling, multifamily, exceeding 25 units per acre.

~~Personal care home.~~

Household Care Facility.

Structured Sober Living Facility.

Civic uses:

~~Residential care facility.~~

Commercial uses:

Alcoholic beverage sales, subject to the provisions of [section 5400](#).

Automotive service station.

Business and trade schools.

Club.

Convenience store.

Indoor sports and recreation.

Movie theatre.

Repair services.

Self-storage facility/mini-warehouse.

Shopping center.

(Ordinance 32-2010, sec. 2, adopted 6/1/10)

Sec. 3734 ~~3920.~~ Development regulations.

Each site in a CC Commercial Corridor District shall be subject to the following development regulations, except for zero lot line dwellings and townhouses:

1. Lot area: 5,000 square feet minimum.
2. Lot width: 50 feet, minimum.
3. Front setback: 25 feet, minimum.
4. Side setback, interior: Five feet minimum.
5. Side setback exterior: 25 feet minimum, except 15 feet minimum for single-family and duplex dwellings.
6. Rear setback: Five feet minimum.
7. Height: 35 feet maximum. For school and religious assembly uses, the maximum height shall be 45 feet.
8. Building coverage: 55 percent of lot area, maximum, except 50 percent of the lot area, maximum, for single-family and duplex dwellings.
9. Lighting: All outdoor lighting shall be directed away from residential areas.
10. Speakers: All audio devices, including, but not limited to, speakers, for restaurant drive-in and other like facilities, shall be located near and directed toward a public street. The primary building shall be situated between the location of the speaker and any adjacent residential district or use.

Sec. 3735 ~~3925.~~ Sign regulations.

Due to the special character of the CC Commercial Corridor District, only the following types of signs are permitted:

A. Ground signs. Ground signs are permitted in accordance with the following regulations:

1. Maximum area: 60 square feet.
2. Maximum height: Four feet above top of sign base.
3. Setback: Ten feet, if taller than three feet. Signs are subject to the requirements of [section 102-40](#), Visibility Sight Triangle, of the Wichita Falls Code of Ordinances, as amended.
4. Maximum number: One per business, per street frontage.
5. Sign base: All ground signs shall be mounted on a masonry base consistent with the principal building material usage. The base maximum height shall not exceed 1.5 feet, with the width and depth not to exceed nine inches beyond the perimeter of the sign.
6. Sign base landscaping: All commercial ground signs shall be landscaped, with landscaping height not to exceed the base of the sign. Use of low-bearing dwarf shrubs, per [section 6800](#), is required to screen the base and complement site landscaping. Shrubs shall be planted in a staggered double row along the base of all sign faces such that at least 75 percent of the base is screened.
7. Sign lighting: Signs may be internally or externally illuminated. Message center signs, however, are prohibited.

B. On-premise wall signs. On-premise wall signs shall be permitted in accordance with the following regulations:

1. Maximum area: 60 square feet.
2. Maximum number: One per business, per street frontage.
- C. Miscellaneous signs. All other signs permitted as per the provisions of [Table 6741](#).

Sec. 3736 3930. Building material requirements.

Buildings in the CC Commercial Corridor District shall incorporate the following exterior building materials to create and complement the building's architectural design.

A. Primary exterior building materials shall consist of material comparable in grade and quality, to include the following: face brick, natural stone, rock face or specially designed pre-cast concrete units with a decorative material or texture. Smooth faced concrete block is not permitted as a primary exterior building material.

B. Cement stucco may be used as an acceptable exterior primary building material.

C. The following exterior building materials are not permitted as the primary material but may be used as a secondary treatment to complement the primary exterior building materials:

1. Synthetic stucco materials such as EIFS (Exterior Insulation Finishing System), cast sprayed textures, and trowel knock down textured finishes;
2. Metal siding or metal panels;
3. Smooth faced concrete block;
4. Glass, glass block, and glazed curtain-walls; and
5. Plastic, vinyl or wood siding.

D. All principal and accessory buildings shall meet the following minimum percentage requirements for primary exterior building materials:

1. Minimum: 60 percent for all nonresidential building exterior walls.
2. Minimum: 60 percent for all residential building exterior walls. Accessory buildings accessory to a residential use less than 150 square feet shall be exempt from this provision.

E. Architectural plans shall be prepared by a design professional, to include:

1. Elevations of all sides of the principal and accessory buildings;
2. Type, color and percentage of all exterior primary and secondary building materials, excluding all door and window openings; and
3. Location and screening of trash receptacles, heating, air conditioning and ventilation systems.

F. All accessory buildings, at minimum, shall be consistent in design and usage of material as the principal building, except as permitted per section 3930 D.2 of this ordinance.

Sec. 3737 3935. Nonconforming building materials.

Existing buildings in the CC Commercial Corridor District not in conformance with the provisions set forth in [section 3930](#) shall comply with said provisions in the event of either of the following:

- A. There is an increase in area or height of the principal building of a nonresidential use.

B. The principal building is demolished or destroyed beyond 50 percent of the replacement cost of its current material status on the date of the damage.

Sec. 3738 ~~3940.~~ Special conditions.

The following special conditions are applicable to the CC Commercial Corridor District:

- A. No outdoor repair service of any kind shall be permitted.
- B. Commercial uses shall not be open to the public from the hours of 12:00 midnight through 6:00 a.m.

Sec. 3739 ~~3945.~~ Lighting.

- A. In the CC Commercial Corridor District, all means of outdoor lighting shall be shown on all building elevations and site plans for ground locations.
- B. An outdoor light plan shall be submitted with the site plan and building elevation plan.
- C. All outdoor building, parking, and decorative lighting shall be directed away from residential uses and shall be shielded at all times so as to substantially reduce light being shown upon adjacent residential uses and so as to prevent public nuisances.

Secs. 3740-3749. Reserved.

3750. GREATER DOWNTOWN ZONING DISTRICT REGULATIONS

Sec. 3751 GREATER DOWNTOWN AREA

The greater downtown zoning districts shall include all areas within the boundaries of the following:

Starting at the northeast corner of Broad Street and Wichita River Trail, heading east following the north side of the Wichita River Trail to intersection of the Wichita River Trail and the BNSF railroad;

Continuing South following the west side of the BNSF railroad to the intersection of BNSF railroad and Ohio Avenue to the intersection of Ohio Avenue and 6th Street;

Continuing East along 6th street to the intersection of 6th Street and the alley to the intersection of 7th street and La Salle;

Continuing East along 7th street to the intersection of 7th street and the west side of the BNSF railroad;

Continuing south along the west side of the BNSF railroad to the intersection of the BNSF railroad and Spur 447 Overpass;

Continuing southeast along the northern side of Spur 447 Overpass as it transitions into Kell Boulevard to the intersection of Kell Boulevard and east side of Central East Freeway;

Continuing north along the east side of Central East Freeway as it transitions into Broad Street to the intersection of Broad Street and the Wichita River Trail.

Sec. 3752 OVERVIEW AND CONFORMANCE WITH DOWNTOWN USE TABLE

1. The use of land and/or buildings shall be in accordance with those listed in the Downtown Use Table. No land or building shall hereafter be used and no building or structure shall be erected, altered, or converted other than for the uses specified in the zoning district in which it is located. The legend for interpreting the permitted uses in the Downtown Use Table is:

P	<u>Designates use permitted in the zoning district indicated.</u>
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Designates use may be permitted in the zoning district indicated by a Conditional Use Permit (CUP); for details refer to Section 7200 of the Wichita Falls Zoning Ordinance.



Blank Designates use prohibited (i.e. not allowed) in the zoning district indicated.

Land uses are defined in Section 2000 (Definitions), Wichita Falls Zoning Ordinance.

2. If a use is not listed (or is blank) in the Downtown Use Table, it is not allowed in any of the downtown zoning districts.
3. Unless otherwise noted, a use listed in the Downtown Use Table will be the predominant use of the land. If noted as an accessory use, then such use will only be allowed as an accessory use (as defined in the zoning ordinance) to a permitted use.

Sec. 3753 NON-CONFORMING USE LIMITATION

In the Downtown Zoning Districts, if a building, structure or parcel of land becomes vacant, ceases operations and remains unoccupied for a period of one (1) year or more in the greater downtown core, then all non-conforming rights shall be deemed to be permanently abandoned. The use of the premises/structure/land parcel(s) shall be in conformance with the uses outlined in the Downtown Use Table, as adopted in the Wichita Falls Code of Ordinances, for the identified special downtown zoning districts (Section 3750 - CBD, GC-D, RDD-D and LI-D). Section 6146 (Non-Conforming Uses) outlines an appeal mechanism through filing an application for a conditional use permit (section 7200) with the Planning and Zoning Commission specifically stating the reasons for which the applicant believes the non-conforming use status should be extended beyond the one (1) year expiration time frame.

Sec. 3754 DOWNTOWN USE TABLE

A. Land Use Categories

All items listed alphabetically by category in the Use Table.

The Downtown Zoning Use Table organizes land uses by the following categories:

1. Residential
2. Institutional/Governmental
3. Office
4. Services (Personal & Business)
5. Retail
6. Transportation & Auto Services
7. Amusement & Recreation
8. Commercial & Wholesale Trade
9. Light Assembly/Industrial/Utilities
10. Mineral Extraction
11. Temporary Uses

B. Downtown Use Table Abbreviations

The following abbreviations are for the Zoning Districts in the greater downtown core and utilized in the Downtown Use Table:

CBD – Central Business District

GC-D – General Commercial Downtown District

RDD-D – River Development District Downtown

LI-D – Light Industrial Downtown District

Sec. 3755 CLASSIFICATION OF NEW/UNLISTED USES

It is recognized that new types of land use will arise in the future, and forms of land use not presently anticipated may seek to locate in the downtown core of the City of Wichita Falls. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use in the Downtown Use Table shall be done through the rezone/amendment application process. Interested persons may submit the rezone/amendment application and associated fees to be processed by the Wichita Falls Planning Division staff with a recommendation regarding appropriateness of the proposed land use provided to the Planning and Zoning Commission for their consideration. The Planning and Zoning Commission will consider the application merits and render a recommendation (approve or disapprove) for City Council's final review and determination.

Secs. 3756-3764. Reserved.

Sec. 3765 GREATER DOWNTOWN ZONING DISTRICT DEVELOPMENT REGULATIONS:

Each downtown zoning district has additional regulations to address the use of the lot and building with minimum standards for height, setbacks (front, side and rear), maximum building coverage, parking, landscaping, hours of operation, etc.

Sec. 3766 Central Business District- CBD

Sec. 3767 Purpose/Overview

The CBD Central Business District is the commercial core and focal point of the city in the downtown area characterized by a mix of higher intensity land uses including office, business, residential, personal services, entertainment and institutional/civic activities. This district radiates from 8th and Ohio Streets in the historic district to include a mix of multi-story and mixed use office towers and primarily consists of older business structures which predate the modern shopping center concepts, and special provisions are made for off-street parking, height, and area regulations. There shall be only one contiguous Central Business District within the City of Wichita Falls.

Sec. 3768 Development Regulations - CBD

Each site in the Central Business District (CBD) shall be subject to the following development regulations:

1. **Lot area [and] width:** No minimum.
2. **Setbacks:** As required by [Chapter 22](#), Buildings and Building Regulations, of the Wichita Falls Code of Ordinances, as amended.
3. **Height:** No maximum.
4. **Building coverage:** No maximum.
5. **Parking Facilities:**

Historically, there were no minimum parking standards set within the CBD. To ensure adequate parking for all building/lot uses within this zone, particularly for mixed-use development projects and conversion to multi-family residential uses, parking requirements will be assessed on an individual project basis.

6. **Landscaping:**

There are limited landscaping strip areas outside of the public right of way in the core of downtown. Creative methods for landscape enhancement are encouraged by and in conjunction with the City; which may include but are not limited to planters or planter boxes and/or tree well plantings utilizing

an urban species suitable for a downtown environment. All landscaping plans shall be submitted for review and consideration via the e-plans portal. Any proposed landscaping in the public right of way will require an encroachment agreement.

7. Streetscape Protection:

Any damage to existing streetscape design, including street trees, by development, use, or condition of private property shall be corrected by the property owner at the owner's expense to the satisfaction of the City of Wichita Falls Department of Public Works prior to the release of the Certificate of Occupancy by the Chief Building Official. Any damage not corrected by the owner shall be corrected by the City of Wichita Falls, the cost of which is to be billed to the owner, including city administrative costs.

For purposes of this Section, Streetscape shall be defined to include any public improvement adjacent to private property regardless of whether or not it is part of the Wichita Falls Downtown Strategic Plan related to streetscapes implementation.

Notes:

Refer to [Section 4600](#) for buffering requirements.

Refer to [Sections 5980–5986](#) for outdoor display requirements.

Refer to [Section 6220](#) for a detailed parking schedule by land use.

Refer to [Section 6700](#) for a detailed schedule of sign standards.

Refer to [Section 6800](#) for detailed landscaping regulations.

Sec. 3769 Special conditions:

The following special conditions are applicable to the Central Business District:

1. Commercial uses shall not be open to the public from the hours of 2:15 a.m. through 5:30 a.m., with the exception of the following:

- a. Lodging establishments, as defined by [Section 58-201](#) of this Code of Ordinances; and
- b. Businesses that engage primarily in retail trade, as defined by [Section 2030](#) [of this ordinance].

2. Limitation of the following sign types in order to better align with the permitted uses: flashing signs

- inflatable signs
- multi-tenant signs
- pole signs
- portable signs
- signs on vehicles

Secs. 3770-3774. Reserved.

Sec. 3775 General Commercial – Downtown – GCD

Sec. 3776 Purpose

The General Commercial-Downtown District is to accommodate commercial activities that compliment the downtown core with office, retail, service, limited residential of various densities and mixed-use style developments within the original town site of the city.

Sec. 3777 Development Regulations – GC-D

Each site in the General Commercial-Downtown (GCD) District shall be subject to the following development regulations, except for townhouse and zero lot line residential uses which are only permitted with a conditional use permit (CUP):

1. **Lot area:** 5,000 square feet, minimum.

2. **Lot width:** 50 feet, minimum.
3. **Front setback:** 15 feet ~~25-foot~~ minimum; except for rear access subdivision where reduced setback as per [Section 4240](#) shall apply.
4. **Side setback, interior:**
 - A. Single-family and duplex dwellings: 5 feet, minimum.
 - B. All other uses: No minimum; in accordance with adopted Building Code requirements.
5. **Side setback, exterior:** 15 feet ~~25-foot~~ minimum, except 15-foot minimum for single-family and duplex dwellings.
6. **Rear setback:**
 - A. Single-family and duplex dwelling: 5 feet minimum from common lot line or one-foot minimum from alley. (See [Section 6500](#) for accessory structure setbacks and [Section 6210](#) for setback requirements for rear vehicular access.)
 - B. All other uses: No minimum. However, in no case shall the roof overhang extend over the property line, and shall be in accordance with adopted Building Code requirements.
7. **Height:** No maximum.
8. **Building coverage:** No maximum, except 50 percent of lot area maximum, for single-family and duplex dwellings.
9. **Open space:** 20 percent of lot area, minimum, for multifamily dwellings containing 25 units or more.

Notes:

Refer to [Section 4600](#) for screening and buffering requirements.
Refer to [Section 6220](#) for a detailed parking schedule by land use.
Refer to [Section 6700](#) for a detailed schedule of sign standards.
Refer to [Section 6800](#) for detailed landscaping regulations.

Secs. 3778-3779. Reserved.

Sec. 3780 River Development District – Downtown RDD-D

Sec. 3781 Purpose

The River Development District-Downtown is to provide a facility for recreation and leisure, enhance tourism and entertainment opportunities. The district shall incorporate uses that will upgrade the river environment into a permanent recreational and commercial facility.

Sec. 3782 Development Regulations – RDD-D

Each site in the River Development District- Downtown (RDD-D) shall be subject to the same development regulations as provided for in [section 3490](#) [for] the general commercial district. (Ordinance 85-2009 adopted 11/3/09) shall be subject to the same following development regulations:

1. **Lot area:** 5,000 square feet, minimum.
2. **Lot width:** 50 feet, minimum.
3. **Front setback:** 10 feet ~~25-foot~~ minimum; except for rear access subdivision where reduced setback as per [Section 4240](#) shall apply.
4. **Side setback, interior:**
 - A. ~~Single-family and duplex dwellings: Five feet, minimum.~~
 - B. All other uses: No minimum; in accordance with adopted Building Code requirements.
5. **Side setback, exterior:** 15 feet ~~25-foot~~ minimum, except 15-foot minimum for single-family and duplex dwellings.

6. Rear setback:

A. Single-family and duplex dwelling: Five feet minimum from common lot line or one-foot minimum from alley. (See [Section 6500](#) for accessory structure setbacks and [Section 6210](#) for setback requirements for rear vehicular access.)

B. All other uses: No minimum. However, in no case shall the roof overhang extend over the property line, and shall be in accordance with adopted Building Code requirements.

7. **Height:** No maximum.

8. **Building coverage:** No maximum, except 50 percent of lot area maximum, for single-family and duplex dwellings.

9. **Open space:** 20 percent of lot area, minimum, for multifamily dwellings containing 25 units or more.

Sec. 3783 Special conditions:

1. Each site in the RDD-D River Development District-Downtown, except residential uses not subject to site plan review, within the RDD district must meet substantial landscaping requirements to meet the purpose of a linear park system.

2. Conservation of existing trees and natural areas shall be given consideration.

3. Dedication of open-space easements may be required to install a linear trail system.

4. To the greatest extent possible, businesses and other public facilities must orient the buildings to face the river.

5. Signs must be approved through the site plan review process.

6. No repair services or outdoor storage/display shall be permitted.

Notes:

Refer to [Section 4600](#) for screening and buffering requirements.

Refer to [Section 6220](#) for a detailed parking schedule by land use.

Refer to [Section 6700](#) for a detailed schedule of sign standards.

Refer to [Section 6800](#) for detailed landscaping regulations.

Secs. 3784-3789. Reserved.

Sec. 3790 Light Industrial – Downtown – LI-D

Sec. 3791 Purpose

The purpose of the Light Industrial-Downtown District is to accommodate for limited industrial uses within the greater downtown related to: commercial and wholesale, limited auto/ transportation related and warehousing/distribution type activities along with light fabrication/assembly and processing.

Sec. 3792 Development Regulations – LI-D

Each site in the Light Industrial – Downtown (LID) District shall be subject to the following development regulations:

1. **Lot area:** 5,000 square feet, minimum.

2. **Lot width:** 50 feet, minimum.

3. **Front setback:** 15 feet ~~25 feet~~, minimum.

4. **Side setback, interior:** No minimum; in accordance with adopted Building Code requirements.

5. **Side setback, exterior:** 15 feet ~~25 feet~~, minimum.

6. **Rear setback:** No minimum; in accordance with adopted Building Code requirements.

7. **Height:** No maximum.

8. **Building coverage:** No maximum.

Notes:

Refer to [Section 4600](#) for screening and buffering requirements.

Refer to [Section 6220](#) for a detailed parking schedule by land use.

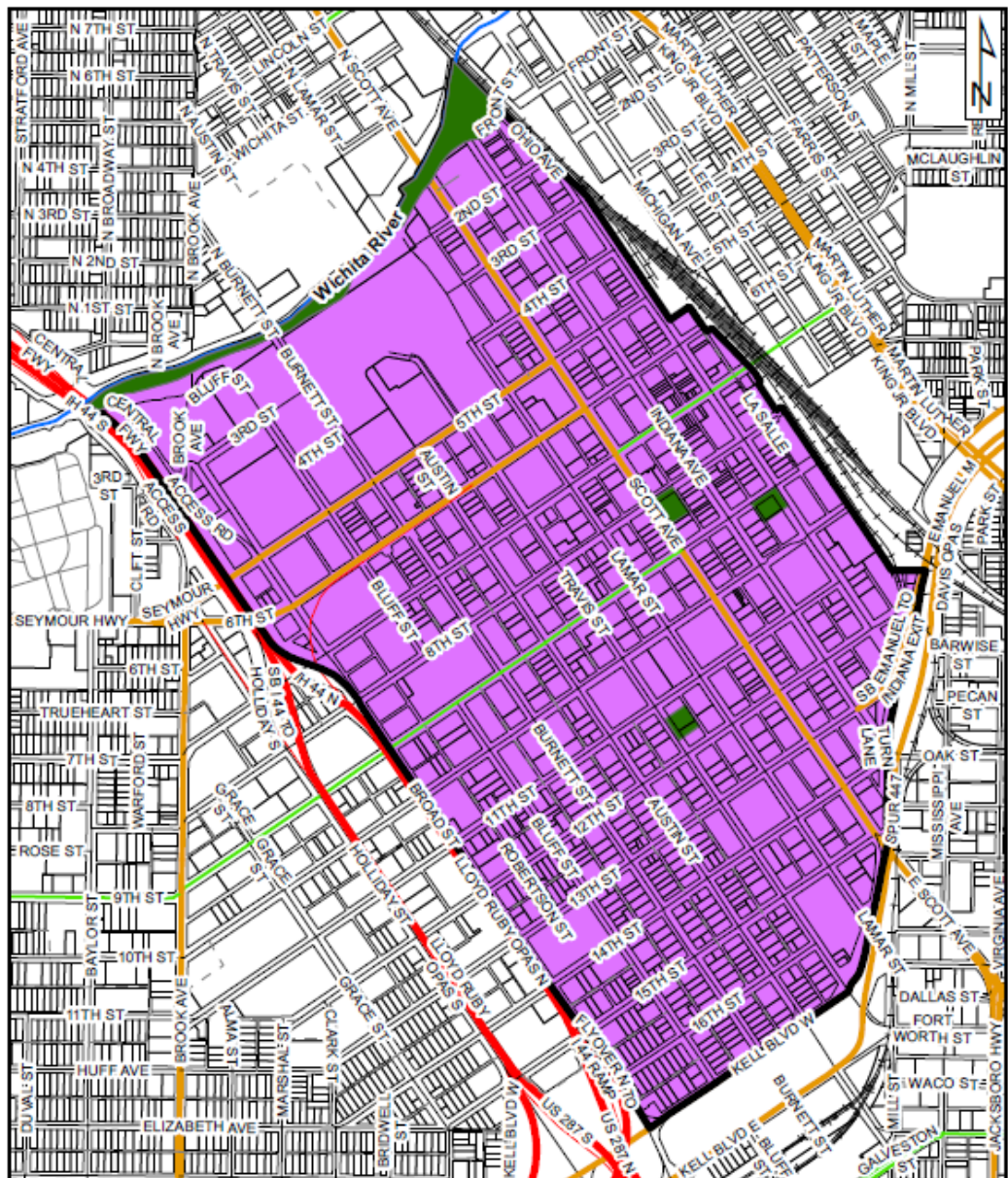
Refer to [Section 6700](#) for a detailed schedule of sign standards.

Refer to [Section 6800](#) for detailed landscaping regulations.

Secs. 3793-3799. Reserved.

3850 Greater Downtown Land Use Plan Map

The Land Use Plan classifications for Greater Downtown shall include two categories being Downtown and Parks and Open Space which are defined in the Wichita Falls Land Use Plan, an element of the Wichita Falls Comprehensive Plan.



Greater Downtown
Land Use Boundary Amendment Map

Disclaimer
The City of Wichita Falls has attempted to verify the accuracy of the information contained in the following map as of the date of publication. The City of Wichita Falls does not assume any liability for any errors, omissions, or inaccuracies in the information provided, regardless of how caused. This product is for informational purposes only and does not constitute a warranty or representation of any kind. The City of Wichita Falls does not warrant the accuracy or completeness of the information provided. The City of Wichita Falls does not warrant the accuracy or completeness of the information provided. The City of Wichita Falls does not warrant the accuracy or completeness of the information provided.

CITY OF WICHITA FALLS, PLANNING DIVISION
MAP PRODUCED BY: Cedric Hu
DATE PRODUCED: 23 May 2022

Land Use Plan

- Downtown (DNT)
- Parks & Open Space (PAR)

510 255 0 510 1,020 1,530 2,040 2,550 Feet

Secs. 3851-3899. Reserved.

3900 GREATER DOWNTOWN ZONING USE TABLE:

Residential

TYPES OF LAND USES	Greater Downtown Zoning Districts				
	CBD	GC-D	RDD-D		LI-D
Residential	Includes structures, houses and buildings occupied for dwelling uses and those uses normally related to and/or accessory to the provision of housing.				
Accessory to Residential Use Building/Structure (all others)		C			
Accessory Dwelling		C			
Bed and Breakfast Homestay		P			
Bed and Breakfast Inn	C	P			
Boarding House		C			
Condominium, residential	C	P			
Dormitory	C				
Dwelling - Single Family Detached		C			
Dwelling - Duplex		C			
Dwelling – Triplex or Triplex		C			
Dwelling - Quadraplex (<i>Defined Under Multi-Family Dwelling</i>)		C			
Dwelling - Multi-Family < 25 units	P	P	C		
Dwelling – Multi-Family > 25 units	P	P	P		
Dwelling - Zero-Lot Line Home		C			
Fraternity or Sorority House					
Home Occupation		P			
Household Care Facility	C	C	C		P
Multi-family above a business, < 4 units	P	P	C		
Multi-family upper stories, > 4 units	P	P	C		
Manufactured Homes					
Structured Sober Living Facility	C	C	C		P
Townhouse, residential		C			

Institutional/Governmental

TYPES OF LAND USES	Greater Downtown Zoning Districts				
	CBD	GC-D	RDD-D		LI-D
Institutional/ Governmental	Generally public and quasi-public land uses including utility, educational, religious, recreational, cultural, medical, governmental, and other uses that are strongly vested with public or social importance.				
Armed Services Recruiting Center	P	P			
Assisted Living Facility (Continuing/ Residential Care/Retirement Community)	C	P			
Auction House – No auto, livestock	C	C			P
Cemetery and/or Mausoleum (human/animal)			C		
Church/Synagogue/Temple/Place of Worship meeting RLUIPA Statutes	P	P	P		P
Civic Center (Municipal)	P	P	P		
Civic Club, Halls and Lodges	P	P	P		
College and University	C	P	C		
Community Center (Public)	P	P	P		
Convention Center/Exhibition Hall	C	C	P		
Correctional Institution, Jail	P	P	P		P
Daycare Center (Limited and Commercial)	P	P	C		
Electrical Substation		C	C		P
Electrical Substation – Public Utility	P	P	P		P
Franchised Private Utility (Not Listed)	P	P	P		P
Fraternal Organization	P	P	C		
Governmental Building or Facility (Municipal, State or Federal)	P	P	P		P
Hospital (Acute Care)		C			C
Hospital (Chronic Care)		P			
Independent Living Facility		C			
Institution of Religious, Educational or Philanthropic Nature but not meeting Church, Temple, Place of Worship Definition	P	P	C		

Institutional/Governmental Cont'd

TYPES OF LAND USES	Greater Downtown Zoning Districts			
	CBD	GC-D	RDD-D	LI-D
Institutional/ Governmental	Generally public and quasi-public land uses including utility, educational, religious, recreational, cultural, medical, governmental, and other uses that are strongly vested with public or social importance.			
Juvenile Detention Facility	C			
Library, Public	P	P	P	
Municipal Produce Market (Farmer's Market)	P			
Museum	P	P	P	P
Nature Center	C	C	P	
Park and/or Playground (Public, Municipal)	P	P	P	
Parole-Probation Office	P	P	P	P
Post Office (Governmental)	P	P	P	P
Public Assembly (Auditorium, Gymnasium, Stadium, Meeting Halls, etc.)	P	P	P	
Public Utility/Safety Services	P	P	P	P
School – Commercial/Trade (Business/Vocational) (e.g. Barber/Beauty/Cosmetology)	C	P	C	P
School - Public (K-12)	P	P	P	
School – Parochial or Private (K-12)	P	P	P	
Shelter/Mission Facility		P		C
Nursing, Skilled, Convalescent Facility	C	P		
Structured Sober Living Facility	C	C	C	C
Studio for Radio and/or Television (<i>No Tower</i>)	P	P	C	
Urgent Care Center		C		C
Utilities – Communication Facilities/Telecom	P	P	P	P
Trail /Linear Park System (Public, Municipal)	P		P	
Zoo (Public)			C	

Office Uses

TYPES OF LAND USES	Greater Downtown Zoning Districts				
	CBD	GC-D	RDD-D		LI-D
Office	Uses more of an office nature generally without retail sales. These uses tend to be more compatible with adjacent residential areas as well as central business districts.				
Clinic – Dental, Medical, Chiropractic and/or Counseling	P	P	C		
Credit Agency	P	P			
Bank-Automated Teller Machine (ATM) Drive Through	C	P	C		
Bank, Savings and Loan, or Credit Union (With No Motor Bank Services)	P	P	C		
Emergency Medical Facility		C			
Office Condominium (Commercial)	P	P	C		
Office, Professional and General Business	P	P	P		
Office Showroom	C	C	C		C
Studio	P	P			
Surgical Outpatient Facility	C	C			
Telemarketing Agency	P	C			
Travel Agency	P	P	P		
Urgent Care Center		C			C

Services: Personal & Business

TYPES OF LAND USES		Greater Downtown Zoning Districts				
		CBD	GC-D	RDD-D		LI-D
Personal Services (Business Services)	Uses generally more of a service nature to either other businesses or individuals. They are not primarily retail sales and would not be considered the heavier classification of commercial use					
Accessory Building/Structure (Business or Industry)		C	P	P		P
Alternative Financing Services (Check Cashing Service, Payday Lender, Car Title Loans)			C			C
Ambulance Service, EMS			C	C		P
Automobile Driving School (including Defensive Driving)		C	P	P		P
Barber/Beauty Shop (Not Related School/College)		P	P			
Bail Bonds			C			C
Chocolaterie / Chocolatier		C		C		
Cigar Bar/Lounge		C	C	C		
Club, Private		C		C		
Commissary/Commercial Kitchen		C	C			C
Copy, Photocopy, Duplicating Shop		P	P	C		
Dance Hall/Dancing Facility		P	C	C		
Ballet/Dance/Drama/Music – Schools for Performing Arts		P	P	P		
Exterminating Services (<i>No on-site chemical storage</i>)		C	P			P
Exterminating Services (<i>with on-site chemical storage</i>)						C
Funeral Home, Mortuary, Crematory		C	P			P
Health Club (Indoor)		P	P	P		P
Health Club (Outdoor)		C	P	P		P
Hotel/Motel (<i>less than 30 day occupancy</i>)		C	P	P		
Hotel/Motel – Extended Stay (more than 30 days with kitchen facilities)		C	C	C		
Kiosk (Providing an allowed use)		C	P	C		C
Landscape Sales/Service			C			P
Laundromat/Washateria/Self-Service			P			P
Laundry/Dry Cleaning (Retail Only - Drop Off/Pick Up)		P	P	P		P

Services: Personal & Business Cont'd

TYPES OF LAND USES		Greater Downtown Zoning Districts				
		CBD	GC-D	RDD-D		LI-D
Personal Services (Business Services)	Uses generally more of a service nature to other businesses and/or individuals. They are not primarily retail sales and would not be considered the heavier classification of commercial use					
Locksmith		P	P	C		P
Mailing Service (Private)		P	P	C		C
Martial Arts Studio/Classes		P	P	P		
Medical Appliance Fitting or Retail Sales		C	P			
Pet/Animal Kennels, Boarding, Breeding						
Pet and Animal Grooming Shop (No Outside Kennels)			C			P
Pharmacy/Drug Store (Retail Only)		P	P	C		
Photography Studio		P	P	P		
Rehabilitation Care Institution (Business)			C	P		P
Sexually Oriented Business (S.O.B.) refer to Section 5500 of Wichita Falls Zoning Ordinance						
Shoe/Boot Repair Shop (Retail)		P	P	C		
Tailor, Seamstress or Dressmaker (Retail Only)		P	P	C		
Tattoo or Body Piercing Studio, Primary Use		C	C			P
Taxidermist			C			P
Veterinarian Clinic – Small Animal						C
Veterinarian Clinic-outdoor kennels or pens (Livestock or Large Animal Clinic)						
Wedding Chapel		P	P	C		

Retail

TYPES OF LAND USES		Greater Downtown Zoning Districts			
		CBD	GC-D	RDD-D	LI-D
Retail	Generally, the sale of goods and services from individuals or businesses to the end-user, whereby sales taxes are normally paid. A retailer purchases goods or products in large quantities from manufacturers directly or through a wholesale, and then sells smaller quantities to the consumer for a profit.				
Alcoholic Beverage Sales (Subject to Section 5400 Wichita Falls Zoning Ordinance)		P	P	P	P
Antique Shop <i>(No Outside Sales or Storage)</i>		P	P	P	
Antique Shop <i>(With Outside Sales or Storage)</i>		C	C		P
Apparel Shop		P	P	C	
Art Gallery/Museum/Dealer		P	P	P	
Artist Studio		P	P	P	P
Bakery - Retail <i>(Eating Establishment, No Drive-Thru)</i>		P	P	P	
Bakery - Retail <i>(With Drive-Thru)</i>		C	P	C	
Bakery <i>(Wholesale)</i>			C	C	P
Book/Stationery Shop <i>(Retail Only)</i>		P	P	P	P
Building Material Sales/Lumber Yard					C
Catering Service		C	P	P	P
Consignment Shop		P	P		
Convenience Store <i>(No Gasoline Sales)</i>		C	C	C	
Convenience Store <i>(With Gasoline Sales)</i>			C		P
Drinking Establishment/Bar - Licensed as a Private Club		C	P	C	P
Drinking Establishment/Bar < 50% food sales		C	C	C	
Eating Establishment/Restaurant <i>(No Drive-Thru Service)</i>		P	P	P	
Eating Establishment/Restaurant/Kiosk <i>(With Drive-Thru Service)</i>		P	P	P	
Eating Establishment/Restaurant with Micro-Brewery (onsite mfg. and sales) > 50% food sales		C	C	P	
Electronic Commerce <i>(Retail Only)</i>		C	P	C	C
Electronics Store		C	P		
Farmers Market (Municipal Produce Market)		P			
Flea Market					

Retail Cont'd

TYPES OF LAND USES		Greater Downtown Zoning Districts			
		CBD	GC-D	RDD-D	LI-D
Retail	Generally, the sale of goods and services from individuals or businesses to the end-user, whereby sales taxes are normally paid. A retailer purchases goods or products in large quantities from manufacturers directly or through a wholesale, and then sells smaller quantities to the consumer for a profit.				
Floral Shop (<i>Retail Only</i>)		C	P	P	
Food Court - Outdoor		P	C	P	
Food Truck/Mobile Food Establishment (<i>non-special event</i>)		C	C	C	
Furniture and Appliance Store (<i>Retail Only</i>)		P	P		
General Retail/Merchandise Stores (<i>No Outside Storage</i>)		P	P	C	
Grocery or Food Store		P	P	C	
Hobby, Handicraft and/or Crafts Store (<i>Retail Only</i>)		P	P	C	
Home Improvement Center w/Hardware, Building materials, with outside storage			C		P
Jewelry Store		P	P		
Liquor Store		C	C		
Meat and Fish Market (<i>Retail Only</i>)		C	C	P	
Micro Brewery (onsite mfg. and sales)		C	C	C	P
Motion Picture/Movie Studio/Production - Commercial		C	C	C	P
Music Store (<i>Instruments, Service and/or Lessons</i>)		P	P	P	
Nursery, Garden Center or Greenhouse (<i>Inside storage</i>)			C	C	P
Outdoor Display (Additional Requirements; Sec. 5980 Wichita Falls Zoning Ord.)		P			
Package Store		C	C		
Pawn Shop (No outside Storage)			C		
Pet Shops (<i>Retail Only</i>)			C		P
Retail Sales Establishment – Specialty (Boutique, Card, Gift Shop)		P	P	C	
Screen Printing Shop		C	P		
Secondhand or Thrift Stores/Used Merchandise (<i>Retail</i>)		C	P		
Tasting Room		P	P		
Vacuum Cleaner Sales and Repair		C	P		C
Vaping Shop/Electronic Cigarettes (Sales/Service)					C

Transportation & Auto Services

TYPES OF LAND USES		Greater Downtown Zoning Districts				
		CBD	CC-D	RDD-D		LI-D
Transportation & Auto Services	The sale of vehicles, goods and services related to transportation. Vehicles also means trucks, boats, motorcycles, bicycles, airplanes & heavy equipment. Goods includes vehicle parts and accessories. Services includes repairs, maintenance, storage & actual modes of transportation such as taxis and limousines					
All-Terrain Vehicle Dealer/Sales (UTV/golf carts/go-carts)				C		P
Auto Accessories (<i>Retail Sales and Indoor Installation Only</i>)			C			C
Auto Auction, Wholesale Auto Sales						
Auto Dealer (<i>New - Auto Servicing and Used Auto Sales as accessory uses only, w/outdoor sales</i>)						C
Auto Dealer/Sales, Primarily Used Auto Sales w/outdoor sales						C
Auto Body Painting Shop						C
Auto Detailing Shop						P
Automobile Driving School (<i>including Defensive Driving</i>)		C	P	C		P
Auto sales/more than 1 used vehicle per premise, not an auto dealer, regardless of vehicle ownership						C
Auto Glass Repair/Tinting			C	C		P
Auto Impound/Vehicle Holding Yard (Public/Private)						
Auto Muffler or Transmission Repair Shop						C
Auto Parts Sales (<i>New or Rebuilt; No Outside Storage, No Outside Display, No Repairs</i>)		C	C	C		P
Auto Parts Sales (<i>New or Rebuilt; With Outside Storage or Display, Minor Repairs</i>)						P
Auto Parts Sales, Primarily Used						C
Auto/Motor Vehicle Rental			C	C		P
Auto/Motor Vehicle Rental (office only)		C	C	P		P
Auto Repair (Major)						
Auto Repair (Minor)						C
Auto Upholstery Shop (<i>No Outside Storage</i>)						C
Auto Service Station w/accessory fuel sales, wrecker service (no wrecked vehicle storage)						C

Transportation & Auto Services Cont'd

TYPES OF LAND USES		Greater Downtown Zoning Districts				
		CBD	GC-D	RDD-D		LI-D
Transportation & Auto Services	The sale of vehicles, goods and services related to transportation. Vehicles also means trucks, boats, motorcycles, bicycles, airplanes & heavy equipment. Goods includes vehicle parts and accessories. Services includes repairs, maintenance, storage & actual modes of transportation such as taxis and limousines					
Auto Wrecker Service - primary use						
Automobile Wash – Full Service			C	C		P
Automobile Wash – Self Service			C			P
Bicycle Sales and/or Repair		P		P		P
Boats and Personal Watercraft Sales (New/Indoor Repair)				C		C
Boat, Watercraft Repair						
Boat, Watercraft – Dry Dock, Outside Storage						
EV Charging Station/Infrastructure Station		C	P	P		P
Gasoline/Fueling Station						P
Helipad or Helistop						
Motor Freight Transportation, Storage, Depot or Terminal						C
Motorcycle Sales/Dealer			C			P
Motorcycle Repairs as Primary Use						C
Motor Vehicle Salvage Yard						
Quick Lube/Oil Change/Minor Inspection						P
Parking Lot or Garage as Accessory Use for passenger cars and trucks of less than one (1) ton capacity		P	P	P		P
Parking Lot or Garage as Primary Use for passenger cars and trucks of less than one (1) ton capacity		C	C	P		P
Personal Mobility Device System (Bicycles/Scooters) (includes rentals/docking station)		P		P		
Railroad Freight Depot						
Railroad Yard, Team Tracks, Storage Tracks, and Spurs						P
Railroad Round House or Shop						
Recreational Vehicle (RV) Display or Sales (New or Used)						

Transportation & Auto Services Cont'd

TYPES OF LAND USES		Greater Downtown Zoning Districts				
		CBD	GC-D	RDD-D		LI-D
Transportation & Auto Services	The sale of vehicles, goods and services related to transportation. Vehicles also means trucks, boats, motorcycles, bicycles, airplanes & heavy equipment. Goods includes vehicle parts and accessories. Services includes repairs, maintenance, storage & actual modes of transportation such as taxis and limousines					
Recreational Vehicle/Travel Trailer Repairs						
Recreational Vehicle (RV) Storage – <i>More than one, not occupied and/or not connected to water or electricity; not placed in a front setback</i>						C
Small Engine Repair Services						C
State Vehicle Inspection Station		C	C			P
Taxi Cab/Uber/Lyft/Limousine Service		C	C	C		P
Tire Sales & Service <i>(Indoors w/only outside storage or display w/in 5 ft. of building and/or one rack of display not on ROW)</i>			C			P
Tire Sales & Service <i>(With Outside Storage and display not on ROW)</i>			C			C
Transfer Station (Refuse/Pick-Up)						
Transit or Passenger Terminal/Travel Center		C		P		C
Truck/Bus Parking, Storage, Leasing						C
Trailer and Truck Repairs (Heavy Load Vehicles)						
Trailer or Truck Sales/Rentals (Heavy Load Vehicles)						
Truck Stop (Heavy Load Vehicles)						
Truck Terminal (Heavy Load Vehicles)						
Truck Wash (Heavy Load Vehicles)						

Amusement & Recreation

TYPES OF LAND USES		Greater Downtown Zoning Districts				
		CBD	GC-D	RDD-D		LI-D
Amusement & Recreation		Includes uses and activities often done for play, enjoyment and pleasure whether outdoors or indoors.				
Amusement, Commercial (<i>Indoor</i>)		C	C	P		C
Amusement/Recreation, Commercial (<i>Outdoor</i>)			C	C		C
Amusement, Commercial – Temporary (carnival, haunted house) (Refer to Section 6600 – Temporary Use Regulations)		C	C	C		P
Aquatic Facility – Private		C	C	C		
Aquatic Facility – Public			C	P		
Archery, Paintball, Shooting Ranges Indoor				C		P
Archery, Paintball, Shooting Ranges Outdoor						
Billiard/Pool Facility (Three or More Tables)			C	C		
Billiard/Pool Facility (One or Two as Accessory to Permitted Use)		C	C	P		
Bingo, Domino Parlor or Similar Commercial Facility		C	C	C		
Bowling Alley (Air-Conditioned and Sound Proofed)		C	P	P		P
Coin Operated Amusement Devices/Arcade (Four or More Devices, Indoors only)		C	C	C		
Concert Hall		P		P		
Fairgrounds/Rodeo Grounds/Exhibition Area				C		
Golf Driving Range (indoor)				C		P
Playfield or Stadium (Private)				C		C
Private Recreation Facility		C	C	C		
Recreational Vehicle (RV) Park				P		
Skating/Hockey Rink				P		
Tennis Court (Private/Not Lighted)		C	P	P		P
Tennis Court (Public/Government ownership; Lighted)			C	P		
Theatre, Live or Performing Arts or Dinner Theater		P	P	P		
Theatre, Drive-in Movie						
Theatre, Movie/Cinema (indoors)		P	P	P		
Tower – Broadcast (Commercial)		Refer to regulations in Section 5910 – Communications Towers Wichita Falls Zoning Ordinance				
Tower - Cellular Communications						
Tower - Radio, Television and Communications Towers						
Zoo (Private)				C		
Zoo (Public)						

Commercial & Wholesale Trade

TYPES OF LAND USES		General Downtown Zoning Districts				
		CBD	GC-D	RDD-D		LI-D
Commercial & Wholesale Trade	Generally, the sale or distribution of goods or merchandise to other wholesalers, retailers; industrial, commercial, institutional, other professional business users or the sale of goods to anyone other than a standard consumer.					
Appliance Repair <i>(No outside storage)</i>			P			P
Carpenter, Cabinet, Woodworking Shop		C	C	C		P
Carpet and Rug Cleaning Plant			C			P
Commercial Laundry/Linen Service			C			P
Communication Equipment Sales/Service (Installation and/or Repair – No outdoor sales or storage or towers/antennae)			P			P
Contractor Yard with Storage						P
Contractor's Office/Sales <i>No Outside Storage including Vehicles</i>		C	P	C		P
Data Storage/Cryptocurrency Center						P
Equipment Sales, New or Used						C
Exterminator Service/Company <i>(No Outdoor Sales or Storage)</i>						P
Feed/Grain Store						C
Fix-it-Shops - Small Engine, Lawnmowers, Saw Filing, Mower Sharpening, etc.			C			C
Heating & Air-Conditioning Sales/Services			C			P
Janitorial/Industrial Cleaning/Maintenance Service			C			P
Lumber and Building Materials – Used (Storage and/or Sales)						P
Manufactured Home Display or Sales (New)						P
Mattress Manufacturing/Distribution Sales						P
Milk Depot - Wholesale						P
Mini-Warehouse/Self Storage (Non-occupied except for storage)			C			P
Micro Brewery		C	C	C		P
Motor Vehicle Salvage Yards						
Moving and Storage Company			C			P

Commercial & Wholesale Trade Cont'd

TYPES OF LAND USES		Greater Downtown Zoning Districts				
		CBD	GC-D	RDD-D		LI-D
Commercial & Wholesale Trade	Generally, the sale or distribution of goods or merchandise to other wholesalers, retailers; industrial, commercial, institutional, other professional business users or the sale of goods to anyone other than a standard consumer.					
Newspaper Printing Depot						P
Outdoor Sales As a Primary Use						C
Pawn Shop			C			C
Plumbing Shop			C			P
Portable Building Sales, with display on a paved surface or behind a screening fence			C			P
Portable Building Sales, as accessory to a use allowed in a district on a paved surface			C			P
Portable/Chemical Toilet renting, storage						C
Printing/Publishing Equipment, Supplies and Repairs			C	C		P
Propane Sales Filling (Retail)			C			P
Recycling Depot (Main or Accessory Use)						C
Refinishing and Restoration Shop (non-auto)		C	C			P
Salvage Yard (non-auto)						
Salvage Storage Yard (Auto Related)						
Scrap Metal Storage Yard						
Security Systems Installation/Monitoring Company		C	P			P
Sheet Metal/Fabrication Shop						C
Slaughter House/Meat Packing						
Signs - All Types (Defined Within the Referenced Section)	Refer to Section 6700 – Sign Regulations City of Wichita Falls Zoning Ordinance					
Sign Shop – Sales & Production (small scale, such as a storefront; retail sign and banner making sale only; No outside storage)		C	C			P

Commercial & Wholesale Trade Cont'd

TYPES OF LAND USES		Greater Downtown Zoning Districts				
		CBD	GC-D	RDD-D		LI-D
Commercial & Wholesale Trade	Generally, the sale or distribution of goods or merchandise to other wholesalers, retailers; industrial, commercial, institutional, other professional business users or the sale of goods to anyone other than a standard consumer.					
Solar Panel System (Ground)		C	C	C		P
Solar Panel System (Roof)		C	C	C		P
Stone Monuments and Gravestones – Engraving and Retail Sales Only			C			P
Taxi Cab Storage and Repair						P
Tool and Equipment Rental (<i>Indoor Storage only</i>)			C			P
Tool and Equipment Rental (<i>with Outdoor Storage</i>)						C
Upholstery Shop (Non-Auto)			C			P
Warehouse (<i>Storage or Wholesale Warehouse</i>)			C	C		P
Welding/Machine Shop/Repair			C			C
Wholesale Trade – Durable and Nondurable Goods Not Otherwise Listed			C	C		P
Winery (<i>Indoor Storage only</i>)				C		P
Woodworking Shop			C	C		P

Light Assembly/Industrial/Utilities

TYPES OF LAND USES		Greater Downtown Zoning Districts				
		CBD	GC-D	RDD-D		LI-D
Light Assembly/ Industrial/Utilities	Includes the on-site storage, manufacture, assembly or processing of products and goods not otherwise classified as agricultural or extractive. Generally, excludes those manufacturing and industrial processes considered "heavy" especially the processing of raw materials or chemicals or with environmental and adjacency issues.					
Any Light Assembly, Manufacture or Industrial Process Not Listed and Not Prohibited by Law						C
Alcoholic Beverage Manufacture-Distillation of Liquors, Spirits, Etc. (Brewery)						P
Alcoholic Beverage Warehousing/Distribution			C			P
Awning Manufacture - Cloth, Metal and Wood						C
Bag Manufacturing						C
Bottling Company			C			P
Candy/Confectionary Production			C			C
Canning and Preserving Factory						C
Canvas & Related Products Manufacturing						C
Chocolate Production/Manufacturing			C			C
Cold Storage Plants/Locker						P
Coffin Manufacture						C
Dairy Products Distribution/Processing			C			P
Data Storage/Cryptocurrency Center						P
Distribution Center				C		P
Electrical Generating Plant						
Elevator/Escalator Manufacture						
Food Equipment Processing			C			P
Footwear Manufacturing						
Garment Manufacturing						
Gases (Industrial/Medical-Grade/Specialty) Compressed/Liquid Sales				C		P
Ice Cream Manufacture/Ice House						P

Light Assembly/Industrial/Utilities Cont'd

TYPES OF LAND USES		Greater Downtown Zoning Districts				
		CBD	GC-D	RDD-D		LI-D
Light Assembly/ Industrial/Utilities	Includes the on-site storage, manufacture, assembly or processing of products and goods not otherwise classified as agricultural or extractive. Generally, excludes those manufacturing and industrial processes considered "heavy" especially the processing of raw materials or chemicals or with environmental and adjacency issues.					
Iron or Steelworks Shop (Ornamental)						C
Laboratory - Scientific and Industrial Research (Hazardous)						
Laboratory - Scientific and Industrial Research (Non-Hazardous)			C			P
Landfill						
Leather Tanning & Finishing Industry						
Manufactured/Industrialized Building Manufacture						
Manufacturing, Incidental			C	C		P
Manufacturing, Light			C			C
Manufacturing, Heavy						
Medical Device Manufacturing						C
Motor Vehicle Manufacturing						
Noxious Uses						
Office Equipment & Copier Wholesale Industry						C
Orthopedic, Prosthetic, Surgical Appliances and Supplies Manufacture						C
Paint/Enamel Manufacturing						
Paper Products Manufacturing						C
Sign Manufacturing (With Outside Storage)						C
Textile Products Manufacturing						
Utilities-Communications Facilities/Telecommunications		P	P	P		P
Warehousing, Distribution, Storage				C		P
Wrecking Yard						

Mineral Extraction

TYPES OF LAND USES	Greater Downtown Zoning Districts				
	CBD	GC-D	RDD-D		LI-D
Mineral Extraction					
Natural gas compressor station	Requires CUP in all zoning districts. Subject to regulations in Section 7200 of Wichita Falls Zoning Ordinance				
Drilling and production of natural gas and/or oil and activities related thereto	Permitted subject to the provisions of Wichita Falls Code of Ord. App. A – Subdivision & Development Regs, Sec. 6.4 Oil & Gas Wells				
Aggregate Storage Yard (sand, gravel, cement, etc.)					C
Cement/Concrete Batch Plant					
Sand, Gravel, Caliche or Stone Extraction and Sales					

Temporary Uses

TYPES OF LAND USES	Greater Downtown Zoning Districts				
	CBD	GC-D	RDD-D		LI-D
Temporary Uses	Uses generally considered to be temporary in nature which are not otherwise permitted and require a site plan and permit as outlined in Section 6600 – Temporary Use Regulations				
Christmas Tree Sales Lot	C	C	C		C
Containers (shipping) or Metal Trailer Unit/Modular Pods for temporary storage during construction <i>(only with permit from Building Official)</i>	C	P	P		P
Containers (shipping) or Metal/Modular Pods for temporary storage during seasonal sales and not occupying required parking or encroaching on required setbacks		C	C		P
Containers (shipping) or Metal/Modular Pods for accessory storage for an allowed use, not occupying required parking or encroaching on required setbacks and screened or not visible from any adjacent ROW		C			P
Outdoor Entertainment <i>(non-residential; 3-day limit)</i> (Refer to Section 6600 of the Zoning Ordinance)	C	C	C		

5640. RECREATIONAL VEHICLE PARKS

B. General

7. Recreational vehicle parks shall be allowed as a permitted use within the RDD River Development Zoning District (Outside Greater Downtown), RDD-D River Development District – Downtown and with a conditional use permit within GC General Commercial and MHR Manufactured Housing Residential Zoning Districts.

6100. NONCONFORMING DEVELOPMENT*

Sec. 6146. Non-Conforming-Discontinuance – Greater Downtown.

The right to operate as a nonconforming use terminates in Greater Downtown if the nonconforming use has discontinued operations or remains vacant or unused after one (1) year or more. An appeal may be filed with the Planning & Zoning Commission via the granting of a conditional use permit (section 7200) for continuing the operation of a non-conforming use based on the merits of the specific case and particular use being requested for continuance, and is in conformance with [section 6100](#).

Editor's note – Section 4 of Ord. No. 64-97, adopted July 1, 1997, deleted sec. 6145 which pertained to discontinuance of nonconforming structures, and renumbered the former sec. 6150 as sec. 6145.

It is the intention of the City Council of the City of Wichita Falls, Texas, that the provisions of this ordinance shall become a part of the Code of Ordinances of the City of Wichita Falls, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

Should any word, phrase, paragraph, section or portion of this ordinance or the Code of Ordinances, as amended hereby, be held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

PASSED AND APPROVED this the 16th day of August, 2022.

MAYOR

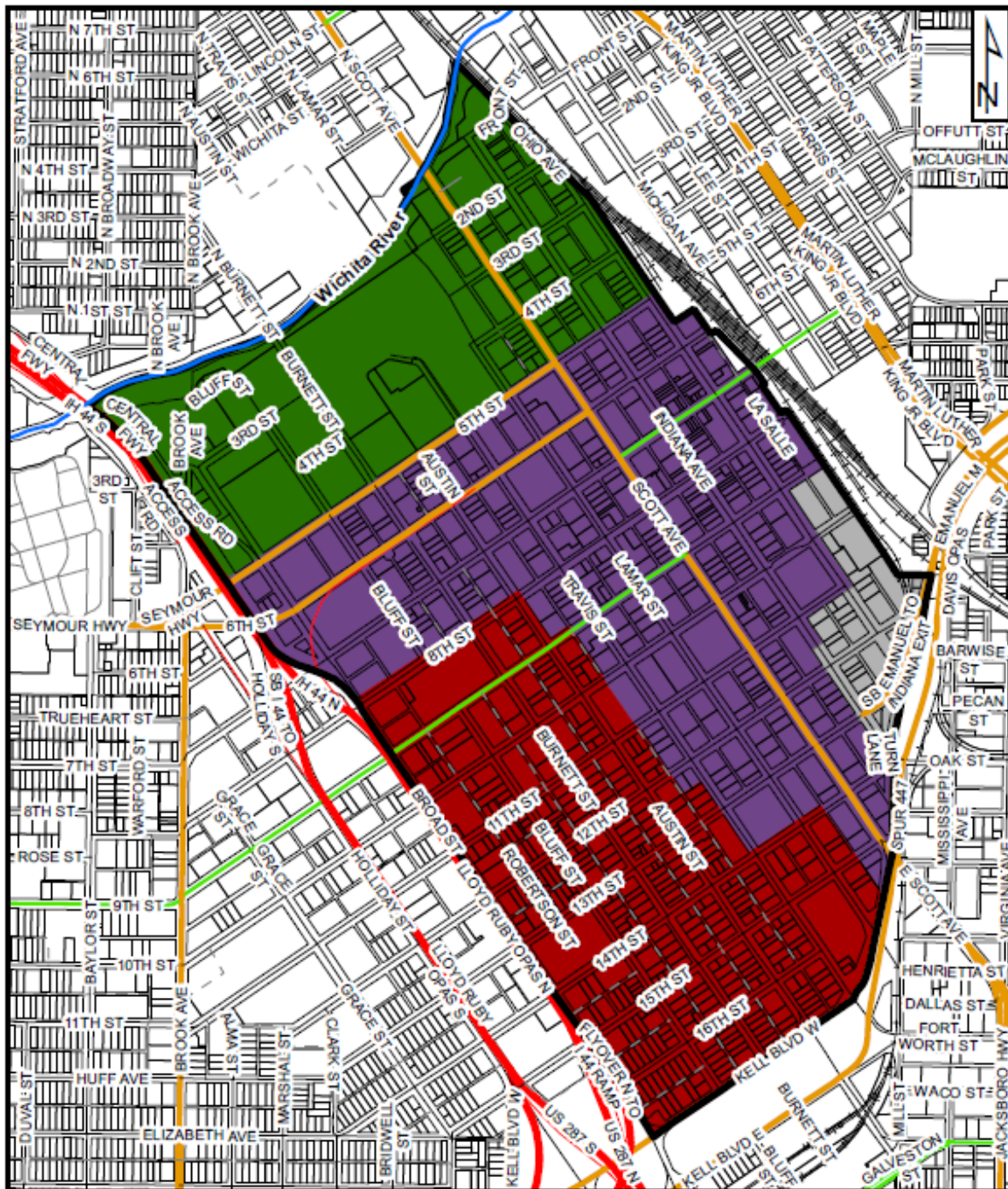
ATTEST:

City Clerk

Disclaimer:
The City of Wichita Falls has attempted to verify the accuracy of the information contained in the following map at the time of publication. The City of Wichita Falls assumes no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

510 255 0 510 1,020 1,530 2,040 2,550 Feet

EXHIBIT 'B' – GREATER DOWNTOWN ZONING DISTRICT MAP



Greater Downtown Zoning Districts

Greater Downtown Zoning Boundary Amendment Map

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CITY OF WICHITA FALLS, PLANNING DIVISION
MAP PRODUCED BY: Cedric Hu
DATE PRODUCED: 12 July 2022

- Central Business District (CBD)
- General Commercial-Downtown (GC-D)
- River Development District-Downtown (RDD-D)
- Light Industrial-Downtown (LI-D)

510 255 0 510 1,020 1,530 2,040 2,550 Feet

CITY COUNCIL AGENDA
August 16, 2022

ITEM/SUBJECT: Ordinance Amending Chapter 58 Article V – Lodging Establishment Regulations in its Entirety, and Providing for Codification.

INITIATING DEPT: Health

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY:

Timeline

- July 5, 2022 – Two (2) stakeholder’s meetings conducted, with four total in attendance. One of those in attendance stated they were taking the information back to a larger group of owners. To date, there have been no concerns voiced by the stakeholders;
- July 8, 2022 – Board of Health voted unanimously to recommend the ordinance to City Council for approval;
- August 16, 2022 – City Council to consider ordinance.

The City’s “Lodging Ordinance” regulates the construction, operation, and maintenance of lodging establishments within the City limits. This includes hotels, motels, bed and breakfasts, and other similar establishments where two (2) or more guestrooms are provided for transient or permanent residence, but does not include duplexes, quadriplexes, dormitories, apartment complexes, or residential rentals (i.e. AirBnB).

The lodging ordinance was last revised twelve years ago, and City staff and the Board of Health have determined a need for a few amendments due to new market trends and to replace outdated language with current terminology. However, there are no major changes to the ordinance being proposed. The proposed amendments are summarized below:

- Bed and Breakfast and Residential Rental definitions are being added;
- Added a reference to a non-hosted hotel in the lodging establishment definition;
- A Bed and Breakfast (B&B) must have a minimum of seven rooms to be considered a B&B. Per State law, a facility with less than seven guest rooms that provides only breakfast is not required to have a food permit;
- A valid permit must be posted in an area where it can be readily viewed;
- Surfaces of floors, walls, counter tops, ceilings shall be easily cleanable, and that all equipment shall be installed according to manufacturing standards;

- At the request of long-term stay facilities, small corded cooking equipment check out program is being provided for and will be limited to rooms with kitchenettes;
- Allows a lodging establishment to self-treat for bedbugs using commercial grade heat treating equipment as long as the person administering the heat treatment can demonstrate knowledge and meet additional requirements. If heat treatment is not successful, the health district can mandate the use of a commercial pesticide company;
- Delineates the process which will be utilized if bedbugs are found in a guest room to determine how many rooms must be closed and the process for reopening the rooms.

Staff and the City's Board of Health and recommend approval of the ordinance.

☒ **Director of Health**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

Ordinance Amending Chapter 58 Article V – Lodging Establishment Regulations in its Entirety, and Providing for Codification

WHEREAS, the Health District is the Regulatory Authority for the City of Wichita Falls; and

WHEREAS, the Health District recommends revision of the existing lodging ordinance to promote and protect the health citizens and visitors to Wichita Falls; and

WHEREAS, the City Council of the City of Wichita Falls desires to adopt a Lodging ordinance that promotes and protects the health and safety of all citizens and visitors in the community;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

1. Chapter 58 Article V Lodging Establishment Regulations of the Code of Ordinances of the City of Wichita Falls is hereby amended to read as follows:

ARTICLE V. - LODGING ESTABLISHMENT REGULATIONS^[6]

Footnotes:

--- (6) ---

State Law reference— Tourist courts, hotels, inns, and rooming houses, Texas Health and Safety Code § 341.066.

Sec. 58-200. - Purpose of rules for lodging establishments.

The purpose of these rules is to establish minimum health standards for the construction, operation and maintenance of a lodging establishment within the corporate limits of the city.

(Code 2001, § 58-200; Ord. No. 82-2006, § 1, 10-17-2006)

Sec. 58-201. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

Bed and Breakfast is a residential building operating as a lodging establishment which offers seven or fewer rooms to rent and serves breakfast to overnight guests. A bed and breakfast does not mean a residential rental. A bed and breakfast with seven or fewer rooms and which only serves breakfast is not required to have a retail food establishment permit.

Clean means free from dirt, impurities or multiple stains; hygienic conditions and practices that serve to promote or preserve health.

Contagious disease means a diagnosis of an illness due to Norovirus; hepatitis A virus, Salmonella typhi; Shigella spp, shiga toxin-producing Escherichia coli; or similar organism clinically suspected to cause symptoms of vomiting, diarrhea, jaundice or sore throat with fever and considered transmissible.

Continual, continued, or repeat violation means a particular condition of construction, operation, or maintenance which is found in violation of these rules on three or more consecutive inspections or laboratory analyses within a 12-month period.

Easily cleanable means surfaces which are readily accessible and made of such materials and finishes and so fabricated that residue may be effectively removed by normal cleaning methods.

Equipment means any items used in connection with the operation of a lodging establishment including, but not limited to, any washer, dryer, ice machine, fans, air conditioning units, heaters, refrigerators, or cooking units.

Excessive means more than a usual, multiple or an unreasonable number.

Extended stay means guests that stay for a week or longer in length.

Fixtures means any sinks, bathtubs, showers, toilet fixtures, or any other such items used in connection with the operation of a lodging establishment.

Furnishings means any bedding, furniture, lamps, or any such items used in connection with the operation of a lodging establishment.

Guest means any person who rents and occupies a guest room in a lodging establishment.

Guest room means any room or unit of a lodging establishment where sleeping accommodations are regularly offered to the public.

Imminent health hazard means a situation that is likely to cause an immediate threat to human life, an immediate threat of serious physical injury, immediate threat of serious adverse health effects, or a serious risk of irreparable damage to the environment if immediate action is not taken.

Inspect or inspection means an examination by the Dedirector of HHealth or his-their designee of the lodging establishment structure, facilities, equipment, and operations. The inspection area shall include, but not be limited to, the public and guest rooms; fixtures; furnishings; equipment and utensils; water supply and waste disposal facilities; and the buildings' surroundings. The term "inspect" or "inspection" shall also include a determination of the cleanliness and maintenance of the building, furnishings fixtures, equipment and utensils, and any other examination necessary to determine the degree to which any lodging establishment complies with the provisions of these rules. Inspections are performed on a routine schedule or as a result of a complaint.

Kitchenettes means a small kitchen with refrigeration, vented cooking range, dishwashing sinks and cooking utensil storage.

Law means all federal, state, and local statutes, ordinances, and/or rules.

Linens means the fitted sheets, top sheets, and pillows, excluding coverlets and comforters.

Lodging establishment means any building, group of buildings, structure, facility, place, or places of business where ~~two-seven-seven~~ or more guest rooms are provided, which is owned, maintained, or operated by any person and which is kept, used, maintained, advertised or held out to the public for hire. The term "lodging establishment" can be construed to be a hotel, motel, motor hotel, apartment hotel, tourist court, resort, cabins, tourist home, bunkhouse, bed and breakfast, non-hosted hotel, or other similar place by whatever name called, and includes all such accommodations operated for hire as lodging establishments for either transient guests, permanent guests, or for both transient and permanent guests. The term "lodging establishment" does not include duplexes, quadriplexes, dormitories, residential rentals, and apartment complexes.

Manager or operator means the owner's agent or representative, who is directly responsible for operation of the lodging establishment.

Nuisance means any condition as defined in Texas Health and Safety Code § 341.011.

Numerical score means the score determined by deducting the values of all items found in violation from 100.

Owner means a person who holds legal possession or ownership of a total or partial interest in the structure or property on which exists a lodging establishment.

Regulatory authority means the director of the Wichita Falls-Wichita County Public Health District or ~~his~~their designee.

Residential Rental means of all or part of a person's residence is offered for rent. Residential rentals typically operate using a peer-to-peer advertising platform but do not have to do so to be considered a residential rental. Residential rentals do not provide time or temperature controlled for safety (TCS) food to guests.

Rules shall mean city and county ordinances or state statutes.

Sanitary means free from harmful elements, including pathogens that endanger public health.

Sanitize means the effective bactericidal treatment by a process that provides enough accumulative heat or concentration of chemical for sufficient time to reduce the bacterial count, including pathogens, to a safe level on cleaned surfaces.

Sealed means free of multiple cracks or other openings that permit the entry or passage of excessive moisture that causes water damage to the property.

~~or~~

Single service articles or utensils means cups, containers, ice bucket liners, stirrers, paddles, straws, napkins, doilies, wrapping materials and similar articles intended for one time use and then discarded.

(Code 2001, § 58-201; Ord. No. 82-2006, § 1, 10-17-2006)

Sec. 58-202. - Records required; retention.

It shall be the duty of the regulatory authority to provide inspection records for review. Records shall be kept for a minimum of five years and shall be available for review according to the Public Information Act.

(Code 2001, § 58-202; Ord. No. 82-2006, § 1, 10-17-2006)

Sec. 58-203. - Permit required; posting.

A person may not operate a lodging establishment without a permit issued by the regulatory authority. Permits are not transferable from one person to another or from one location to another location, except as otherwise permitted by these rules. A ~~valid-current lodging establishment~~ permit must be conspicuously displayed ~~in view of the where it may be readily viewed by~~ guests within a common lobby area at all lodging establishments at all times.

(Code 2001, § 58-203; Ord. No. 82-2006, § 1, 10-17-2006)

Sec. 58-204. - Application; renewal.

(a) Any person desiring a lodging establishment permit must make a written application for a permit on forms provided by the regulatory authority. The application must at minimum, contain the following:

- (1) Name.
- (2) Address.
- (3) Phone number.
- (4) Emergency contacts for each applicant.
- (5) Physical location.
- (6) Billing information and the applicable fee.

- (b) An incomplete application will not be accepted. Failure to complete required information or falsifying information required may result in denial or revocation of the permit. Renewal of the permit is required on an annual basis and is the responsibility of the owner and manager of the lodging establishment both jointly and separately. The same information is required for a renewal permit as for an initial permit. New and existing lodging establishments shall be in compliance with this article to be issued a permit.

~~(c) A current lodging establishment permit shall be posted at all times in a prominent and conspicuous place in the lodging establishment where it may be readily observed by lodging establishment patrons.~~

(Code 2001, § 58-204; Ord. No. 82-2006, § 1, 10-17-2006)

Sec. 58-205. - Inspections.

- (a) Prior to the approval of an initial permit for lodging establishments or the renewal of an existing permit, the regulatory authority shall inspect the lodging establishment to determine compliance with these rules.
- (b) A lodging establishment that does not comply with these rules will not be granted a permit to operate.
- (c) The regulatory authority is authorized to conduct inspections, at intervals determined by the regulatory authority, to ensure compliance with all provisions of this article.
- (d) The lodging establishment must achieve at minimum a numerical score of 70 to pass an inspection. Demerits will be equally weighted at two points each and multiple violations of the same deficiency shall constitute one violation on the inspection form. The numerical score shall be computed by subtracting the number of demerits from 100.
- (e) If a lodging establishment receives a numerical score of 70 or below, there must be immediate corrective actions taken to correct deficiencies to raise the numerical score above a 70 within the following 24-hour period to avoid possible closure.
- (f) Inspections will be conducted during normal business hours unless there is a report of a contagious disease or complaint that presents an imminent threat to public health and safety. The regulatory authority shall have the right to enter at any hour upon the premises where a lodging establishment is located as deemed necessary by the director of health.
- (g) Occupied rooms may be inspected whenever there is a reasonable risk of a health hazard or imminent threat to the structure that if uncorrected would adversely affect adjoining rooms.
- (h) The regulatory authority shall have the authority to collect samples for laboratory analysis.
- (i) It shall be a violation to refuse or obstruct the regulatory authority or designee from conducting inspections.

(Code 2001, § 58-205; Ord. No. 82-2006, § 1, 10-17-2006)

Sec. 58-206. - Compliance required; term; fee.

Only persons and entities that comply with the requirements of these rules shall be entitled to receive and retain a permit required by this article. Permits to operate a lodging establishment expire one year after issuance, unless revoked or suspended for noncompliance. All lodging establishments must comply with provisions of this rule upon 30 days from passage, ~~excluding procurement of permits which will be required on January 1, 2007.~~ The permit fee will be paid annually to the regulatory authority. All lodging establishments shall have a minimum of 75 percent of their guest rooms in a condition that meet the requirements of this subdivision in order to retain a permit to operate the lodging establishment. Fees shall be as established by separate ordinance.

(Code 2001, § 58-206; Ord. No. 82-2006, § 1, 10-17-2006)

Sec. 58-207. - Safety and sanitation standards.

All lodging establishments shall be maintained to meet the following requirements:

- (1) Lodging establishment grounds shall be free of excessive litter and have garbage properly stored in covered containers with tight fitting lids and be free of any collection of items that could harbor rodents, cockroaches or mosquitoes and:
 - a. Shall have all walking and driving surfaces of the immediate exterior areas surfaced with concrete or asphalt, or other approved material to minimize dust.
 - b. There shall be no conditions that constitute a public health nuisance as set forth by the state.
 - c. Non-essential articles, items, or equipment that cause a public nuisance or harbors roaches, rodents or other vectors shall be removed.
 - d. Outside garbage containers shall be cleaned at least monthly or as needed to prevent a nuisance or odor. Liquid waste resulting from cleaning the containers shall be disposed in a manner that does not create a nuisance.
 - e. Animals shall be excluded from the laundry, linen storage, utensil washing, food service, single-service storage and ice machine areas except as provided by law.
- (2) Lodging establishments shall be sealed and free of leaks and excessive water damage or mold. ~~Construction - s~~ Surfaces of floors, walls, counter tops, and ceilings shall be easily cleanable in good physical condition and with carpets and curtains in clean condition and free of excessive stains. Further requirements are as follows:
 - a. Furnishings shall be maintained in good condition and clean. Items with excessive wear, tears, or stains shall be replaced.
 - b. Each unit shall have trash removed, be vacuumed, and have smooth surfaces sanitized after each occupancy.
 - c. Glasses, pitchers, ice buckets, and eating and cooking utensils in the kitchenettes shall be cleaned and sanitized after each occupancy.
 - d. All rooms and bedding shall be free from an accumulation or infestation of insects or ectoparasites. If a room becomes infested with insects of any type, the room shall not be occupied until the infestation is controlled.
 - e. Soap shall be provided with a dispensed liquid or with new, individually wrapped bar soap. Used bar soap shall be removed from the rooms when the guest ends the occupancy. Other toiletries provided by the lodging establishment which are opened by the guest shall be removed when the guest ends the occupancy. Used soap and toiletries shall be discarded and shall not be used for any other purpose.
 - f. A dispensed liquid soap shall be provided in all common and public bathrooms and toilets.
 - g. Single service articles shall be replaced after each occupancy or when visibly damaged or the possibility of contamination exists.
 - h. All toxic and hazardous substances shall be properly labeled with the common name of the content and appropriately stored to prevent contamination.
- (3) Lodging establishments providing ice shall only produce ice from potable water and such shall be handled in a sanitary manner, including that:
 - a. Ice shall be free from visible trash and sediment.
 - b. Ice shall not be made or stored in an owner's or manager's private refrigerator and/or private living areas.
 - c. Ice that is not produced at the lodging establishment shall be obtained from an approved source, shall be properly labeled and protected from contamination during transportation and storage.

- d. Ice machines shall be of sanitary, durable, corrosion-resistant, and easily cleanable construction.
 - e. Ice machines shall be kept sanitized and in good repair.
 - f. Ice storage bins shall be drained into an approved sewage system and must have a physical air gap.
 - g. When replacement of a self-service ice machine becomes necessary or additional machines are added, an automatic self-serve ice dispensing machine shall be installed.
 - h. Ice machines shall be located in a place which provides protection from the elements and possible sources of contamination. Exterior storage spaces shall provide, at a minimum, overhead protection. The area shall be kept clean and shall be free of accumulation of excessive moisture, drippage, or trash.
 - i. Vending and ice machines shall be sanitized; with an ice scoop available and installed with a drain that includes a physical air gap to prevent back-siphonage. All ice machines with storage bins shall be equipped with an ice scoop that is attached to the ice bin with a tether of easily cleanable material. The tether shall be of such a length to prevent the scoop from touching the ground and maintained in a clean and sanitary condition.
 - j. All lodging establishments with customer service ice machines in common areas prior to the adoption of these rules shall have automatic self-service ice dispensing machines upon replacement. This requirement excludes kitchenettes and icemakers in refrigerators.
- (4) All linens, towels, and laundry shall be provided in a clean sanitary condition without excessive stains or damage. In addition, the following are required:
- a. During laundering, clean linens, towels, and laundry shall be kept in separate carts and stored away from soiled linens, towels, and laundry.
 - b. Linens shall be protected from dust, dirt, vermin, or other contamination at all times.
 - c. Linens shall be changed to clean linens after each occupancy in preparation for a different occupancy.
- (5) Lodging establishments with non-guest laundry facilities shall be restricted to the washing and drying of linens, towels, uniforms, and aprons necessary to the operation of the lodging establishment. In addition, the following are required:
- a. If such items are laundered on the premises, a commercial washing machine and dryer shall be provided and used in accordance with subsection (5)c of this section.
 - b. Dryers-Equipment shall be installed according to manufacturer's instructions.
 - ~~c. All lodging establishments with on-premise laundries prior to adoption of these rules shall have commercial washing machines and dryers within one year after the date of the adoption of this article.~~
 - ~~d.~~ Laundry facilities shall be separated from any other permanent living quarters by complete partitioning and solid self-closing doors.
 - ~~e.~~ Traffic through or use by guests of the non-guest laundry facility is prohibited.
- (6) Should separate laundry facilities be provided for the use of the lodging establishment guests, these shall be located in a different room or area of the lodging establishment than those provided for commercial laundry purposes. These facilities shall be clean and maintained in good repair.
- (7) Fire safety of lodging establishments shall be the responsibility of the manager/operator and be in accordance with the applicable code and/or ordinance. In addition, the following are required:
- a. Lodging establishments shall have proper fire extinguishers available, fully charged, and have current inspections as required by current City Code.

- b. Portable outside cooking grills of any type shall be no closer than ten feet from any enclosed or combustible structure.
 - c. Only professionally installed and inspected cooking ranges with approved venting for kitchenettes shall be allowed in lodging establishments.
 - d. Individual rooms may have a microwave oven and/or a coffee/tea maker; kitchenettes are exempt from this limitation.
 - e. Corded cooking or heating devices such as portable hot plates or crockpots shall not be allowed in rooms unless they are property of the lodging establishment provided for extended stay guests and the room has a kitchenette. Corded cooking equipment provided by the lodging establishment must kept in good condition. The operator shall either post signs; state this policy verbally; provide in writing during check-in procedures; or provide this information within the guest services book within each guest room to comply with this section.
 - f. Storage and equipment rooms must be organized with all flammables properly labeled with common names.
 - g. Rooms where fuel burning appliances are used shall be properly vented in accordance with the manufacturers' specifications, and carbon monoxide monitors shall be provided in these rooms.
 - h. Rooms shall have and maintain, in operating condition, an approved battery or electrically operated smoke detector device in each guest room. Owners and operators shall be required to test each smoke detector at a minimum of two times each calendar year to determine if each detector is in working order. Records of the testing shall be maintained and provided to the public health inspector upon request.
 - i. Emergency phone numbers including 911, fire, police, and first aid equipment must be available at the front desk.
 - j. Records shall be kept of all accidents or injuries of guests and employees that occur on the premises of a lodging establishment.
- (8) Should swimming pools, spas, and similar facilities be installed, they shall be constructed and maintained in accordance with the applicable code. Swimming pool water shall only be disposed of into an approved sanitary sewer.

(9) Insect and rodent control, ~~in all~~

1. Every lodging establishments, shall be ~~kept constructed and maintained~~ in such a condition as to prevent the ~~entrance~~, harborage or ~~feeding-breeding~~ of insects or rodents. ~~Openable w~~indows shall be screened and be in good condition without cracks or missing seals and shall be in good working order. Screening material shall be 16 mesh to the inch. Routine inspections of the premises shall be constructed to control and minimize the presence of pests and harborage conditions.

~~— Rooms with infestations of insects or rodents shall be subject to closure until treatment has been deemed effective by the regulatory authority. A licensed exterminator company shall provide routine treatment of a lodging establishments, and receipts shall be kept on file.~~

2. Professional pest services shall be used for preventive maintenance and for control and elimination of the presence of pests, or the health official may approve the following:

- a. For the control of bed bugs, a lodging establishment may self-treat with commercial grade heat treating equipment. The person administering the heat treatment must be able to demonstrate knowledge of how to use equipment and also have in their possession a manufacturer's manual for the operation of the heat treating equipment. If knowledge cannot be demonstrated the lodging establishment's right to self-treat will shall be revoked and a professional pest control company will shall be required for treatment.

- b. - In the case the facility is not successful in self-treating for bed bugs, the health official ~~will~~ shall require professional pest control and a pest management program.
- 3. Removal. Dead or trapped birds, insects, rodents, and other pests shall be removed from pest control devices and the premises at a frequency that prevents their accumulation, decomposition, or the attraction of pests.
- 4. If bed bug evidence is found in a guest room, a thorough inspection of the room is required to determine where bed bugs are harboring. The room ~~must~~ shall be closed and treated. The treated room ~~should~~ shall be inspected again after 48 hours to determine if there are any surviving bed bugs. If live bed bugs are found, the room ~~should~~ shall remain empty and be inspected again at 72 hours. The surrounding units (on either side, above and below) ~~must~~ shall be inspected for bed bugs also as bed bugs can easily move through walls to adjacent rooms. Each room that has evidence of bed bugs ~~is to~~ shall be closed and treated until no evidence of bedbugs is found.
- (10) Lodging establishments shall, in general, be kept in a clean and sanitary condition, in good repair, and be maintained and operated with strict regard to health and safety of the transient or permanent guest. Extended stay guests at all lodging establishments shall be moved to a new room after seven days to allow cleaning and sanitization of the guest room and bathroom if ~~maid~~ housekeeping service is not provided at a minimum of once per week or facility repairs are necessary to adhere to these rules.
- (11) Records shall be kept for a period of no less than 90 days of the cleaning frequency of rooms that are used for extended guests stays; noting last cleaning performed and any room damage or repairs.

(Code 2001, § 58-207; Ord. No. 82-2006, § 1, 10-17-2006)

Sec. 58-208. - Potable drinking water approved source.

- (a) An adequate, accessible supply of potable drinking water approved by the Texas Commission on Environmental Quality shall be provided at all lodging establishments.
- (b) Water under pressure at the required temperatures shall be provided to all fixtures and equipment that use water.
- (c) Water from a source other than a public water supply shall not be used until the department or other state regulatory authority has approved it.

(Code 2001, § 58-208; Ord. No. 82-2006, § 1, 10-17-2006)

Sec. 58-209. - Approved sewage.

- (a) Sewage and wastewater treatment and disposal shall be accomplished in a manner so as to not create a health hazard, pollute or contaminate groundwater, or create a nuisance. This includes draining swimming pool water and while performing plumbing repairs of any kind.
- (b) Sewage and wastewater treatment systems with a discharge shall be installed and maintained in compliance with the state laws and local ordinances.

(Code 2001, § 58-209; Ord. No. 82-2006, § 1, 10-17-2006)

Sec. 58-210. - Personnel.

- (a) No employee of a lodging establishment, while infected with a contagious disease that can be transmitted to other employees or the guests, or who is a carrier of organisms that cause such a disease, or who is affected with a boil, an infected wound or acute respiratory infection, shall work in a lodging establishment in any capacity in which there is a likelihood of such an employee

contaminating ice, clean linens, or single service articles with pathogenic organisms or transmitting the disease to other persons.

- (b) Employees working with and handling single service items, such as clean laundry, ice or beverages, or performing tasks that would contaminate their hands shall thoroughly wash their hands and exposed areas of their arms before starting work, after smoking, after taking out the trash, after handling dirty linens, after eating or using the toilet. Employees shall keep their fingernails trimmed evenly and clean.
- (c) Employees involved in guest services and housekeeping functions shall wear clean clothing, which is in good repair. When performing cleaning functions that could bring the employee into contact with guest's bodily fluids, the employee shall be provided protective gloves for optional use.

(Code 2001, § 58-210; Ord. No. 82-2006, § 1, 10-17-2006)

Sec. 58-211. - Procedures when infection is suspected.

- (a) When the regulatory authority has reasonable cause to suspect possible contagious disease transmission by an employee of a lodging establishment, it shall immediately secure a medical history of the suspected employee, make other investigations as necessary, and notify the state epidemiologist. The regulatory authority may require any or all of the following measures and any other measures, which is deemed necessary for the protection of the public health:
 - (1) The immediate exclusion of the employee from employment in lodging establishments.
 - (2) The immediate closure of the lodging establishment concerned until, in the opinion of the regulatory authority, no further danger of disease outbreak exists. Immediate suspension initiated without a hearing shall only occur upon personal order of the director of the Wichita Falls-Wichita County Public Health District.
 - (3) The restriction of the employee's services to specific areas of the lodging establishment operations where there would be no danger of transmitting disease.
 - (4) Adequate medical and laboratory examination of the employee and other lodging establishment employees including collection of appropriate medical specimens.
- (b) When the regulatory authority has reasonable cause to suspect possible contagious disease transmission by a guest of a lodging establishment, the guest room shall not be occupied again until the regulatory authority has given its approval. The lodging establishment manager shall follow the regulatory authorities' instructions with respect to required cleaning and disinfection of the guest room, bathroom, furnishings, and equipment or the temporary removal of furnishings and equipment.
- (c) The regulatory authority may require the immediate closure of any lodging establishment or any portion of a lodging establishment, after proper notice has been given, if just cause to suspect the possibility of transmission of disease or other public health hazard will result from the operation of the lodging establishment or a particular portion of the lodging establishment. Immediate suspension initiated without a hearing shall only occur upon order of the director of the Wichita Falls-Wichita County Public Health District.

(Code 2001, § 58-211; Ord. No. 82-2006, § 1, 10-17-2006)

Sec. 58-212. - Poisonous or toxic chemical materials.

- (a) There shall be present in lodging establishments only those poisonous or toxic chemical materials necessary for maintaining and cleaning the premises, maintaining the landscaped ground, maintaining the swimming pools/spas/aquatic facilities, washing linens and towels, cleaning and sanitizing equipment and utensils, and controlling insects and rodents.
- (b) All containers of chemical materials shall be prominently and distinctly labeled for easy identification and use of the contents.

- (c) All chemical materials shall have the appropriate material safety data sheet (MSDS) or safety data sheets (SDS) kept on file for emergency use.
- (d) Storage of materials:
 - (1) Poisonous or toxic materials consist of the following categories:
 - a. Insecticides and rodenticides.
 - b. Detergents, sanitizers and related cleaning or drying agents, caustics, acids, polishes and other chemicals.
 - c. Landscaping materials.
 - (2) Each of the three material categories shall be stored separately and kept in chemical cabinets, separate rooms or physically located away from each other to prevent mixing and possible contamination. All poisonous or toxic materials shall be stored in cabinets or in similar physically separated places used for no other purpose. To preclude contamination, poisonous or toxic materials shall not be stored above ice, linens, towels, utensils, or single-service articles, except that this requirement does not prohibit the convenient availability of detergents and sanitizers at utensil or dishwashing stations, or laundry compounds in the vicinity of washing machines or dryers.
- (e) Use of materials.
 - (1) Bactericides, cleaning compounds or other chemicals intended for use on food, beverage, or ice contact surfaces shall not be used in a way that leaves a toxic residue on such surfaces or that creates a hazard to employees or other persons.
 - (2) Poisonous or toxic materials shall not be used in a way that contaminates ice, linens, towels, single-service articles or utensils, nor in a way that constitutes a hazard to guests, employees or other persons, nor in a way other than in full compliance with the manufacturer's labeling.
- (f) Personal articles and medications shall be stored in employee lockers or away from ice, linens, towels, single-service articles or utensils that could become contaminated.
- (g) First aid supplies shall be stored away from ice, linens, towels, single-service articles or utensils that could become contaminated.

(Code 2001, § 58-212; Ord. No. 82-2006, § 1, 10-17-2006)

Sec. 58-213. - Suspension.

- (a) The regulatory authority may, without warning, notice, or hearing, suspend any permit to operate a lodging establishment if the operation of the establishment constitutes an imminent health hazard to public health. A supervisor will confirm the hazard before suspension is effective when possible.
- (b) Whenever a permit is suspended because of noncompliance or failure to maintain inspection minimum standards the holder of the permit or person in charge shall be notified in writing that the permit is, upon service of the notice, immediately suspended.

(Code 2001, § 58-213; Ord. No. 82-2006, § 1, 10-17-2006)

Sec. 58-214. - Appeal.

- (a) Opportunity for a hearing will be provided if the holder of the permit files a written request with the regulatory authority within ten days of the notice of suspension. Whenever a permit is suspended, the holder of the permit shall be afforded an opportunity for a hearing as soon as possible and not to exceed 20 days of receipt of the request for a hearing. If no written request for a hearing is filed within ten days, the suspension is sustained.
- (b) The regulatory authority may end the suspension at any time if reasons for the suspension no longer exist.

(Code 2001, § 58-214; Ord. No. 82-2006, § 1, 10-17-2006)

Sec. 58-215. - Revocation.

The regulatory authority may, after providing for a hearing, revoke a lodging establishment permit for serious or repeated violations of any of the requirements of this article or for interference with agents of the regulatory authority in the performance of their duties. Prior to revocation, the regulatory authority shall notify the holder of the permit or the person in charge, in writing, of the reason for which the permit is subject to revocation. The permit shall be revoked at the end of ten days following service of such notice unless the holder of the permit files a written request for a hearing with the regulatory authority within such ten-day period. If no request for a hearing is filed within the ten-day period, the revocation of the permit becomes final.

(Code 2001, § 58-215; Ord. No. 82-2006, § 1, 10-17-2006)

Sec. 58-216. - Service of notice; conduct of hearings.

- (a) A notice as required in this article is properly served when it is hand delivered to the general manager and a copy is sent by registered or certified mail, return receipt requested, to the last known address of the holder of the permit. A copy of the notice shall be filed in the records of the regulatory authority.
- (b) The regulatory authority shall conduct the hearings provided for in this article at a time and location designated by the director of health. The hearing shall be conducted before a panel including the assistant director of health, who shall preside over the meeting, the health district's ~~director of nursing~~ Health & Wellness Administrator, and a hotelier chosen by the ~~city manager~~ Director of Health. This panel shall conduct the hearing with evidence presented by the inspection staff and by the involved lodging property staff to determine whether to recommend to sustain, modify, or rescind any order recommended by the ~~general~~ environmental division. The recommendation of the panel shall be conveyed to the ~~D~~director of ~~H~~health for ~~his~~ consideration and, based upon the recorded evidence of such hearing, the director of health shall make final findings and shall sustain, modify or rescind any notice or order considered in the hearing. The ~~D~~director of ~~h~~Health shall furnish a written report of the hearing to the holder of the permit.

(Code 2001, § 58-216; Ord. No. 82-2006, § 1, 10-17-2006)

Sec. 58-217. - Penalty.

- (a) A person commits a Class C misdemeanor if the person violates any part of this article after being given a 72-hour notification of continual violations or allows conditions deemed an imminent health hazard. An offense under this article is a misdemeanor punishable by a fine pursuant to section 1-14.
- (b) Each day of a continuing violation is a separate offense.

(Code 2001, § 58-217; Ord. No. 82-2006, § 1, 10-17-2006)

PASSED AND APPROVED this the 16th day of August, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
August 16, 2022

ITEM/SUBJECT: Ordinance accepting and appropriating a donation for COVID Positive Individuals Housing in the amount of \$5,000 received from Wichita Falls Faith Mission.

INITIATING DEPT: Health

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: The Health District has depleted all available grant funding for the housing of COVID 19 positive individuals. We are exploring using other COVID grant funding, however this requires approval from the Department of State Health Services. The Wichita Falls Faith Mission (WFFM) has donated \$5,000 to ensure housing for the following individuals: They must reside at WFFM, be working with a case manager from WFFM, and must not have any other resources/funds available to quarantine elsewhere.

This will help us to continue to serve the most vulnerable citizens in Wichita Falls.

Staff recommends approval of the ordinance.

☒ **Director of Health**

ASSOCIATED INFORMATION: Ordinance

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Ordinance No. _____

**Ordinance accepting and appropriating a donation for COVID Positive
Individuals Housing in the amount of \$5,000 received from Wichita
Falls Faith Mission**

WHEREAS, Wichita Falls Faith Mission wishes to assist with the mission of isolating individuals who are CoVid19 positive and have no other place to isolate; and,

WHEREAS, the approval of these funds could not have been anticipated prior to the adoption of the 2021 –2022 budget.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

There is hereby appropriated in the Special Revenue Fund \$5,000 for the housing of Covid 19 positive individuals and accepting said donation from Faith Mission.

PASSED AND APPROVED this the 16th day of August, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
August 16, 2022

ITEM/SUBJECT: Public Hearing on the Fiscal Year 2023 Proposed Operating Budget and Resolution Setting a Date for Adoption of the FY 2023 Budget

INITIATING DEPT: City Manager's Office/Finance

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY:

Timeline:

- March 2022 – Fiscal Year 2023 budget process initiated by City staff;
- May 2022 – Department Directors finalize budget requests; City Manager conducts individual budget meetings with Directors;
- June 14, 2022 – FY 2023 budget workshop: City staff presents to City Council initial overview of projected revenues and the major operating funds;
- July 26, 2022 – City Manager's proposed FY 2023 budget conveyed to City Council;
- August 5, 2022 – Proposed budget filed with the City Clerk, and posted on the City's website;
- August 5, 2022 – Notice of forthcoming August 16, 2022, public hearing on FY 2023 budget published in accordance with State law;
- August 9, 2022– City Council conducts a work session on proposed FY 2023 budget;
- **August 16, 2022** – City Council scheduled to (1) conduct public hearing on FY 2023 budget, and (2) vote to forward a proposed property tax rate and to set a public hearing on such rate for September 6, 2022;
- August 26, 2022 – Pending action on August 16, 2022, City staff to post notice of the September 6, 2022 public hearing on the proposed tax rate in accordance with State law;
- September 6, 2022 – Pending action on August 16, 2022 City Council scheduled to (1) consider ordinance adopting FY 2023 budget, and (2) conduct public hearing on proposed property tax rate related to FY 2023 budget, and (3) consider ordinance adopting related property tax rate;
- September 30, 2022 – FY 2022 ends;
- October 1, 2022 – FY 2023 begins.

Summary

This item is to seek public comment on the FY 2023 Proposed Operating Budget, which covers the fiscal period beginning October 1, 2022 and ending September 30, 2023. In

general, the City Manager proposes a balanced budget for FY 2023 totaling approximately \$233.8M, which represents an increase of approximately \$38.4M from the FY 2022 (current year) adopted budget. This is an increase of 19.63%. The City's General Fund, representing approximately 45% of the total budget, has proposed expenditures in FY 2023 of approximately \$103.3M or an increase of approximately \$15.4M from the current year. The proposed budget assumes a decrease in the current City of Wichita Falls property tax rate of \$0.760928 to \$0.694321 per \$100 of assessed value.

The proposed operating budget can be viewed in its entirety on the City's website at: <https://www.wichitafallstx.gov/1668/Annual-Budgets>

Staff recommends the City Council open the public hearing to receive comments. The City Council is scheduled to consider adoption of the FY 2023 budget on September 6, 2022.

☒ CFO & Director of Finance

ASSOCIATED INFORMATION:

☒ Budget Office Review

☒ City Attorney Review

☒ City Manager Approval

Resolution No. _____

**Public Hearing on the Fiscal Year 2023 Proposed Operating Budget
and Resolution Setting a Date for Adoption of the FY 2023 Budget**

WHEREAS, state law prescribes specific procedures that local governments must follow when setting Public hearings related to the adoption of budgets for the ensuing year; and,

WHEREAS, the City Council is required to hold a public hearing on the proposed budget and then take action thereafter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

1. The City Council of the City of Wichita Falls hereby expresses its intent to place an item on the City Council agenda of September 6, 2022, to consider adopting the FY 2023 budget.

PASSED AND APPROVED this the 16th day of August, 2022.

M A Y O R

ATTEST:

City Clerk

CITY COUNCIL AGENDA
August 16, 2022

ITEM/SUBJECT: Resolution expressing the City Council's intent to place a proposal on a future Council agenda approving a property tax rate that exceeds the no new tax rate, but does not exceed the voter-approval tax rate; scheduling one public tax rate hearing, and establishing the date to vote on same.

INITIATING DEPT: Finance/CFO

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice Effective Governance

COMMENTARY: State law provides the guidelines that local governments must follow when setting property tax rates for the ensuing tax year. Specifically, when a city considers adopting a tax rate that city must hold one public hearing and, post notice of the hearing for seven (7) consecutive days prior to the hearing on the City's website and on free access TV. Public Hearing notice must also be published in the newspaper indicating the date, time, and place of the public hearing at least five (5) days prior to the date the hearing is held. The city must then officially adopt the budget and tax rate prior to September 30, 2022.

The current property tax rate for the City of Wichita Falls is \$0.760928 per \$100 of assessed value, and the no-new-revenue tax rate is \$0.675652. The no-new-revenue tax rate is essentially the rate that generates the same tax revenue as the prior year from properties that were on the tax roll in both tax years. The voter-approval rate is \$0.719697. The voter-approval tax rate is the rate the City may adopt, but not exceed.

The Proposed Tax Rate is \$0.694321. The maintenance and operations portion of this tax rate will raise \$0.014169 per \$100 of assessed value over the no-new-revenue-tax rate, and the same assessed value as the voter-approval-tax rate. This tax rate is 2.76% higher than the no-new-revenue tax rate.

The proposed FY 2023 budget recommends a tax rate of \$0.694321, which is 8.75% lower than the tax rate in FY 2022 (current year). This tax rate does not exceed the voter-approval tax rate.

The tax rates considered in this resolution will be calculated and certified by the Wichita County Tax Assessor-Collector, Tommy Smyth.

This resolution has been prepared with a blank for the proposed tax rate in order to allow the City Council to conduct the budget hearing prior to deciding on a proposed tax rate. After completing the budget hearing, the City Council must take a record vote expressing its intent to adopt a tax rate that equals the tax rate in the Proposed Budget or expresses

its intent to adopt a tax rate other than the rate in the Proposed Budget. Council may vote to adopt a tax rate between the no-new-revenue tax rate of \$0.675652 and the voter-approval tax rate of \$0.719697.

Because the Proposed Tax Rate exceeds the no-new-revenue tax rate, but is below the voter-approval tax rate, a record vote of this Council is required. It should be noted, that the resolution must include a proposed tax rate.

Approval of this agenda item expresses the governing body's intent to hold a public hearing on the proposed tax rate on September 6, 2022, and its intent to vote to adopt a tax rate on September 6, 2022, at its regularly planned Council meeting.

Staff recommends the City Council, by record vote, approve the resolution proposing a property tax rate for FY 2023 to be considered at a public hearing on September 6, 2022.

☒ **CFO**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review:**

☒ **City Attorney Review:**

☒ **City Manager Approval**

Resolution No. _____

Resolution expressing the City Council's intent to place a proposal on a future Council agenda approving a property tax rate in accordance with the Texas Property Tax Reform and Transparency Act of 2019; scheduling one public hearing, and establishing the date to vote on same

WHEREAS, state law prescribes specific procedures that local governments must follow when setting property tax rates for the ensuing year; and,

WHEREAS, the City Council may approve a tax rate that generates up to 3.5% more total tax revenue from properties on the tax role than was generated in the preceding year, less new property added to the roll and less debt service requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

1. The City Council of the City of Wichita Falls hereby expresses its intent to place an item on the City Council agenda of September 6, 2022, to consider adopting a property tax rate of \$__ per \$100 of assessed property value.

2. The City Council furthermore expresses its intent to conduct a public hearing to discuss the property tax rate on September 6, 2022 at 8:30 a.m. to be held in the City Council Chambers.

PASSED AND APPROVED this the 16th day of August, 2022.

MAYOR

ATTEST:

City Clerk

CITY COUNCIL AGENDA
August 16, 2022

ITEM/SUBJECT: A Resolution of the City Council of the City of Wichita Falls, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2022 Rate Review Mechanism Filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC's legal counsel.

INITIATING DEPT: Legal

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: Practice effective governance

COMMENTARY: The City, along with 181 other Mid-Texas cities served by Atmos Energy Corporation, Mid-Tex Division ("Atmos Mid-Tex" or "Company"), is a member of the Atmos Cities Steering Committee ("ACSC"). In 2007, ACSC and Atmos Mid-Tex settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism ("RRM"), as a substitute for future filings under the GRIP statute.

Since 2007, there have been several modifications to the original RRM Tariff. The most recent iteration of an RRM Tariff was reflected in an ordinance adopted by ACSC members in 2018. On or about April 1, 2022, the Company filed a rate request pursuant to the RRM Tariff adopted by ACSC members. The Company claimed that its cost-of-service in a test year ending December 31, 2021, entitled it to additional system-wide revenues of \$141.3 million.

Application of the standards set forth in ACSC's RRM Tariff reduces the Company's request to \$115 million, \$83.26 million of which would be applicable to ACSC members.

ACSC's consultants concluded that the system-wide deficiency under the RRM regime should be \$95.8 million instead of the claimed \$141.3 million.

The impact of the settlement on average residential rates is an increase of \$4.60 on a monthly basis, or 6.7 percent. The increase for average commercial usage will be \$14.34 or 4.3 percent.

The Executive Committee recommends a settlement at \$115 million. The Effective Date for new rates is October 1, 2022. ACSC members should take action approving the Resolution before September 30, 2022.

☒ **City Attorney**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

A Resolution of the City Council of the City of Wichita Falls, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the Company’s 2021 Rate Review Mechanism Filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC’s reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC’s legal counsel.

WHEREAS, the City of Wichita Falls, Texas, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates, charges, and services of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the current RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about April 1, 2022, Atmos Mid-Tex filed its 2022 RRM rate request with ACSC Cities based on a test year ending December 31, 2021; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2022 RRM filing through its Executive Committee, assisted by ACSC's attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$115 million applicable to ACSC Cities with an Effective Date of October 1, 2022; and

WHEREAS, ACSC agrees that Atmos' plant-in-service is reasonable; and

WHEREAS, with the exception of approved plant-in-service, ACSC is not foreclosed from future reasonableness evaluation of costs associated with incidents related to gas leaks; and

WHEREAS, the attached tariffs (**Exhibit A**) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (**Exhibit B**); and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

Section 1. The findings set forth in this Resolution are hereby in all things approved.

Section 2. Without prejudice to future litigation of any issue identified by ACSC, the City Council finds that the settled amount of an increase in revenues of \$115 million for ACSC Cities represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2021 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

Section 3. Despite finding Atmos Mid-Tex's plant-in-service to be reasonable, ACSC is not foreclosed in future cases from evaluating the reasonableness of costs associated with incidents involving leaks of natural gas.

Section 4. The existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Exhibit A, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$115 million from customers in ACSC Cities, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

Section 5. The ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Exhibit B, attached hereto and incorporated herein.

Section 6. Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2021 RRM filing.

Section 7. To the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Resolution, it is hereby repealed.

Section 8. The meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 9. If any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

Section 10. Consistent with the City Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after October 1, 2022.

Section 11. A copy of this Resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Thomas Brocato, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this the 16th day of August, 2022.

M A Y O R

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A
2022 RRM Rate Tariffs

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	R – RESIDENTIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2022	

Application

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 21.55 per month
Rider CEE Surcharge	\$ 0.05 per month ¹
Total Customer Charge	\$ 21.60 per month
Commodity Charge – All <u>Ccf</u>	\$0.36223 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2022.

EXHIBIT A
2022 RRM Rate Tariffs

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	C – COMMERCIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2022	

Application

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 63.50 per month
Rider CEE Surcharge	(\$ 0.01) per month ¹
Total Customer Charge	\$ 63.49 per month
Commodity Charge – All Ccf	\$ 0.14137 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹ Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2022.

EXHIBIT A
2022 RRM Rate Tariffs

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2022	

Application

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 1,204.50 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.4939 per MMBtu
Next 3,500 MMBtu	\$ 0.3617 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0776 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

EXHIBIT A
2022 RRM Rate Tariffs

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2022	

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

EXHIBIT A
2022 RRM Rate Tariffs

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2022	

Application

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 1,204.50 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.4939 per MMBtu
Next 3,500 MMBtu	\$ 0.3617 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0776 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

EXHIBIT A
2022 RRM Rate Tariffs

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2022	

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

EXHIBIT A 2022 RRM Rate Tariffs

MID-TEX DIVISION ATMOS ENERGY CORPORATION

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2022	

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

- i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification
- $WNAF_i$ = Weather Normalization Adjustment Factor for the i^{th} rate schedule or classification expressed in cents per Ccf
- R_i = Commodity Charge rate of temperature sensitive sales for the i^{th} schedule or classification.
- HSF_i = heat sensitive factor for the i^{th} schedule or classification divided by the average bill count in that class
- NDD = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.
- ADD = billing cycle actual heating degree days.
- BL_i = base load sales for the i^{th} schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the j th customer in i th rate schedule is computed as:

$$WNA_j = WNAF_i \times q_{ij}$$

Where q_{ij} is the relevant sales quantity for the j th customer in i th rate schedule.

EXHIBIT A
2022 RRM Rate Tariffs

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2022	

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>
Abilene	10.58	0.1422	88.85	0.6666
Austin	9.90	0.1372	233.56	0.7819
Dallas	14.17	0.1938	186.38	0.9394
Waco	10.07	0.1308	140.10	0.7170
Wichita Falls	11.43	0.1398	131.57	0.5610

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at atmosenergy.com/mtx-wna, in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

EXHIBIT B **Pensions & Retiree Medical Benefits**

ATMOS ENERGY CORP., MID-TEX DIVISION **PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL** **TEST YEAR ENDING DECEMBER 31, 2021**

Line No.	Description	Shared Services		Mid-Tex Direct			Adjustment Total
		Pension Account Plan	Post-Employment Benefit Plan	Pension Account Plan	Supplemental Executive Benefit Plan	Post-Employment Benefit Plan	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Proposed Benefits Benchmark - Fiscal Year 2022 Willis Towers Watson Report as adjusted (1) (2) (3)	\$ 1,715,323	\$ 982,708	\$ 3,137,022	\$ 313,319	\$ (341,412)	
2	Allocation to Mid-Tex	44.72%	44.72%	76.88%	100.00%	76.88%	
3	Proposed Benefits Benchmark Costs Allocated to Mid-Tex (Ln 1 x Ln 2)	\$ 767,038	\$ 439,436	\$ 2,411,882	\$ 313,319	\$ (262,493)	
4	O&M and Capital Allocation Factor	100.00%	100.00%	100.00%	100.00%	100.00%	
5	Proposed Benefits Benchmark Costs to Approve (Ln 3 x Ln 4) (3)	\$ 767,038	\$ 439,436	\$ 2,411,882	\$ 313,319	\$ (262,493)	\$ 3,669,182
6							
7							
8	Summary of Costs to Approve (1):						
9							
10	O&M Expense Factor (WP_F-2.3, Ln 2)	79.88%	79.88%	38.60%	11.00%	38.60%	
11							
12							
13	Total Pension Account Plan	\$ 612,700		\$ 931,100			\$ 1,543,800
14	Total Post-Employment Benefit Plan		\$ 351,016			\$ (101,335)	249,681
15	Total Supplemental Executive Benefit Plan				\$ 34,465		34,465
16	Total (Ln 13 + Ln 14 + Ln 15)	\$ 612,700	\$ 351,016	\$ 931,100	\$ 34,465	\$ (101,335)	\$ 1,827,946

Notes:

1. Studies not applicable to Mid-Tex or Shared Services are omitted.
2. Mid-Tex is proposing that the Fiscal Year 2022 Willis Towers Watson actuarial amounts shown on WP_F-2.3 and WP_F-2.3.1, be approved by the RRM Cities as the benchmark amounts to be used to calculate the regulatory asset or liability for future periods. The benchmark amount approved by the RRM Cities for future periods includes only the expense amount.
3. SSU amounts exclude cost centers which do not allocate to Mid-Tex for rate making purposes.

CITY COUNCIL AGENDA
August 16, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to award bid and contract for the 2022 Sewer Budget Utility Improvement Project – Phase 2 to Bowles Construction Co. in the amount of \$1,192,530.00.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: n/a

COMMENTARY: On August 2, 2022, bids were opened for the 2022 Sewer Budget Utility Improvement Project – Phase 2. This project is generally described as the replacement of selected sanitary sewer lines and manholes, and associated work. The project will remove and replace deteriorated 8" & 18" vitrified clay pipe that has begun to fail and cause blockages in the collection system.

The bids received for this project on the Base Bid are as follows:

<u>COMPANY</u>	<u>AMOUNT</u>
Bowles Construction Co. – Wichita Falls, TX	\$ 1,192,530.00
BRCT LLC DBA Black Rock Construction. – Mansfield, TX	\$ 1,598,697.00

Construction of this project should require approximately 180 calendar days to complete and adequate funding is available in this year's budget to complete the project.

Bowles Construction Co. is a local contractor that has performed work for the City in the past and therefore staff recommends award of the contract to Bowles Construction Co.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution , Bid Tab, Location Maps

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to award bid and contract for the 2022 Sewer Budget Utility Improvement Project – Phase 2 to Bowles Construction Co. in the amount of \$1,192,530.00

WHEREAS, the City of Wichita Falls has advertised for bids for the 2022 Sewer Budget Utility Improvement Project – Phase 2; and

WHEREAS, it is found that the lowest responsible bidder is Bowles Construction Co., who made a unit price bid with an estimated total of \$1,192,530.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

The unit price bid for the 2022 Sewer Budget Utility Improvement Project – Phase 2 is awarded to Bowles Construction Co. in an estimated total amount of \$1,192,530.00, and the City Manager is authorized to execute a contract for the City with said Contractor for the construction of such project.

PASSED AND APPROVED this the 16th day of August, 2022.

MAYOR

ATTEST:

City Clerk

2022 Sewer Budget Utility Improvement Project - Phase 2
 CWF22-550-10
 BID DATE: AUGUST 2, 2022

BASE BID			
Pay Item	Description	Unit	Quantity
107-TS	Trench Safety System	LF	2461
200.1	Ste Prep & Mobilization (Not to Exceed 5%)	LS	1
201	Erosion Control	LS	1
202.1-TR	Tree Removal	EA	3
203.3-RP	Remove Existing Pavement	SY	503
305.1-CG	Install 6" Curb & Gutter	LF	48
305.2-DA	Install 6" Reinforced Concrete Drive Approach	SY	53
305.2-PR	Pedestrian Ramp	EA	3
305.2-SW	Install 4" Reinforced Concrete Sidewalk	SY	327
402-PR	Pavement Repair	SY	116
501.17-6	Install 6" SDR 26 PVC Sanitary Sewer Pipe	LF	82
501.17-18	Install 18" PS 115 PVC Sanitary Sewer Pipe	LF	485
501.17-24	Install 24" PS 115 PVC Sanitary Sewer Pipe	LF	1894
502.1-A	Abandon Sanitary Sewer Manhole	EA	2
502.1-N	Install New 4' Dia Sanitary Sewer Manhole	EA	2
502.1-RR	Rem & Rep 4' Dia Sanitary Sewer Manhole	EA	4
502.1-RRE	Rem & Rep 4' Dia Sanitary Sewer Manhole w/ External Drop	EA	1
502.2-CO	Rem & Rep Sanitary Sewer Cleanout	EA	1
502.9-WC	Warren Manhole Coating	SF	600
503-10	Install 10" Steel Casing	LF	42
503-28	Install 30" Steel Casing	LF	50
506.8-CP	Cut & Plug Sewer Line	EA	2
702-JB	4x5 Reinforced Concrete Junction Box	EA	1
801	Temporary Barricading and Traffic Control	LS	1
Engineers Estimate: \$930,000.00			

Bowles Construction Co., Wichita Falls, TX	
Unit Price	Total
\$10.00	\$24,610.00
\$55,000.00	\$55,000.00
\$5,000.00	\$5,000.00
\$3,500.00	\$10,500.00
\$20.00	\$10,060.00
\$30.00	\$1,440.00
\$80.00	\$4,240.00
\$4,000.00	\$12,000.00
\$60.00	\$19,620.00
\$150.00	\$17,400.00
\$380.00	\$31,160.00
\$300.00	\$145,500.00
\$350.00	\$662,900.00
\$2,000.00	\$4,000.00
\$9,000.00	\$18,000.00
\$8,000.00	\$32,000.00
\$9,000.00	\$9,000.00
\$1,500.00	\$1,500.00
\$60.00	\$36,000.00
\$300.00	\$12,600.00
\$500.00	\$25,000.00
\$2,500.00	\$5,000.00
\$25,000.00	\$25,000.00
\$25,000.00	\$25,000.00
TOTAL	\$1,192,530.00

BRCT LLC DBA Black Rock Construction, Mansfield, TX	
Unit Price	Total
\$4.00	\$9,844.00
\$78,000.00	\$78,000.00
\$34,000.00	\$34,000.00
\$1,500.00	\$4,500.00
\$15.00	\$7,545.00
\$100.00	\$4,800.00
\$200.00	\$10,600.00
\$4,000.00	\$12,000.00
\$135.00	\$44,145.00
\$313.00	\$36,308.00
\$390.00	\$31,980.00
\$410.00	\$198,850.00
\$425.00	\$804,950.00
\$8,900.00	\$17,800.00
\$14,485.00	\$28,970.00
\$16,160.00	\$64,640.00
\$27,110.00	\$27,110.00
\$9,005.00	\$9,005.00
\$75.00	\$45,000.00
\$450.00	\$18,900.00
\$535.00	\$26,750.00
\$4,000.00	\$8,000.00
\$35,000.00	\$35,000.00
\$40,000.00	\$40,000.00
TOTAL	\$1,598,697.00

ADD/ALT #1			
Pay Item	Description	Unit	Quantity
503-10-ALT	Bore & Install 10" Steel Casing	LF	42
702-JB-ALT	4' Reinforced Concrete Junction Box	EA	1
Engineers Estimate: \$29,000.00			

Bowles Construction Co., Wichita Falls, TX	
Unit Price	Total
NO BID	NO BID
NO BID	NO BID
TOTAL	NO BID

BRCT LLC DBA Black Rock Construction, Mansfield, TX	
Unit Price	Total
\$1,400.00	\$58,800.00
\$29,075.00	\$29,075.00
TOTAL	\$87,875.00

ADD/ALT #2			
Pay Item	Description	Unit	Quantity
107-TS-ALT	Trench Safety System	LF	544
501.17-18-ALT	Install 18" PS 115 PVC Sanitary Sewer Pipe	LF	544
502.1-RR-ALT	Rem & Rep 4' Dia Sanitary Sewer Manhole	EA	1
502.9-WC-ALT	Warren Manhole Coating	SF	100
Engineers Estimate: \$125,000.00			

Bowles Construction Co., Wichita Falls, TX	
Unit Price	Total
\$20.00	\$10,880.00
\$300.00	\$163,200.00
\$8,000.00	\$8,000.00
\$60.00	\$6,000.00
TOTAL	\$188,080.00

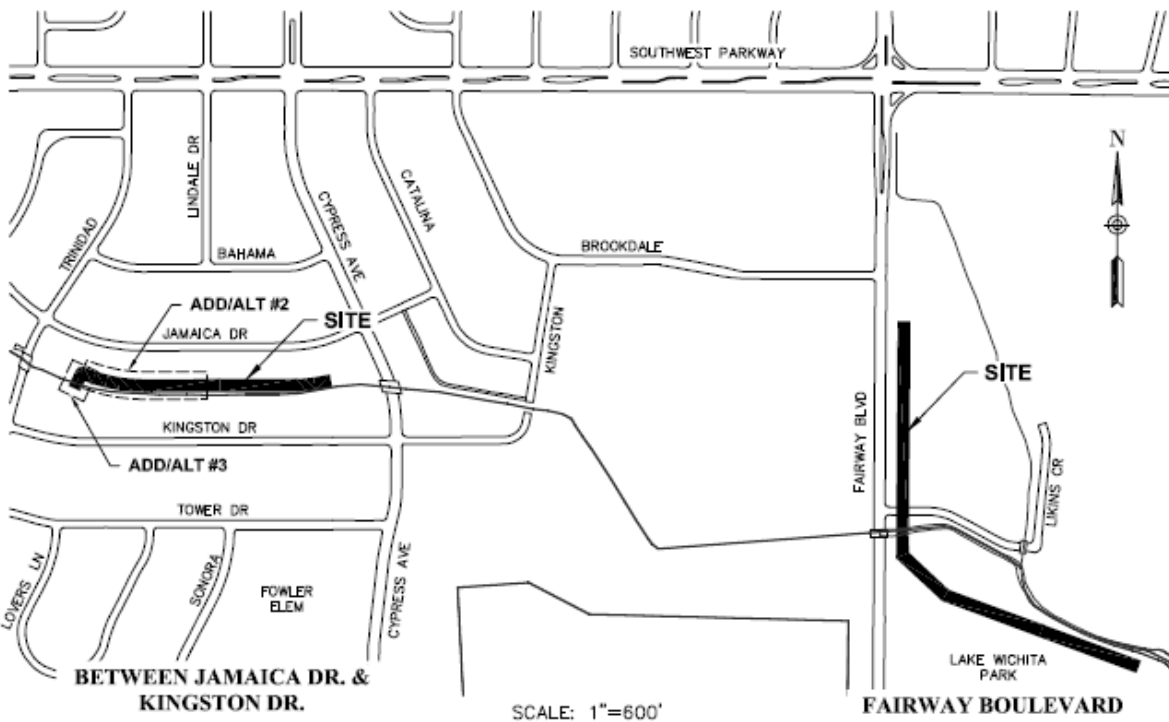
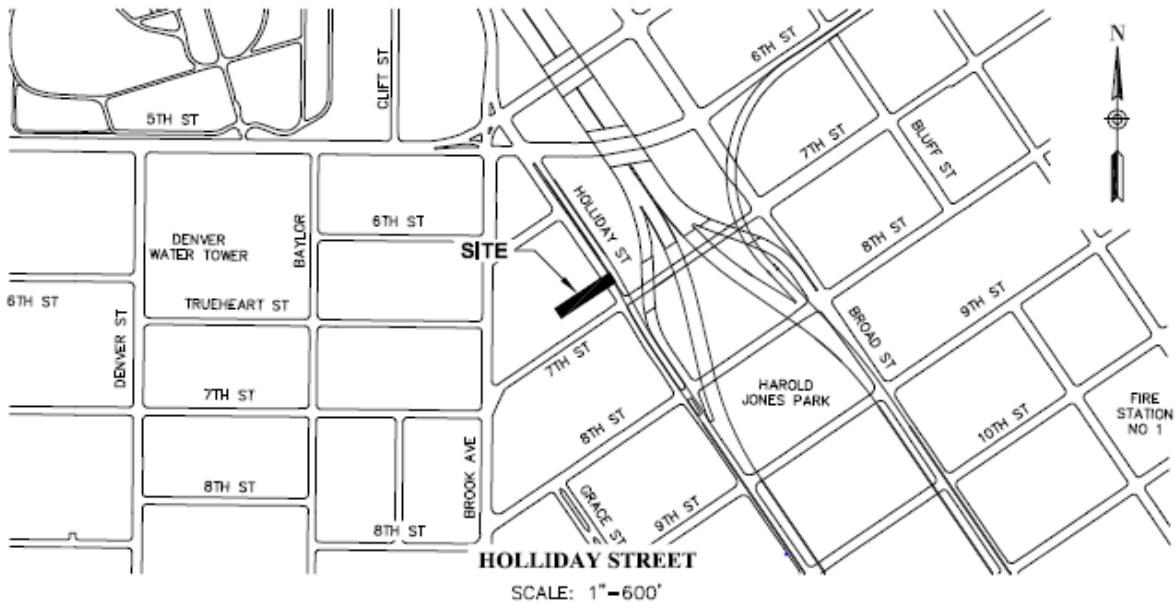
BRCT LLC DBA Black Rock Construction, Mansfield, TX	
Unit Price	Total
\$2.00	\$1,088.00
\$285.00	\$155,040.00
\$12,791.00	\$12,791.00
\$75.00	\$7,500.00
TOTAL	\$176,419.00

ADD/ALT #3			
Pay Item	Description	Unit	Quantity
107-TS-ALT	Trench Safety System	LF	62
201-ALT	Erosion Control	LS	1
203.3-RP-ALT	Remove Existing Pavement	SY	15
303-6-ALT	Reinforced 6" Concrete Channel Repair	SY	15
51.17-8-ALT	Install 8" SDR 26 PVC Sanitary Sewer Pipe	LF	62
502.1-RR-ALT	Rem & Rep 4' Dia Sanitary Sewer Manhole	EA	1
502.9-WC-ALT	Warren Manhole Coating	SF	90
503-12-ALT	Install 12" Steel Casing	LF	35
Engineers Estimate: \$38,000.00			

Bowles Construction Co., Wichita Falls, TX	
Unit Price	Total
\$30.00	\$1,860.00
\$2,000.00	\$2,000.00
\$100.00	\$1,500.00
\$200.00	\$3,000.00
\$300.00	\$18,600.00
\$7,500.00	\$7,500.00
\$60.00	\$5,400.00
\$250.00	\$8,750.00
TOTAL	\$48,610.00

BRCT LLC DBA Black Rock Construction, Mansfield, TX	
Unit Price	Total
\$2.00	\$124.00
\$3,000.00	\$3,000.00
\$75.00	\$1,125.00
\$300.00	\$4,500.00
\$180.00	\$11,160.00
\$12,790.00	\$12,790.00
\$75.00	\$6,750.00
\$275.00	\$9,625.00
TOTAL	\$49,074.00

2022 SEWER BUDGET UTILITY IMPROVEMENT PROJECT PHASE 2 CWF22-550-10



H:_Enr\Drawings\Drawings\Map\Drawings\2022\2022 Sewer BUD\Phase 2\Drawings\2022 Sewer BUD Phase 2.dwg, 8/3/2022 11:05:57 AM

CITY COUNCIL AGENDA
August 16, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to award bid and contract for the 2022 Concrete Street Rehabilitation Project to Scales Concrete Construction Co. INC. in the amount of \$881,287.00.

INITIATING DEPT: Public Works

STRATEGIC GOAL: Provide Quality Infrastructure

STRATEGIC OBJECTIVE: n/a

COMMENTARY: On August 2, 2022, bids were opened for the 2022 Concrete Street Rehabilitation Project. This project is generally described as the rehabilitation of various concrete streets and concrete pads for bus stops in various locations and associated work.

The bids received for this project are as follows:

<u>COMPANY</u>		<u>AMOUNT</u>
Scales Construction Company	– Wichita Falls, TX	\$881,287.00
Freeman Paving LLC	- Wichita Falls, TX	\$890,867.50

Construction of this project should require approximately 150 consecutive days to complete. The street improvements portion of the project is funded by the annual street rehab budget, and the bus shelter pads are being funded through the Transportation budget. Adequate funding is in the current year's budget for the project.

Scales concrete Construction Co. INC has successfully completed similar projects for the City and therefore, staff recommends award of the contract to Scales Concrete Construction Co. INC based on unit price quantities.

☒ **Director, Public Works**

ASSOCIATED INFORMATION: Resolution, Bid Tab, Location Map

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to award bid and contract for the 2022 Concrete Street Rehabilitation Project to Scales Concrete Construction Co. INC. in the amount of \$881,287.00

WHEREAS, the City of Wichita Falls has advertised for bids for the 2022 Concrete Street Rehabilitation Project; and,

WHEREAS, it is found that the lowest responsible bidder is Scales Concrete Construction Co. INC who made a unit price bid with an estimated total of \$881,287.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

The unit price bid for the 2022 Concrete Street Rehabilitation Project is awarded to Scales Concrete Construction Co. INC. in an estimated total amount of \$881,287.00, and the City Manager is authorized to execute a contract for the City with said Contractor for the construction of such project.

PASSED AND APPROVED this the 16th day of August, 2022.

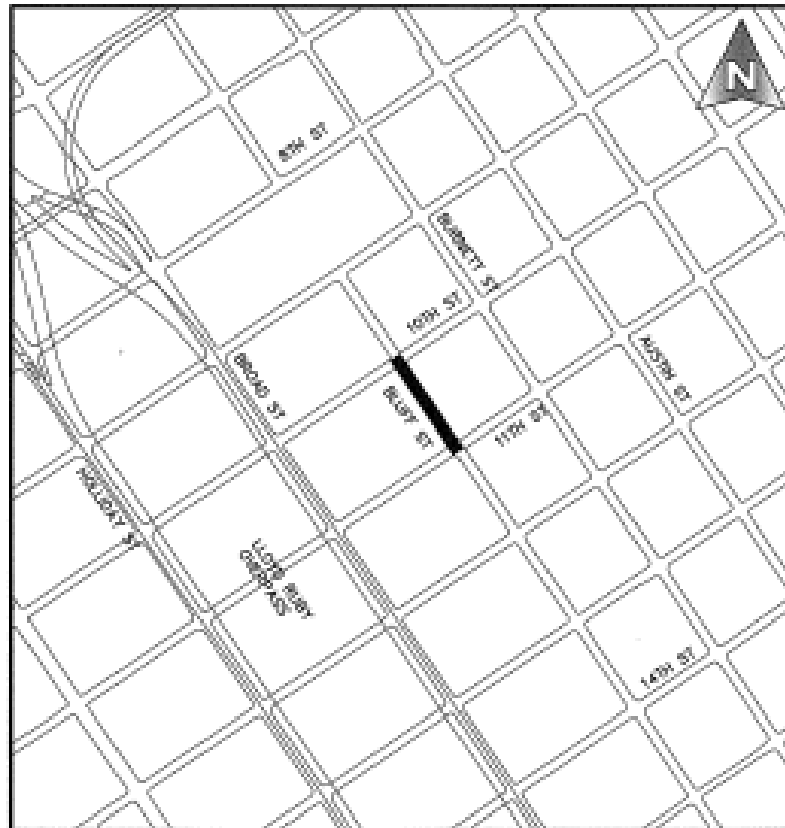
MAYOR

ATTEST:

City Clerk

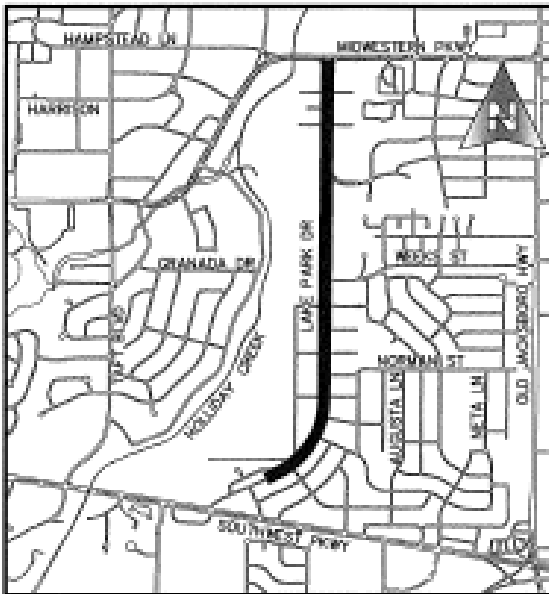
2022 Concrete Street Rehabilitation Project CWF22-100-05 Bid Date: August 2, 2022									
BASE STREET BID ** ORDER OF BIDS FROM LOWEST TO HIGHEST **				Scales Construction Company Wichita Falls, TX		Freeman Paving, LLC Vernon, TX			
Pay Item	Description	Unit	Project Totals	Unit Price	Total	Unit Price	Total		
200.1	MOBILIZATION (NOT TO EXCEED 5%)	LS	1	\$35,000.00	\$35,000.00	\$50,000.00	\$50,000.00		
203.3-C	REMOVE EXISTING CONCRETE PAVEMENT	SY	3556	\$19.00	\$67,564.00	\$20.00	\$71,120.00		
301.5	6" BASE REPAIR	SY	200	\$40.00	\$8,000.00	\$25.00	\$5,000.00		
303-6	6" REINFORCED CONCRETE PAVEMENT	SY	2527	\$78.00	\$197,106.00	\$80.00	\$202,160.00		
303-8	8" REINFORCED CONCRETE PAVEMENT	SY	990	\$82.00	\$81,180.00	\$110.00	\$108,900.00		
305.1	REPLACE MONOLITHIC CURB	LF	1638	\$15.00	\$24,570.00	\$15.00	\$24,570.00		
305.2-PR	PEDESTRIAN RAMPS	EA	8	\$1,400.00	\$11,200.00	\$2,500.00	\$20,000.00		
305.2-SW	REMOVE & REPLACE 4" CONCRETE SIDEWALK	SY	55	\$135.00	\$7,425.00	\$100.00	\$5,500.00		
801	TRAFFIC CONTROL	LS	1	\$15,000.00	\$15,000.00	\$5,000.00	\$5,000.00		
TOTAL STREET BID				\$447,045.00		\$492,250.00			
BASE BUS STOP BID									
Pay Item	Description	Unit	Project Totals						
203.3-B	REMOVE EXISTING BUS STOP	LS	8	\$1,500.00	\$12,000.00	\$1,000.00	\$8,000.00		
305.1-CG	REMOVE AND REPLACE CURB AND GUTTER	LF	28.5	\$45.00	\$1,311.00	\$60.00	\$1,710.00		
305.2-BS	4" 13'x5' BUS STOP SLAB	EA	20	\$2,000.00	\$40,000.00	\$1,800.00	\$36,000.00		
305.2-PR-BS	PEDESTRIAN RAMPS	EA	1	\$1,400.00	\$1,400.00	\$2,500.00	\$2,500.00		
305.2-RC-BS	RAISED CURB	LF	142	\$45.00	\$6,390.00	\$40.00	\$5,680.00		
305.2-SW-BS	4" REINFORCED CONCRETE SIDEWALK	SY	388	\$155.00	\$60,140.00	\$75.00	\$29,100.00		
TOTAL BUS STOP BID				\$121,241.00		\$83,132.50			
TOTAL BASE BID				\$568,286.00		\$575,382.50			
ADDITIVE ALTERNATIVE NO. 3 - KING DRIVE									
203.3-C-ALT	REMOVE EXISTING CONCRETE PAVEMENT	SY	340	\$19.00	\$6,460.00	\$20.00	\$6,800.00		
301.5-ALT	6" BASE REPAIR	SY	100	\$40.00	\$4,000.00	\$25.00	\$2,500.00		
303-6-ALT	6" REINFORCED CONCRETE PAVEMENT	SY	340	\$78.00	\$26,520.00	\$80.00	\$27,200.00		
305.1-ALT	REPLACE MONOLITHIC CURB	LF	185	\$15.00	\$2,775.00	\$15.00	\$2,790.00		
TOTAL ADDALT 3				\$39,770.00		\$39,290.00			
BUS STOP ADDITIVE/ALTERNATIVE NO. 1 - 200 MLK									
203.3-B-ALT	REMOVE EXISTING BUS STOP	LS	1	\$1,500.00	\$1,500.00	\$1,000.00	\$1,000.00		
305.2-BS-ALT	4" 13'x5' Bus Stop Slab	EA	1	\$2,000.00	\$2,000.00	\$1,800.00	\$1,800.00		
305.2-RC-BS-ALT	RAISED CURB	LF	24	\$60.00	\$1,440.00	\$40.00	\$960.00		
TOTAL ADDALT BS 1				\$4,940.00		\$3,760.00			
BUS STOP ADDITIVE/ALTERNATIVE NO. 2 - 3404 OLD IOWA PARK RD.									
305.2-BS-ALT	4" 13'x5' Bus Stop Slab	EA	1	\$2,000.00	\$2,000.00	\$1,800.00	\$1,800.00		
305.2-PR-ALT	PEDESTRIAN RAMPS	EA	1	\$1,500.00	\$1,500.00	\$2,500.00	\$2,500.00		
305.2-SW-BS-ALT	4" REINFORCED CONCRETE SIDEWALK	SY	37	\$155.00	\$5,735.00	\$100.00	\$3,700.00		
TOTAL ADDALT BS 2				\$9,235.00		\$8,000.00			
ADDITIVE ALTERNATIVE NO. 1 - LANGFORD LANE									
203.3-C-ALT	REMOVE EXISTING CONCRETE PAVEMENT	SY	2483	\$19.00	\$47,367.00	\$20.00	\$49,660.00		
301.5-ALT	6" BASE REPAIR	SY	100	\$40.00	\$4,000.00	\$25.00	\$2,500.00		
303-6-ALT	6" REINFORCED CONCRETE PAVEMENT	SY	2483	\$78.00	\$194,454.00	\$80.00	\$198,640.00		
305.1-ALT	REPLACE MONOLITHIC CURB	LF	789	\$15.00	\$11,835.00	\$15.00	\$11,835.00		
305.2-SW-ALT	REMOVE & REPLACE 4" CONCRETE SIDEWALK	SY	8	\$175.00	\$1,400.00	\$100.00	\$800.00		
TOTAL ADDALT 1				\$259,056.00		\$264,435.00			
2022 CONCRETE STREET REHABILITATION PROJECT (CWF22-100-05)									
TOTAL AWARD									
BASE STREET BID + BASE BUS STOP BID + ADD/ALT NO. 1 LANGFORD LANE + ADD/ALT NO. 3 KING DRIVE + BUS STOP ADD/ALT NO.1 AND NO. 2				\$881,287.00		\$899,867.50			
ADDITIVE ALTERNATIVE NO. 2 - LAKE PARK DRIVE									
203.3-C-ALT	REMOVE EXISTING CONCRETE PAVEMENT	SY	5065	\$19.00	\$96,235.00	\$20.00	\$101,300.00		
301.5-ALT	6" BASE REPAIR	SY	100	\$40.00	\$4,000.00	\$25.00	\$2,500.00		
303-6-ALT	6" REINFORCED CONCRETE PAVEMENT	SY	5065	\$78.00	\$395,070.00	\$80.00	\$405,200.00		
305.1-ALT	REPLACE MONOLITHIC CURB	LF	2861	\$15.00	\$42,915.00	\$15.00	\$42,915.00		
TOTAL ADDALT 2				\$538,220.00		\$551,915.00			

2022 CONCRETE STREET REHABILITATION PROJECT CWF22-100-05

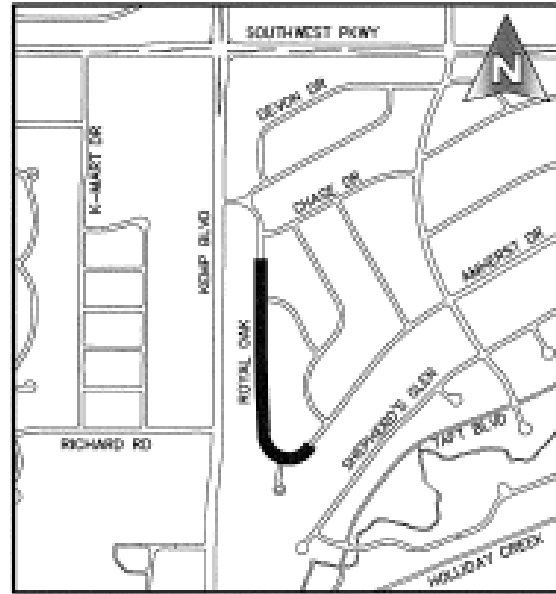


BLUFF ST
NOT TO SCALE

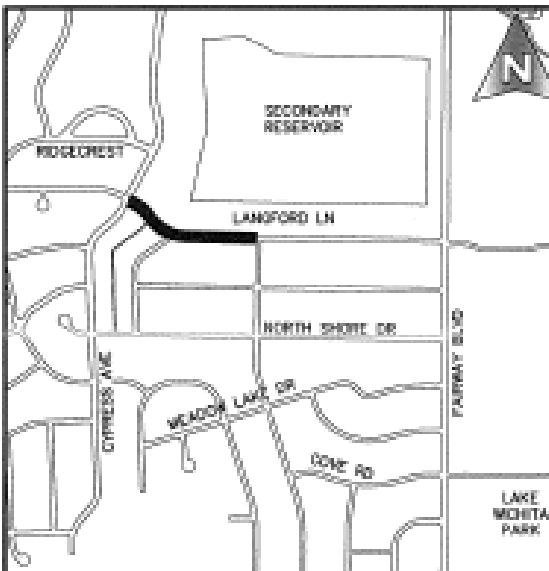
2022 CONCRETE STREET REHABILITATION PROJECT CWF22-100-05



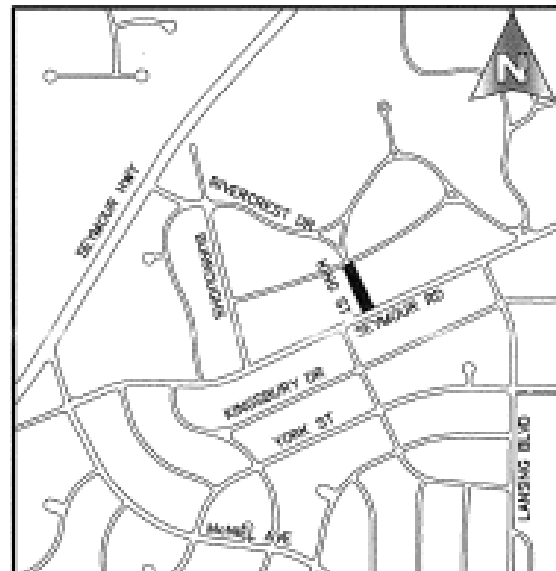
LAKE PARK DRIVE
ADD/ALT #2
NOT TO SCALE



ROYAL OAK
NOT TO SCALE



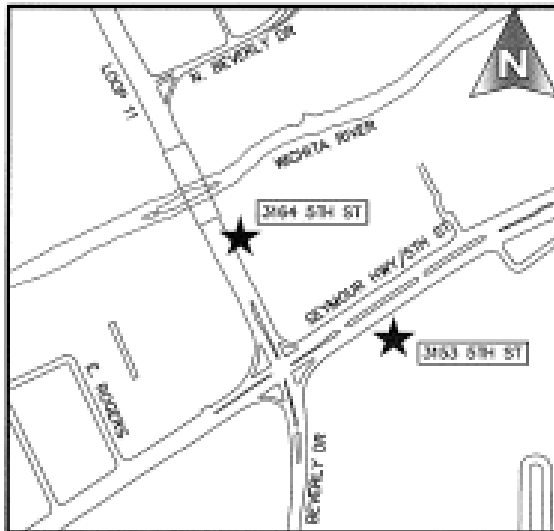
LANGFORD DRIVE
ADD/ALT #1
NOT TO SCALE



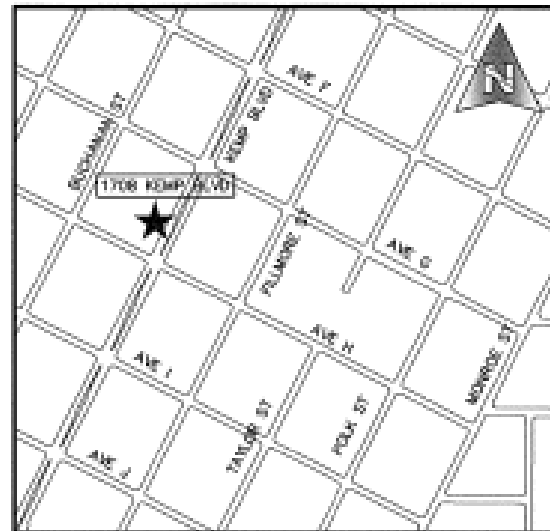
KING DRIVE
ADD/ALT #3
NOT TO SCALE

SHEET 2 OF 5

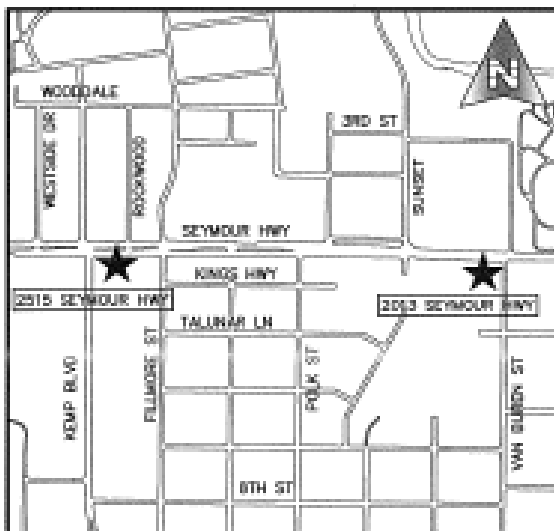
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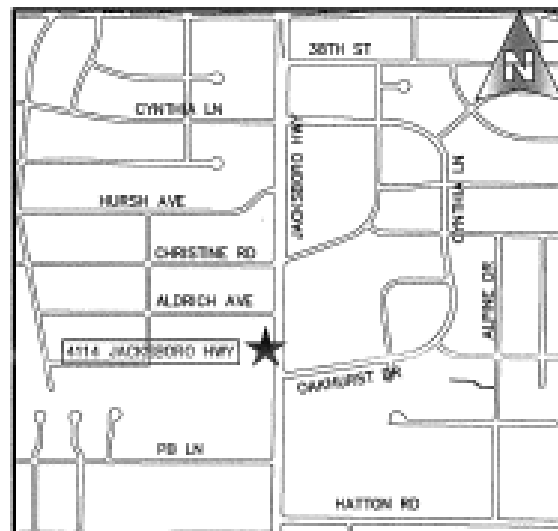
3164 5TH ST & 3153 5TH ST
BUS STOPS
NOT TO SCALE



1708 KEMP BLVD
BUS STOP
NOT TO SCALE



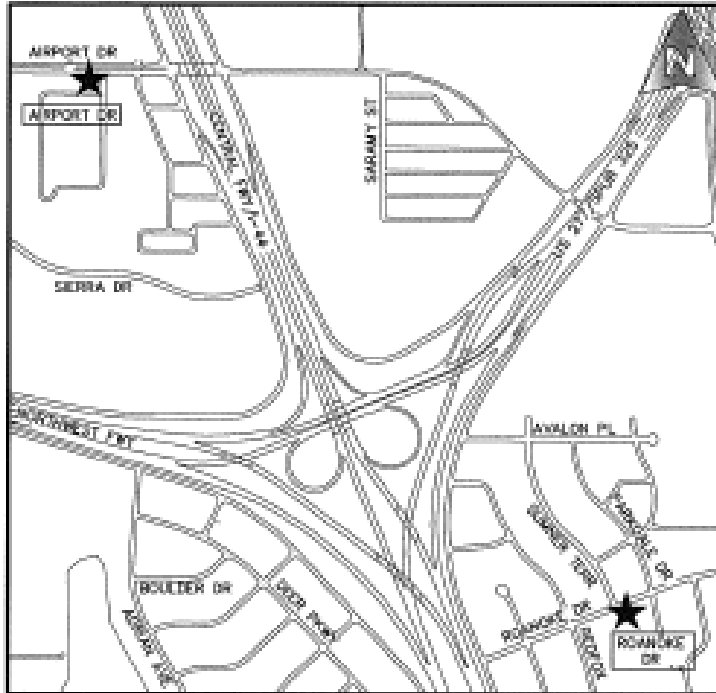
2515 SEYMOUR HWY & 2013 SEYMOUR HWY
BUS STOPS
NOT TO SCALE



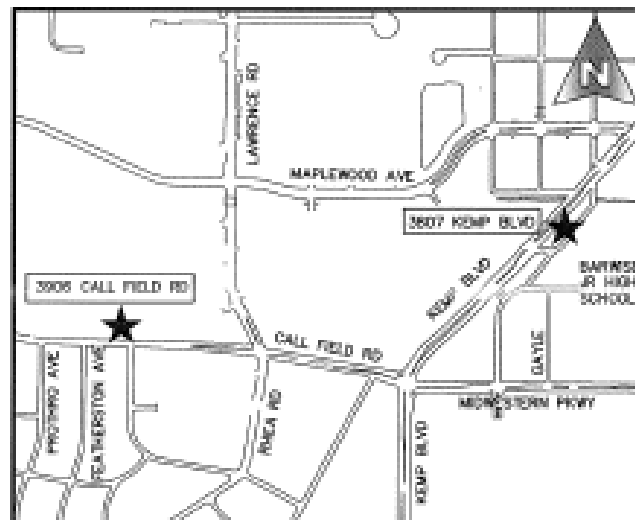
4114 JACKSBORO HWY
BUS STOP
NOT TO SCALE

SHEET 3 OF 5

2022 CONCRETE STREET REHABILITATION PROJECT CWF22-100-05



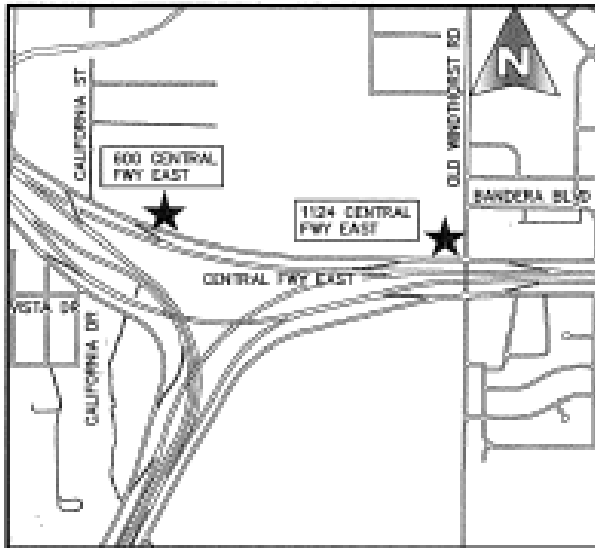
AIRPORT DR & ROANOKE DR
BUS STOPS
NOT TO SCALE



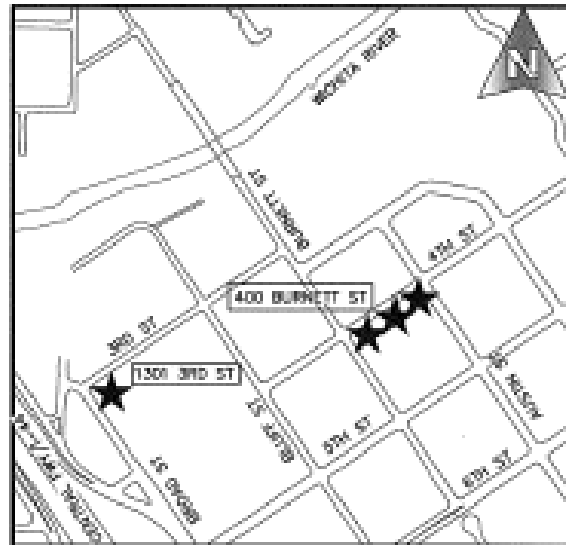
3906 CALL FIELD RD & 3807 KEMP BLVD
BUS STOPS
NOT TO SCALE

SHEET 4 OF 5

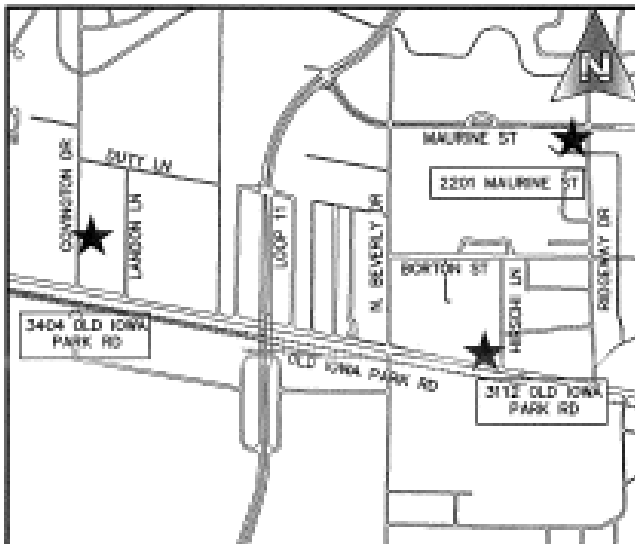
2022 CONCRETE STREET REHABILITATION PROJECT CWF22-100-05



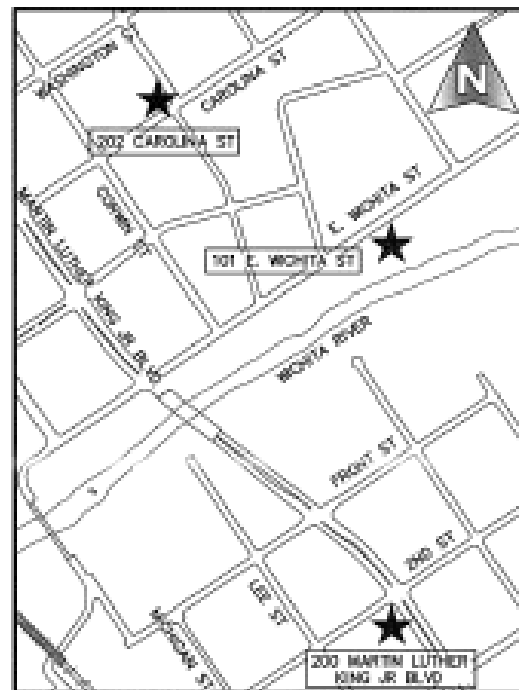
600 CENTRAL FWY EAST &
1124 CENTRAL FWY EAST
BUS STOPS
NOT TO SCALE



1301 3RD ST & 400 BURNETT ST
BUS STOPS
NOT TO SCALE



3404 OLD IOWA PARK RD; 3112 OLD IOWA
PARK RD & 2201 MAURINE ST
BUS STOPS
NOT TO SCALE



202 CAROLINA ST; 101 E. WICHITA ST
& 200 MARTIN LUTHER KING JR BLVD
BUS STOPS
NOT TO SCALE

SHEET 5 OF 5

CITY COUNCIL AGENDA
August 16, 2022

ITEM/SUBJECT: Resolution authorizing the City Manager to execute an agreement with Brandy Belk, dba Suga B's, at Wichita Falls Regional Airport for Food, Beverage, and Gift Shop Concessions at Wichita Falls Regional Airport.

INITIATING DEPT: Aviation, Traffic, & Transportation

STRATEGIC GOAL: Efficiently Deliver City Services

STRATEGIC OBJECTIVE: N/A

COMMENTARY: On July 1, 2022, the previous food and beverage provider closed their operations at Wichita Falls Regional Airport after 3 years of service. Following that closure, staff formally issued a Request for Proposal (RFP) for a new food/beverage provider. On July 29, 2022, the City of Wichita Falls received one proposal. The one proposal is a sole proprietorship, and it is owned and operated by Ms. Brandy Belk. Suga B's has an established catering business in place. It is also likely that Suga B's will use the food production facilities in the Airport for its catering business. Interviews with Ms. Belk have indicated that she is a very passionate and knowledgeable business professional.

Key points to consider with the proposal are as follows:

- The Airport will provide all permanent capital equipment for food, beverage and gift shop concessions, and the Airport will retain ownership of this equipment once the agreement is concluded. As part of the agreement with Suga B's, the Airport has agreed to use up to \$15,000 in Regional Airport funds to assist with start-up costs, such as signage, permitting, advertising, licensing, operational expenditures, and any additional capital considerations that will also remain with the City at the end of the contract.
- The Agreement shall be for three years, with an option by both parties to renew the Agreement for two additional years
- Suga B's is required to maintain a beer and wine permit as identified by the Texas Alcohol Beverage Commission
- The Airport and Suga B's has agreed to payments of 2% of gross revenues for the second year of operation, 3% for the third year of operation, and 4% for the remaining years of the contract.
- Allows Suga B's Catering to provide vending options within the public areas of the terminal
- Establishes flexibility in the hours in which Suga B's Catering will operate
- Standard City of Wichita Falls insurance requirements and indemnity clauses

This agreement provides another traveling experience to Airport customers using the Wichita Falls Regional terminal building. It is anticipated that vending options will continue in the secure side of the terminal building, and Suga B's will have the option to provide those services. If Suga B's does not provide vending options in the secure portion of the Airport, the Airport has the right to contract with another party under the current City contract to provide these services in the secure area.

It is anticipated that Suga B's will begin operations at Wichita Falls Regional Airport in late September or early October of this year.

Staff recommends the selection of Ms. Brandy Belk dba Suga B's Catering.

☒ **Director, Aviation, Traffic, & Transportation**

ASSOCIATED INFORMATION: Resolution

☒ **Budget Office Review**

☒ **City Attorney Review**

☒ **City Manager Approval**

Resolution No. _____

Resolution authorizing the City Manager to execute an agreement with Brandy Belk, a sole proprietorship, dba Suga B's at Wichita Falls Regional Airport for Food, Beverage and Gift Shop Concessions at Wichita Falls Regional Airport

WHEREAS, the City of Wichita Falls desires food, beverage and gift shop concession services at Wichita Falls Regional Airport; and,

WHEREAS, Suga B's proposes to provide these concession services as identified in the proposed agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

The City Manager is authorized to execute the food, beverage and gift shop services agreement with Brandy Belk, with changes thereto, in a form approved by the City Attorney.

PASSED AND APPROVED this the 16th day of August, 2022.

MAYOR

ATTEST:

City Clerk