

CONVERTING FROM RESIDENTIAL TO COMMERCIAL

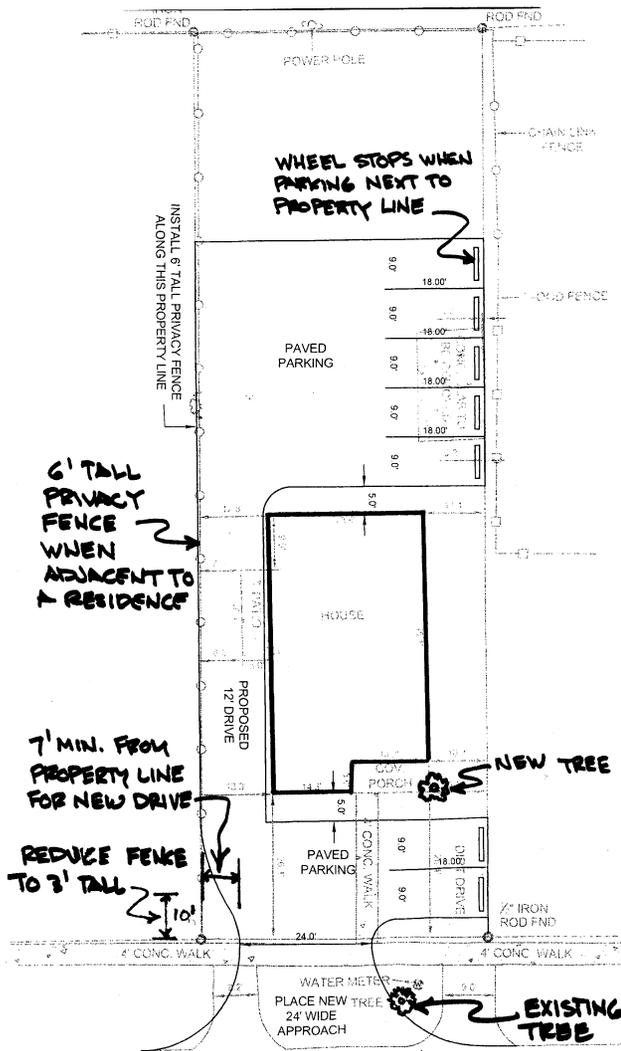


Converting a house into a commercial establishment can be a challenging venture. Usually, the first obstacle is the realization that habitations originally designed for a residential use often do not lend themselves to an easy conversion. This is because building and zoning codes are much more stringent for commercial uses than for single-family residential uses. With proper planning however, some conversions can be achieved with excellent results. This brochure was created as a general guide for citizens who are contemplating converting a house into a commercial establishment.



Blue Skies. Golden Opportunities.

Department of Community Development
 Planning Division
 1300 7th Street
 Wichita Falls TX 76301



TYPICAL SITE PLAN

ZONING

If you are planning to convert an existing house into a commercial establishment, the first issue to consider is the zoning of the property. Be sure that the type of business you want to create is allowed in the zoning district in which the house is located. Many residential subdivisions in the city are residentially zoned or have deed restrictions that prohibit commercial activity, and houses in these districts cannot be legally converted to a business. However, residents are allowed a home based business if it is operated under the guidelines of the Home Occupation Regulations.

SITE PLAN REVIEW

Assuming the zoning is appropriate and there are no deed restrictions prohibiting a commercial use, the next step is to draw a workable site plan that meets all the site plan requirements:

Parking: New commercial establishments must meet the minimum on-site parking requirements. The required number of parking spaces is determined by the proposed use and square footage of the building. Drive and parking surfaces must be paved with concrete or asphalt.

Handicap Parking: New commercial establishments must provide handicap spaces as required by Texas Accessibility Standards (TAS). These can be included in the overall parking space count.

Landscaping: New commercial projects are required to provide landscaping trees. Existing trees may be counted if they meet the minimum standards and location. New trees must be properly irrigated.

Buffering: New commercial establishments locating next to existing residential or duplex uses or a residential zoning boundary must provide a six-foot tall privacy fence along the property line to serve as a buffer between the two uses.

Signs: Most signs associated with a commercial business require a separate review and permit.

BUILDING CODE

Converting a house into a business requires modifying the structure to meet the commercial building code. Some of these requirements can be costly and it is recommended that you get estimates before proceeding. The Building and Code Administration Division will need to review plans for the following:

- Electrical
- Mechanical
- Plumbing
- Energy Code
- Handicap Accessibility

- Exit Lights
- Occupancy Class Requirements
- Asbestos Survey

Note: If the conversion requires removal of or modification to existing interior or exterior walls, State law requires that an asbestos survey be conducted on the structural materials. Removal of materials testing positive for asbestos must be conducted by a licensed professional.

FIRE CODE

All new businesses must have a State licensed/certified fire extinguisher(s) at an approved location(s). Working smoke detectors are also required. In some cases they must be hard wired.

CONTACTS

For more information on zoning and site plan review, contact the Planning Division at **940/761-7451**.

For more information on building code requirements, contact the Building and Code Administration Division at **940/761-7459**.

For more information on fire code requirements, contact the Fire Marshal's Office at **940/761-7901**.

For more information on asbestos abatement, contact the Department of State Health Services at **800/572-5548**.

SCREENING OF OUTDOOR STORAGE

As part of the City of Wichita Falls 2006-2007 Strategic Plan, the City Council, concerned about the overall appearance of the City, placed a high priority on providing an attractive and clean community. To help achieve this goal, the City Council has modified the Environmental Section of the Code of Ordinances to require the visual screening of certain properties that contain unsightly items that meet the definition of outdoor storage.

This brochure was developed as a guide for citizens who may have questions concerning screening requirements for outdoor storage.



WHAT IS OUTDOOR STORAGE?

The City of Wichita Falls Code of Ordinances defines Outdoor Storage as:

“...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.”

WHAT PROPERTIES CONTAINING OUTDOOR STORAGE ARE SUBJECT TO THE SCREENING REQUIREMENT?

All newly created outdoor storage yards, legally established after September 19, 2006, are subject to the screening requirement and must be screened to obscure the view of the outdoor storage from any adjacent land or right-of-way.

Legally authorized outdoor storage existing prior to September 19, 2006, on any parcel(s) of land with contiguous ownership and within 200 feet of a residential property line or residential zoning boundary, is subject to the requirement of an approved screening device to obscure the view of the outdoor storage from any adjacent land or right-of-way. Simply moving the outdoor storage to more than 200

feet away from the residential property line or residential zoning boundary will not suffice. Remember that it is the property that contains the outdoor storage that must be measured, not simply the outdoor storage itself.

Outdoor storage yards located within a Light Industrial or Heavy Industrial zoning district have until September 19, 2007 to comply with the above screening requirements.

MUST THE WHOLE PROPERTY CONTAINING OUTDOOR STORAGE BE SCREENED?

Not necessarily. Only items considered to be outdoor storage are subject to screening. This gives property owners the opportunity to group the outdoor storage items onto smaller areas of the land. In these cases, only that area considered to be an outdoor storage yard must be screened.

WHAT ARE ACCEPTABLE METHODS OF SCREENING OUTDOOR STORAGE?

The Ordinance gives several options for acceptable screening. Fences made of wood or metal are acceptable, provided that the materials used are weather resistant and uniform in color and pattern. Chain link fences modified with durable slats may be used, provided that a solid screen is produced. Trees and other types of vegetation may also be used if the intent of the Ordinance is met and the method is approved by the Department of Community Development. All screening devices shall be at least six feet tall.

For more information, please contact the Planning Division at 940/761-7451.

ARE THERE EXCEPTIONS TO THE SCREENING REQUIREMENT FOR OUTDOOR STORAGE?

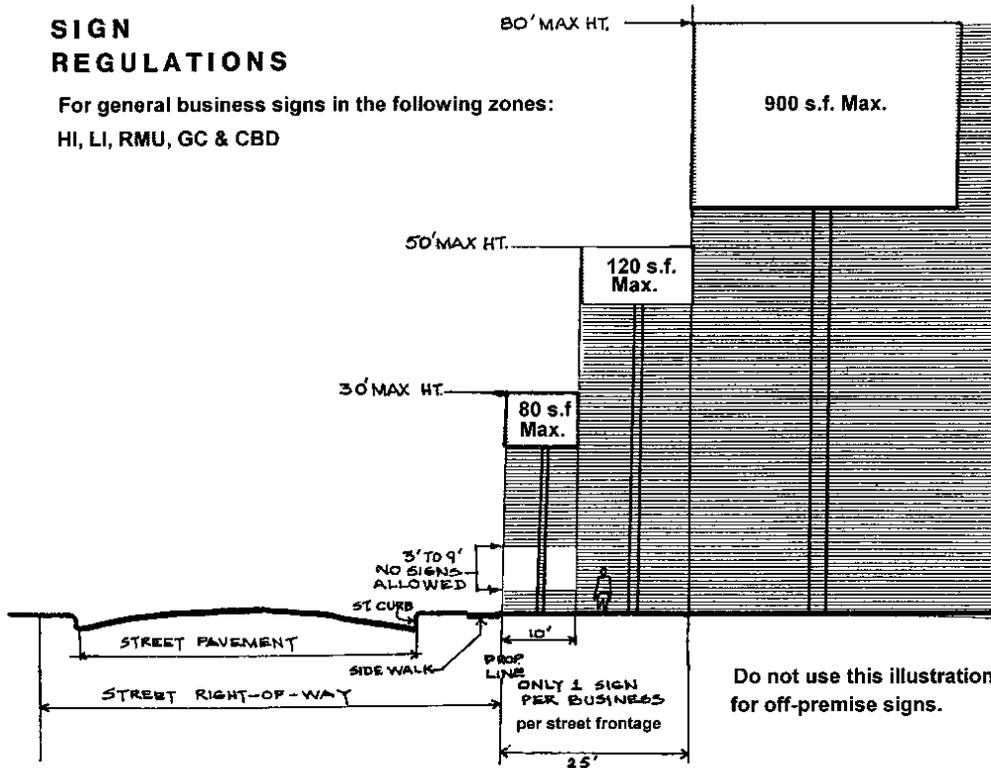
The Ordinance provides a list of items or situations that are not considered to fall within the definition of outdoor storage and therefore are not subject to the screening requirement:

- New or used automobile and related vehicle sales lots authorized by a state motor vehicle dealer license.
- Storage yards incidental to the on-site sale of new building materials, new heavy machinery, new farm equipment, new nursery products, new mobile homes, new boats or new trailers.
- Storage yards for supplies and/or raw materials necessary to the on-site manufacturing, fabrication or assembly of finished products, if kept in a neat and orderly fashion.
- Parking areas for operable equipment, vehicles and trailers incidental to a rental or construction business.
- Parking areas for vehicles incidental to transportation and hauling activities of commercial businesses and governmental entities.
- Parking areas for operable motor vehicles awaiting service at auto repair or auto body shops.
- Used merchandise that is associated with a retail business and displayed during business hours.

SIGNS

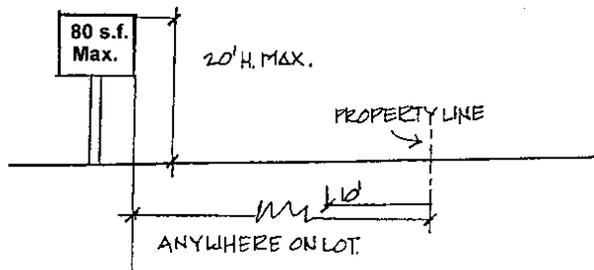
SIGN REGULATIONS

For general business signs in the following zones:
HI, LI, RMU, GC & CBD



Do not use this illustration for off-premise signs.

Requirements for on-premise general business signs in a Limited Commercial Zone.



Must setback 10 ft. from property line.



City of Wichita Falls
Dept. of Community Development
Planning Division
1300 7th Street
Wichita Falls, Texas 76301
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WHAT IS THE SIGN ORDINANCE?

The City's Sign Ordinance, Section 6700 of the Zoning Ordinance, is the set of regulations that governs all signs placed within the City of Wichita Falls.

WHAT IS A SIGN?

The Zoning Ordinance defines a sign as "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, illumination or projected images. This definition shall not include the national and state flag."

IS A PERMIT REQUIRED FOR A SIGN?

General Business Signs and large (over 64 square feet) Temporary Signs do require a permit through the Building and Code Administration office. Off-Premise Signs and Message Center Signs require an additional review by the Planning Division office. Fees are applied depending upon the type and size of the sign. Contact the Building and Code Administration office for fee requirements at 940-761-7459.

WHAT SIGNS ARE EXEMPT FROM THE PERMIT PROCESS?

The following signs are exempt from the requirement for a permit: directional signs, political signs, residential signs, temporary residential signs, temporary signs I and II, temporary commercial signs III (when 64 sq. ft. or less in area), wall signs that do not project beyond

the face of the wall more than 12 inches, temporary signs providing legal notice required by law of Local, State, or Federal Government, and seasonal displays and decorations which do not advertise a product or service. While these signs are exempt from the permitting process, they may be subject to size limitations and setback requirements.

ARE THERE OTHER FACTORS THAT SHOULD BE CONSIDERED BEFORE PLACING A SIGN?

Signs are generally regulated based on three factors: type of sign, size of the sign, and the zoning district in which the sign is being proposed. Some zoning districts may prohibit certain types of signs or limit the size of signs. Additional sign regulations may apply if being proposed in a special overlay district such as an historic district. Large wall signs in the Central Business District require approval by the Planning and Zoning Commission. Contact the Planning Division at 940-761-7451 to determine what zoning district a particular location is in, or if there are any special overlay districts.

ARE SIGNS ALLOWED WITHIN THE PUBLIC RIGHT-OF-WAY?

It is a violation to place a sign within the public right-of-way or on city owned property. This includes the placement of signs on utility poles. Such signs are subject to removal by City personnel. Under certain circumstances, the City may allow signs to be temporarily placed within the right-of-way for special events.

WHAT ARE THE SETBACK REQUIREMENTS FOR SIGNS?

The Sign Ordinance establishes the setback requirements for signs based on the area and height of the sign. In general, smaller signs may be closer to the street front property line, while larger signs must be placed farther away from the street front property line. See the Sign Ordinance for specifics or the diagram on the front of this pamphlet for General Business Signs.

POLITICAL SIGNS

Political campaign signs are allowed subject to the following criteria:

Maximum area:	36 square feet
Maximum Height:	8 feet
Setback:	10 feet if sign is taller than 3 feet

Be careful not to place Political Signs in the public right-of-way!

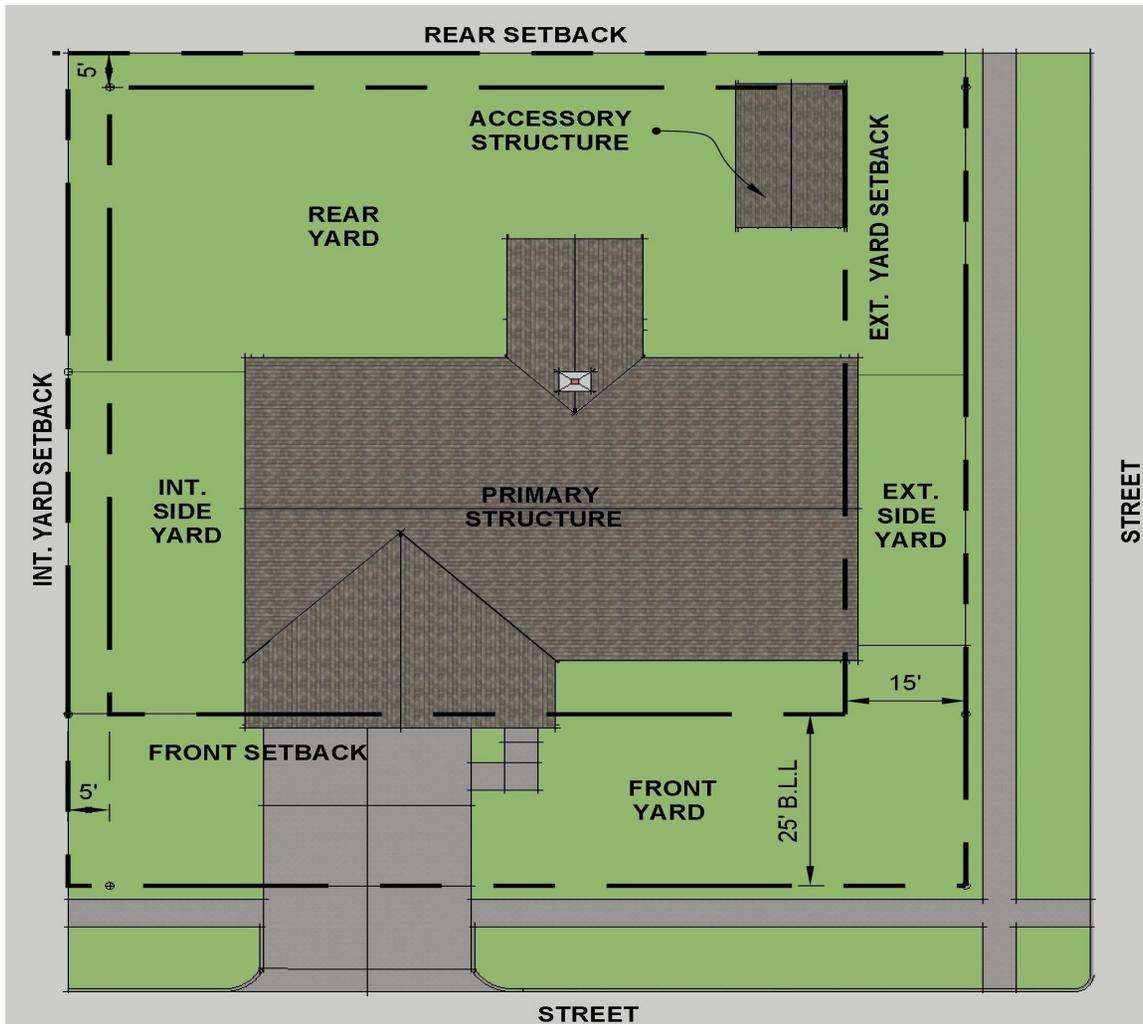
GARAGE/YARD SALE SIGNS

A Garage/Yard Sale Sign is classified as a Temporary Commercial Sign I and is regulated as follows:

Maximum Area:	16 square feet
Maximum Height:	6 feet
Maximum Duration:	10 days after event
Setback:	10 feet if sign is taller than 3 feet

Be careful not to place Garage/Yard Sale Signs in the public right-of-way!

Note: Garage sales are permitted no more than four times per calendar year, and lasting no more than three consecutive days each time.



Accessory Structures



The City of Wichita Falls
Department of Community Development

Planning Division
1300 7th Street
P.O. Box 1431
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Phone: 940-761-7451
Fax: 940-761-7419
E-mail: planning@wichitafallstx.gov



Accessory Use Regulations

The purpose of the accessory use regulations is to establish the relationship among principal and accessory uses and provisions governing their uses.

Accessory structure regulations are outlined in the city's zoning ordinance—Section 6500.

Standard Accessory Structures

Accessory structures are intended to be subordinate to a principal use in **height** and **total square footage**.

* If the wall height exceeds 8 ft. or total height exceeds 15 ft. setbacks shall be equal to the total height of the accessory structure. Please consult with a representative from the Building Inspections or Planning Division.

Residential Accessory Uses

Residential accessory uses shall include the following uses and structures and shall be allowed on the **same lot or site containing a residential use**.

- Playhouse, patios, porches, gazebos, cabanas, greenhouses and incidental household storage buildings.
- Home occupations as permitted under section 5100.
- Radio and television receiving antennas, including satellite dish antennas.
- Recreational facilities, including swimming pools and tennis courts for use by residents.
- A single accessory dwelling unit when the principal use is single-family residential on a lot over 10,000 square feet or greater.
- Garages, carports and parking for the principal use.

Accessory Building Setbacks

Front Setback:

- 25 feet

Side Setback (Exterior)

- 15 feet

Side Setback (Interior)*

- 5 feet

Rear Setback (From common property line)*

- 5 feet (buildings over 150 sq. ft.)

Rear Setback (Alley)*

- 1 foot

* If the wall height exceeds 8 ft. or total height exceeds 15 ft. setbacks shall be equal to the total height of the accessory structure. Please consult with a representative from the Building Inspections or Planning Division.

