

ZONING INTERPRETATION DECISION NO. 2023-07-12

Date Issued: July 12, 2023

Question. Is the current use of commercial vehicle and/or large commercial or industrial trucks and/or trucking equipment or types of uses allowed in the C-1 zoning district?

Answer. No, parking, storage, nor other uses of and/or related to commercial trucks, “semi”, trailer or any other similar type of equipment, machinery, trucks or components, or other commercial or industrial vehicles or machinery, is allowed in the C-1 zoning district.

Analysis. In considering this query, code provisions that were considered are as follows:

Sec. 118-45. – Light Commercial – District “C-1”

(a) Purpose and permitted uses. This district allows a mix of commercial uses including, retail, office, light commercial, and similar uses excluding residential and multifamily. This district allows the retail sale of goods and products (in the following listed use areas) to which value has been added onsite, including those uses permitted in the “NC” neighborhood commercial district (except single-family dwellings, residential accessory buildings and uses, duplex, triplex, and fourplex or multi-family uses), sales of goods and services outside of the primary structure as customary with the uses specifically listed, and the following: (1) Bakeries with goods primarily prepared for in-store retail sales on site, with no drive-thru service. (2) Banks, savings and loans, credit unions and financial services. (3) Business and commercial schools. (4) Convenience store, retail food store, grocery stores and supermarkets (including gasoline and/or alcohol sales with a conditional use permit). (5) Packaging of honey, herbs, spices and peppers produced in the region; limited to small business operations having less than 5,000 square feet of enclosed building area and not more than five employees onsite. (6) Personal service uses including barber shops, beauty parlors, photographic or artist studios, messengers, newspaper or telegraphic agencies, dry cleaning and pressing substations, dressmaking, tailoring, shoe repairing, repair of household appliances, electronics and bicycles, catering and other personal service uses of similar character. (7) Pet stores. (8) Professional services including architecture, legal services, psychological, real estate, consulting and other services deemed similar in nature by the council. (9) Public utilities substations. (10) Restaurant, café or cafeteria, drive-in eating establishment with alcoholic beverage sales, winery and brewery. (11) Telephone exchange, postal facilities and communication service. (12) Uses as determined by the commission and the council which are closely related and similar to those listed and that are not likely to create any more offensive noise, vibration, dust, heat, smoke, odor, glare, or other objectionable influences than the minimum amount normally resulting from listed uses permitted.

Application. The question was raised in conjunction with an inquiry related to property located at 403 S. Silver St., Burnet, TX, 78611.

Conclusion. Pursuant to City of Burnet Code of Ordinances Sec. 118-45, the use at issue, specifically the parking, storage, or any other use related to or of commercial or industrial trucks, vehicles, machinery or equipment, is not allowed in the Light Commercial

– “C-1” district. Doing so in this district is a violation of the City of Burnet Code of Ordinances.

Appeal. Pursuant to Texas Local Government Code Section 211.01 this decision is appealable to the City of Burnet, Board of Adjustment. Notice of appeal must be filed in the office of the City Secretary not later than 20 days from the date this decision was issued. The notice must include a written narrative specifying the grounds for the appeal.

To be effective as of the date first stated above.

City of Burnet, Texas
Development Services Director

Carly Pearson

Carly Kehde Pearson
Director

