

ZONING ORDINANCE DISTRICT DESCRIPTIONS*

Section 11 [60] I - Industrial District

A. Purpose of District[.] It is the purpose of the I - Industrial District to provide a specific zone for the use of warehousing, wholesale sales, assembly and manufacturing plants, intense amusement and recreation facilities, sales of products not compatible with retail or commercial districts and such uses accessory thereto.

No new residential use or new residential construction is permitted in this zoning district. Residential use existing when land is newly zoned I - Industrial shall be grand fathered as long as the building or structure is continuously used for residential purposes. Once a building or structure in this district is used for other than residential purposes, it can not be used for residential purposes in the future.

(Ordinance 1006-01 adopted 11/12/01)

A-1. Uses Permitted by Specific Use Permit. The following uses may be established only when authorized by a Specific Use Permit issued under the provisions of [Section 4.5](#) of this ordinance:

1. Petroleum or gas well or pipeline (also subject to Supplemental Regulations in [Section 8.3](#)).

(Ordinance 0101-02 adopted 1/14/02)

B. Principle Uses. All uses permitted in this district shall be carried on entirely indoors. A reasonable amount of outside storage for materials or finished product is allowed. No use shall be permitted which will be injurious or offensive to the occupants of an adjacent business or zoning districts by reason of fire, radioactivity, electrical disturbance, noise, vibration, smoke, odor, fly ash, dust, fumes, vapors, gases, other forms of air pollution, glare, liquid or solid waste standards or limitations on such nuisances as are provided in the performance standards section of the zoning ordinance. In the industrial district, no building or land shall be used, and no building shall be hereafter erected, constructed, altered, or enlarged, nor shall a certificate of occupancy be issued, except for one or more of the following uses:

1. Any use permitted in LI-Light Industrial zoning.

(Ordinance 0107-05 adopted 3/14/05)

2. Amusement Center, Indoor and Amusement Center, Outdoor[.] (Ordinance 0602-08, sec. 4, adopted 6/2/08)
3. Assembly, manufacturing or sales of Artificial flowers, ornaments, awnings, tents, and bags, blacking, cleaning or polishing preparations, boats (small) twenty-eight (28) feet or less in length, brooms, brushes, buttons, novelties, canvas products,

clothing for wholesale trade, food products, syrups, fruit juices, extracts, drugs or medicines, furniture, gas or electric fixtures, mattresses, peanut and pecan products, electronics, or signs.

4. Auctions.
5. Automobiles.
6. Bakeries – wholesale or retail.
7. Blacksmithing, horse shoeing or wagon shops.
8. Boat repairing with no outside storage.
9. Body and fender repair. Screened outside storage required.
10. Bottling works, soft drinks, milk, water, etc.
11. Building material storage yards provided a site plan is approved in conformity with the regulations for the PD-Planned Development District.
12. Candy, canning or preserving factories.
13. Carpet and rug cleaning.
14. Cereal mills.
15. Commercial laundry.
16. Coffee roasting.
17. Cold storage plants.
18. Contractor's office and storage yard with screened outside storage provided a site plan is approved in conformity with the regulations for the PD-Planned Development district.
19. Creameries or dairy product processing.
20. Electric power station.
21. Farm machinery sales and service.
22. Fence contractors or sales (screened outside storage required).
23. Furniture sales or repair.

24. General rental service and yards, with screened outside storage provided a site plan is approved in conformity with the regulations for the PD - Planned Development district.
25. Ice plants or storages houses.
26. Industrial engines assembly, sales or service.
27. Industrial testing labs.
28. Lawn mower or small engine repair (screened outside storage required).
29. Lens grinding for optical goods.
30. Lumberyards with screened outside storage provided a site plan is approved in conformity with the regulations for the PD-Planned Development district.
31. Machine shops.
32. Meat processing (no slaughtering).
33. Milk processing, bottling or central distribution station.
34. Mirror plating and glass cutting.
35. Monument or marble works, finishing and carving only.
36. Moving and storage company.
37. Retail sales of concrete products, with screened outside storage provided a site plan is approved in conformity with the regulations of the PD-Planned Development district.
38. Pattern shops.
39. Pest control services - "exterminating and fumigation services." No manufacturing of pest control chemicals.
40. Printing, lithographing, bookbinding, newspapers and publishing.
41. Sheet metal shops (using sheet metal of sixteen (16) gauge or thinner), with no outside storage.
42. Sign painting and manufacturing, with screened outside storage provided a site plan is approved in conformity with the regulations for the PD-Planned Development district.

43. Steam cleaning of vehicle, equipment and products.
44. New automobile or truck sales and/or service and repair.
45. Vending machine rental, storage and repair.
46. Veterinary hospitals with outside kennel or pens for large animals except when abutting a residentially zoned area.
47. Warehouse and wholesale storage (enclosed), with no outside storage.
48. Welding shops or facilities.
49. Retail produce market.
50. Any similar uses approved by the planning and zoning commission and the city council, not included in District "AF," which are not noxious or offensive because of odors, smoke, dust, noise, fumes or vibrations.
51. Accessory buildings and uses customarily incidental to the above.

(Ordinance 0107-05 adopted 3/14/05)

C. Accessory Use

1. Any use may be established as an accessory use to any permitted use provided that such accessory use:
 2. Is customarily incidental to and is maintained and operated as a part of the principal use [use]; and Is not hazardous to and does not impair the use or enjoyment of nearby property in greater degree than the principal use with which it is associated; and
 3. Does not create levels of noise, odors, vibration and lighting, or degrees of traffic congestion, dust or other pollutants, in a greater amount than that customarily created by the principal use; and
 4. Is located behind the minimum front and side street building lines along front and side streets.

D. Special Exceptions[.] A Special Exception for a Sexually Oriented Business may be approved by the Board of Adjustments. These businesses in the City of Haslet will be regulated by the "Addendum to Industrial Zoning District Defining and Regulating Sexually Oriented Businesses."

Special exceptions for other uses not listed as Principal Uses may also be approved by the Board of Adjustments.

E. Uniform Height and Area Regulations[.] In the “I” Industrial District the height of buildings and the minimum dimensions of yards shall be as follows:

1. Height: No building, wall, or structure hereafter erected, reconstructed, altered or enlarged, shall exceed twelve (12) stories, nor shall it exceed one hundred twenty (120) feet. No building shall exceed the height limits imposed by the Federal Aviation Administration for this area.
2. Front Yard: 30 feet
3. Rear Yard: 15 feet if abutting residential development, otherwise none is required
4. Side Yard: 10 feet if abutting residential development, otherwise none is required.

Note: A yard is an area dedicated to green space or landscaping containing grass, shrubs, trees, or any or all of these.

5. Landscaping:
 - (a) Landscaping is required in the front yards. Landscaping is also required in the rear and side yards if they abut a public thoroughfare or are normally open to patrons of the business. Landscaping shall conform to the following:
 - (b) The physical elements composing the landscape shall be permanent in form and nature, and perpetually maintained.
 - (c) The form and nature of the physical elements shall consist primarily of trees, shrubs, ground covers, grass and ornamental annuals, biennials and perennials; (rocks, gravel and similar elements shall be secondary)
 - (d) The physical elements composing the landscape shall be located and maintained so as not to obstruct the vision of motorists or pedestrians at alley, street or drive intersections.
6. Exterior Lighting[.] All exterior lighting in this district shall comply with the city Lightning Ordinance and shall be designed to enhance the security and safety of patrons without being offensive to this or adjacent zoning districts. Exterior lighting must conform to the Federal Aviation Administration (FAA) rules and regulations for that area if applicable.

7. Off-street Parking and Loading[.] Off-street parking and loading requirements of [Article VII](#) of the City of Haslet Zoning Ordinances shall apply to all permitted uses in this zoning district.

F. Development Regulations

1. Site Development: All buildings and accessory uses, when adjacent to a public thoroughfare, street, or highway shall be set back on site as follows:

(a) Site less than one (1) acre in size to ten (10) acres in size—setback thirty (30) feet

(b) Site ten (10) acres to less than twenty (20) acres in size—setback fifty (50) feet

(c) Site twenty (20) acres or more in size—setback seventy five (75) feet

2. Screening Fence: A screening fence at least [least] six feet tall shall be installed on the property line of the site when abutting a residential zoned district or abutting an alley adjacent to a residential zoned district. The screening fence shall be constructed of brick, stone, or masonry. Wood is not an acceptable material for such fences.

3. Signs. All signs shall be in accordance with the City of Haslet Sign Ordinance.

G. Performance Standards

1. Compliance Required: No land or building in the I - Industrial District shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard, noise or vibration, smoke, dust, odor or other form of air pollution, heat, cold, dampness, electrical or other substance, condition or element (referred to herein as “dangerous or objectionable elements”) in such a manner or in such amount as to adversely affect the surrounding area or adjoining premises; provided that any use permitted by this Section may be undertaken and maintained if it conforms to the regulations of this Section limiting dangerous and objectionable elements at the point of determination of their existence.

2. Enforcement Provisions: Even though compliance with performance standards procedure in obtaining a certificate of occupancy is not required for a particular use, initial and continued compliance with performance standards shall be enforced by the Building Inspector against any use if there are reasonable grounds to believe that performance standards are being violated by such use.

(a) Locations Where Determinations Are To Be Made For Enforcement Of Performance Standards:

(b) The determination of the existence of any dangerous or objectionable elements shall be made at the location of the use or source at any point or at any time.

3. Performance Standard Regulations: The following provisions, standards and specifications shall apply:

(a) Fire and Explosion Hazards: All activities involving and all storage of inflammable and explosive materials shall be provided at any point with adequate safety devices against the hazard of fire and explosion, and adequate fire-fighting and fire suppression equipment and devices standard in the industry. Burning of waste materials in open fires shall be prohibited at any time. The relevant provisions of State and local laws and regulations shall also apply.

(b) Radioactivity or Electric Disturbance: No activities shall be permitted which emit dangerous radioactivity at any time, or electrical disturbance adversely affecting the operation at any time of any equipment or devices other than that of the creator of such disturbance.

(c) Noise: Noise levels shall comply with the City of Haslet Noise Ordinance.

(d) Vibration: No vibration shall be permitted which is discernible without instruments at the property line.

(e) Smoke: No emissions shall be permitted, at the point of discharge from any chimney or otherwise, of visible gray smoke of a shade equal to or darker than No. 2 on the Powers Micro-Ringlemann Chart, published by McGraw-Hill Publishing Company, Inc. and copyrighted 1954 (being a direct facsimile reduction of the standard Ringlemann Chart as issued by the United States Bureau of Mines). These provisions applicable to visible gray smoke shall also apply to visible smoke of a different color but with an apparently equivalent opacity.

(f) Odor:

(1) No emission shall be permitted of odorous gases or other odorous matter in such quantities as to be offensive at the property line. Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system, so that control will be maintained should the primary safeguard system fail. There is hereby established as a guide in determining such quantities of offensive odors, Table III "Odor Thresholds," in Chapter 5, "Air Pollution Abatement Manual," copyright 1951 by Manufacturing Chemists' Association, Inc., Washington, D.C.

(2) Fly ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution:

(3) No emission shall be permitted which can cause any damage to health, to animals, vegetation, other forms of property, or which can cause any excessive soiling, at any time; and in no event shall any emission, from any chimney or otherwise, of any solid or liquid particles in concentrations exceeding three-tenths (0.3) grains per cubic foot of the conveying gas at any time, be permitted. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to a stack temperature of five hundred (500) degrees Fahrenheit and fifty (50) percent excess air.

(g) Glare: No direct or sky-reflected glare from high-temperature processes, such as combustion or welding or otherwise, so as to be visible at the property line shall be permitted.

(h) Liquid or Solid Waste: No discharge shall be permitted at any time into any public sewer, private sewage disposal system, or stream, or into the ground, except in accordance with standards approved by the Department of Health of the State of Texas or standards equivalent to those approved by such department for similar uses; nor shall the discharge of any materials of such nature or temperature as can contaminate any water supply or otherwise cause the emission of dangerous or offensive elements be permitted.

H. SITE PLAN[.] Preliminary and Final Plats for any development in this district shall be accompanied by a Site Plan of the area to be developed. The purpose of the Site Plan is to provide the Planning and Zoning Commission and the City Council with a more finite definition of the finished development and its intended uses. A Site Plan approved by the Planning and Zoning Commission and the City Council is a pre-requisite to issuance of building permits and certificates of occupancy.

Site Plans shall contain the following data.

1. 1" = 20', 1" = 40' or 1" = 100'.
2. North arrow
3. Small scale location map
4. Name of Development
5. Name and address of owner
6. Name, address and phone number of firm preparing the plan

7. Metes and bounds labeled on property boundary
8. Right-of-Way on or adjacent to the site labeled and dimensioned
9. Adjacent street widths shown
10. Adjacent property labeled with owners name, existing zoning, and Land
11. Use map designation
12. Width and type of proposed buffer yard.
13. Designation, location and size of all proposed points of ingress/egress to the site
14. Pedestrian walks, malls and open areas for use by tenants or public
15. Location, type and height of all walls, fences and screening devices
16. Site data summary chart to include the following data
17. Existing zoning of this tract and any proposed zoning changes
18. Gross and net acreage of the project
19. Number of proposed lots and location
20. Percentage of land coverage by structures
21. Anticipated schedule of development
22. Parking and loading spaces required and provided
23. Area of public open space and percentage of the total development
24. Outside storage location and percentage of total development
25. Location, dimensions, height, number of stories, uses and gross floor area of all existing or proposed structures including buildings, fences, storage areas, etc.
26. Square footage broken down by proposed use
27. Entrances and exits to buildings
28. Architectural renderings or elevations of the proposed structures, noting whether or not the facades meet the requirements of the City of Haslet

29. Distances between buildings and distances from buildings to property lines
30. Clear designation of all parking stalls for off-street parking and loading
31. Dimensions of parking stalls, parking capacity and dimensions of parking area in total and as a percentage of the total development
32. Location and dimensions of all driving lanes on the site
33. Type of surface material for parking and loading area.
34. Location and type of all exterior lighting
35. All building lines
36. Location, size, height, type, and orientation, or [of] signs, lighting luminaries [luminaries] and exterior auditory speakers. The applicant shall also provide representative renderings of the signs to be placed including sign type, material composition, facings and colors
37. Location of any on-site liquid, solid, or hazardous waste storage.
38. Location of all trash dumpsters and type of screening
39. Type of surfacing, such as turf, gravel, paving, cement or brick to be used at various locations
40. Easements on or adjacent to the site labeled and dimensioned
41. Location and distance of the nearest fire hydrant to the property and proposed fire hydrants
42. Location, dimensions and labeling of any proposed fire lanes
43. Proposed finished grade of the site shown to contour intervals not exceeding two feet. Spot elevations must be shown at all critical points including but not limited to edges of pavement, curb returns, building corners, drainage paths, etc. Directional flow arrows and location of existing or proposed drainage structures labeled with size, type, and flow line elevations. Show location of existing drainage easements
44. A summary chart showing all variances proposed to the City of Haslet Planning and Zoning Ordinances
45. Location and type of landscaping, trees, shrubs, turf, etc. Percentage of landscaping of the total development

46. Location and description of storage facility for any material defined as hazardous by the Occupational Safety and Health Administration (OSHA) or the Environmental Protection Agency (EPA).

(Ordinance 1006-01 adopted 11/12/01)

**Addendum to Industrial Zoning District Defining and
Regulating Sexually Oriented Businesses**

A. Purpose of this Addendum[.] It is the purpose of this addendum to define and regulate sexually oriented businesses to promote the health, safety, morals, and general welfare of the citizens of the city and to establish reasonable and uniform regulations to prevent concentration of sexually oriented businesses within the city. The provisions of this addendum have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor effect of this addendum to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to the intended market. Sexually Oriented Businesses are an allowable use only in the Industrial District

B. Definitions.

In this section:

1. Adult Arcade: means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images of five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of “specified sexual activities” or “specified anatomical areas.”
2. Adult Bookstore or Adult Video Store: means a commercial establishment which as one of its principal business purposes offers for sale or rental for any form of consideration any one or more of the following:
 - (a) books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representation which depict or describe “specified sexual activities” or “specified anatomical areas”
 - (b) instruments, devices, or paraphernalia which are designed for use in connection with “specified sexual activities.”
3. Adult cabaret: means a nightclub, bar, restaurant or similar commercial establishment which regularly features:

- (a) persons who appear in a state of nudity; or
- (b) live performances which are characterized by the exposure of “specified anatomical areas” or by “specified sexual activities”; or
- (c) films, motion pictures, video cassettes, slides or other photographic reproductions are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas.”

4. Adult motel: means a hotel, motel or a similar commercial establishment which:
- (a) offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas”; and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions; or
 - (b) offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
 - (c) allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten (10) hours.
5. Adult Motion Picture Theater: means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas.”
6. Adult Theater: means a theater, concert hall, auditorium or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of “specified anatomical areas” or by “specified sexual activities.”
7. Nude Model Studio: means any place where a person who appears in a state of nudity or displays “specified anatomical areas” is provided to be observed, sketched, drawn, painted, sculptured, photographed or similarly depicted by other persons who pay money or any form of consideration.
8. Nudity or a State of Nudity: means the appearance of a human bare buttocks, anus, male genitals, female genitals, or female breast.
9. Persons: means an individual, proprietorship, partnership, corporation, association, or other legal entity.

10. Sexually oriented business: means an adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, or nude model studio.
11. Specified Anatomical Areas: means human genitals in a state of sexual arousal.
12. Specified Sexual Activities: means and includes any of the following:
 - (a) the fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;
 - (b) sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy;
 - (c) masturbation, actual or simulated; or
 - (d) excretory functions as part of or in connection with any of the activities set forth in (a) through (c) above.

C. Location of Sexually oriented businesses.

1. A person commits an offense if he operates or causes to be operated a sexually oriented business within 1,000 feet of:
 - (a) a church;
 - (b) a public or private elementary or secondary school;
 - (c) residentially zoned property;
 - (d) a public park; or
 - (e) a lot devoted to residential use.
2. A person commits an offense if he operates or causes to be operated, a sexually oriented business within 1,000 feet of another sexually oriented business.
3. A person commits an offense if he causes or permits the operation, establishment or maintenance of more than one sexually oriented business in the same building, structure, or portion thereof or the increase of any floor area of any sexually oriented business in any building, structure or portion thereof containing another sexually oriented business.
4. For the purposes of subparagraph (1) above, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as part of the premises where a sexually

oriented business is conducted, to the nearest property line of the premises of a church or public or private elementary or secondary school, or to the nearest boundary of an affected public park, residential district, or residential lot.

5. For purposes of Subparagraph (2) above, the distance between any two sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which each business is located.

6. Any sexually oriented business lawfully operating prior to the effective date of this ordinance, that is in violation of Subparagraph (1), (2), or (3) of this paragraph shall be deemed a nonconforming use. The nonconforming use will be permitted to continue for a period not to exceed six (6) months, unless sooner terminated for any reason or voluntarily discontinued for a period of thirty (30) days or more. Such nonconforming use shall not be increased, enlarged, extended or altered except that the use may be change[d] to conforming use. If two or more sexually oriented businesses are within one thousand (1,000) feet of one another and otherwise in a permissible location, the sexually oriented business which was first established and continually operating at a particular location is the conforming use and the later established business(es) is/are nonconforming.

7. A sexually oriented business lawfully operating as a conforming use after the effective date of this ordinance is not rendered a nonconforming use by the location, subsequent to the operation of the sexually oriented business, of a church, public or private elementary or secondary school, public park, residential district, or residential lot within one thousand (1,000) feet of the sexually oriented business.

8. A sexually oriented business must be located on a parcel of land having at least three hundred (300) feet of street footage on at least one (1) side of such parcel of land.

D. Additional Regulations for Adult Motels

1. Evidence that a sleeping room in a hotel, motel, or similar commercial establishment has been rented and vacated two or more times in a period of time that is less than ten (10) hours creates a rebuttable presumption that the establishment is an adult motel as that term is defined in this section.

2. A person commits an offense if, as the person in control of a sleeping room in a hotel, motel, or similar commercial establishment, he rents or sub-rents a sleeping room to a person, and within ten (10) hours from the time the room is rented, he rents or sub-rents the same sleeping room again.

3. For purpose of Subparagraph (2) of this paragraph, the terms “rent” or “sub-rent” mean the act of permitting a room to be occupied for any form of consideration.

E. Enforcement[.]

Any person violating Paragraph C, upon conviction, shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

(Ordinance 1006-01 adopted 11/12/01)