

Division 19.1 “CB-5” Central Business District, Civic Center

Sec. 40.03.2151 Purpose

The urban core of the Lubbock Central Business District is a unique area of the city with special needs addressed in this division. The purpose of this district is to provide realistic, modern standards for new development and encourage renewal and revitalization of existing development. The review process hereby established promotes this purpose. (Ordinance 2012-O0007, sec. 1, adopted 2/9/2012)

Sec. 40.03.2152 General provisions

(a) All uses within this district shall be of retail sales, service, general or professional office, or residential use.

(b) All business shall be conducted entirely within a building, except that restaurants shall be permitted outside dining areas/patios as defined in [section 40.01.003](#)(138). Outside storage and/or display of any type is prohibited.

(c) Any residential use within this district must meet the provisions of the commercial building code.

(d) All structures shall be in keeping with the average value and construction of the existing development in the area.

(e) Plan review requirement: No construction permit, unless it is for interior renovation only of an existing structure, shall be issued within the “CB-5” District until a plan review as required by this section has been completed and plans approved. The proponent shall provide any items required for plan review.

(f) All warehousing shall be in conjunction with on-premises retail sales. All supplemental storage shall be attached to or adjacent to the principal building on the site and be subject to all requirements pertaining to the principal building.

(Ordinance 2012-O0007, sec. 1, adopted 2/9/2012)

Sec. 40.03.2153 Permitted uses

Permitted uses in this district are the following:

- (1) Accessory buildings are subject to all other requirements of this division (all materials must match primary structure). Temporary construction and/or field sales office provided said structure is approved by the codes administrator. Said structure must be removed within ten days of written notice from the codes administrator.
- (2) Ambulance service.
- (3) Antique shop.
- (4) Art galleries.
- (5) Arts and crafts store.
- (6) Bake shop, candy store, delicatessen, donut shop, pie shop.
- (7) Banks and savings and loan companies.
- (8) Baseball field/park.
- (9) Beauty or barber shops.
- (10) Bicycle sales and repair shops.
- (11) Book or stationery shops or newsstand.
- (12) Camera shop.
- (13) Churches and other places of worship.
- (14) Civic center, performing arts center.
- (15) Coin and stamp shops.
- (16) Coin-operated machines, five (5) or less skill or pleasure coin-operated machines as an incidental use to any permitted use in this district.
- (17) Commercial parking lot or building. No gasoline sales permitted.
- (18) Commercial private clubs and teenage clubs.
- (19) Convalescent, nursing, orphan, maternity and geriatric homes and personal care facilities.
- (20) Dance hall (no mixed alcoholic beverage sales permitted).

- (21) Day nurseries.
- (22) Department store, discount center, family center.
- (23) Dress shop.
- (24) Drug store. In areas allowed by state and local laws, permit the sale of alcoholic beverages for off-premises consumption as an incidental use. (No accessory pass-out windows and/or delivery to customers while still in their motor vehicles shall be permitted for any product other than prescription medications.)
- (25) Duplicating/copy service.
- (26) Fire stations.
- (27) Florist shop.
- (28) Funeral home or mortuary. (Ambulance service permitted.)
- (29) Gift shop.
- (30) Grocery store with not over three thousand (3,000) square feet of total floor area. In areas allowed by state and local laws, permit the sale of alcoholic beverages for off-premises consumption as an incidental use. (No gasoline sales, no accessory pass-out windows and/or delivery to customers while still in their motor vehicles shall be permitted.)
- (31) Hobby shop.
- (32) Hospital, clinic or medical office.
- (33) Hotel or motel.
- (34) Lodges, sorority and fraternity houses.
- (35) Loft apartment (conversion and new).
- (36) Magazine agency.
- (37) Museum.
- (38) Music or video shop.
- (39) Nightclub, bar or lounge.

- (40) Office supply - no printing operation permitted.
- (41) Offices, general and professional.
- (42) Oil and gas wells (subject to conditions of [article 8.07](#), oil and gas drilling, of this code).
- (43) Package store.
- (44) Parking areas and/or buildings.
- (45) Private schools having a curriculum equivalent to that of public schools.
- (46) Public parks and recreational facilities owned by the city, including party houses and/or community centers.
- (47) Public schools.
- (48) Radio studio, with no tower or antenna.
- (49) Restaurants with sales of mixed alcoholic beverages as an incidental use. Accessory passout windows and outside dining areas/patios shall be permitted as defined in [section 40.01.003](#)(137) and [40.01.003](#)(138).
- (50) Restaurants when designed for service and consumption of food inside the building except that accessory passout windows and outside dining areas/patios shall be permitted as defined in [section 40.01.003](#)(137) and [40.01.003](#)(138).
- (51) Semi-public uses such as community clubhouses, YMCA, YWCA, boy scouts, girl scouts, boys clubs, and little theaters.
- (52) Skating rinks.
- (53) Studios: art, teaching, dance, music, drama, photographic, interior decorating.
- (54) Tailor shop.
- (55) Townhouse/condominiums (conversion and new) as defined in the specific use district.

(56) Theaters and motion picture shows (includes multiple screens).

(Ordinance 2012-O0007, sec. 1, adopted 2/9/2012)

Sec. 40.03.2154 Conditional uses

The following uses may be permitted when approved by the zoning board of adjustment as specified in [article 40.02, division 2](#) of this chapter.

(1) Shared or leased parking within six hundred (600) feet of the property when business circumstances, location of parking spaces and normal hours of use are conducive to both businesses, and such arrangement is demonstrated by a letter of agreement between the two (2) parties.

(2) Outside dining patios with front setbacks of less than twenty-five (25) feet, unless allowed by the yard requirement [section 40.03.2155\(a\)\(1\)](#).

(3) A bar, cocktail lounge, private club, nightclub, or dance hall with less than six hundred (600) feet of separation from any established bar, cocktail lounge, private club, nightclub, or dance hall. This distance shall be measured in a direct line from front door to front door.

(4) Public utility installations such as, but not limited to, railroad right-of-way and tracks, transformer stations, transmission lines, telephone exchanges, lift stations, pumping stations, but in no event shall this be construed as permitting such uses as garages and shops, railroad yards, loading yards or warehouses.

(Ordinance 2012-O0007, sec. 1, adopted 2/9/2012)

Sec. 40.03.2155 Yard requirements

(a) Front yard. Any lot line adjacent to a dedicated street (not an alley) shall be a front.

(1) The front yard setback for structures and outdoor dining areas/patios shall be no less than the average setback established by the development on the adjacent lot or lots. If there is only a developed lot on one side, then the development shall match the existing setback. If there is no adjacent development, the required minimum setback shall be five (5) feet.

(2) However, any lot that fronts on a thoroughfare or expressway shall have a setback of not less than forty-three (43) feet from the property line adjacent to the thoroughfare or expressway.

(3) On corner lots, the front setback shall be no less than zero (0) feet and no greater than the setback established by the development on the adjacent lot.

(4) In no event, however, shall any garage have less than a twenty (20) foot front setback.

(5) Structures and outdoor dining areas/patios must meet the vision clearance requirements of this section.

(b) Rear yard. There shall be no rear yard requirement. (Fire and building codes may dictate differently.)

(c) Side yard. There shall be no side yard requirement. (Fire and building codes may dictate differently.)

(d) Projections into required yards.

(1) Bay windows with a gross floor area of less than or equal to twelve (12) square feet, cornices, belt courses, eaves, sills, awnings, canopies, and chimneys may extend two (2) feet into any required yard.

(2) Unenclosed fire escapes, stairways, covered doorways, porch overhangs and/or balconies, covered or uncovered, may extend four (4) feet into any required yard.

(Ordinance 2012-O0007, sec. 1, adopted 2/9/2012)

Sec. 40.03.2156 Lot width

There shall be no minimum lot width. (Ordinance 2012-O0007, sec. 1, adopted 2/9/2012)

Sec. 40.03.2157 Lot area

There shall be no lot area requirement. (Ordinance 2012-O0007, sec. 1, adopted 2/9/2012)

Sec. 40.03.2158 Lot coverage

There shall be no lot coverage requirement. (Ordinance 2012-O0007, sec. 1, adopted 2/9/2012)

Sec. 40.03.2159 Floor area ratio

There shall be no floor area ratio requirement. (Ordinance 2012-O0007, sec. 1, adopted 2/9/2012)

Sec. 40.03.2160 Height limit

There shall be no height requirement. (Ordinance 2012-O0007, sec. 1, adopted 2/9/2012)

Sec. 40.03.2161 Separation

No bar, cocktail lounge, private club, nightclub or dance hall shall be located within six hundred (600) feet of any established bar, lounge, private club, nightclub, or dance hall, unless conditionally allowed under [section 40.03.2154](#)(3) of this division. This distance shall be measured in a direct line from front door to front door. (Ordinance 2012-O0007, sec. 1, adopted 2/9/2012)

Sec. 40.03.2162 Off-street parking

(a) Off-street parking requirements.

- (1) Churches and other places of worship. One paved off-street parking space for each eight (8) seats in the auditorium. If pews are used, each twenty (20) inches in length shall equal one seat.
- (2) Clinic, medical. One space per two hundred (200) square feet of gross floor area.
- (3) Day nurseries. One space for each three hundred (300) square feet of gross floor area.
- (4) Funeral home or mortuary. One space for each eight (8) seats in the chapel.
- (5) Hospital. Two (2) spaces for each bed.
- (6) Loft apartment. One space for each efficiency unit, one and one-half (1-1/2) spaces for each one bedroom unit, two (2) spaces for each unit with two (2) or more bedrooms, plus one additional space for each four (4) units in the development.
- (7) Nightclub, bar, lounge, or dance hall. One space for each one hundred (100) square feet of gross floor area.

- (8) Performing arts center. 1 space per 4 seats.
- (9) Restaurants serving or not serving mixed alcoholic beverages. One space for each one hundred (100) square feet of gross floor area, except that outside dining areas/patios with fewer than two hundred fifty (250) square feet shall not be included in the gross square footage. Any outside dining areas/patios larger than two hundred fifty (250) square feet shall have the entire area included in the gross square footage.
- (10) Semi-public uses such as YMCA, YWCA, scouts, boys club, etc. One space for each five hundred (500) square feet in activity areas such as gymnasium or swimming pools plus one space for each two hundred (200) square feet of other building areas.
- (11) Theaters and motion picture shows (including multiple screens). One (1) space for each eight (8) seats.
- (12) Townhomes. Two spaces per unit.
- (13) All permitted uses not listed above. One space for each three hundred (300) square feet of floor area.
- (14) Conditional uses. The required number of spaces shall be set by the zoning board of adjustment, based on the requirements for that use or similar type uses in this or other districts.

(b) Off-street parking provisions.

- (1) Required off-street parking may be on site or on property under common ownership within three hundred (300) feet of the property.
- (2) Shared or leased parking shall be subject to approval by the zoning board of adjustment under [section 40.03.2154\(1\)](#).
- (3) Any lighting of drives or parking areas shall be so designed as not to cause any glare on any other residential or apartment zoned area in the vicinity.
- (4) Off-street parking shall be screened in accordance with [section 40.03.2165\(f\)](#).
- (5) Plans for off-street parking areas shall be submitted to be checked and approved as to access, ingress and egress by the city traffic engineer under the terms of this district and the city's driveway regulations.

(6) No off-street parking areas shall be allowed in front of buildings on Mac Davis Lane, Glenna Goodacre Boulevard, or any street bordering the Civic Center. Parking areas may be installed at the side or at the rear of a structure.

(7) No overhead or garage doors shall be allowed facing Avenue Q, Mac Davis Lane, Glenna Goodacre Boulevard, Marsha Sharp Freeway, or any street bordering the Civic Center.

(8) Recreational vehicles and oversized recreational equipment or trailers may be stored on paved parking lots, but not in any landscaped area.

(A) In no event shall storage of recreational vehicles or oversized recreational equipment or trailers be allowed in the right-of-way or parkway.

(B) No person shall occupy or use any recreational vehicles as living or sleeping quarters, except as allowed in subsection (9) below.

(9) Exceptions to recreational vehicle requirements in subsection (8) above:

(A) Any recreational vehicle, oversized recreational equipment or trailer parked by its owner who is a Lubbock resident, on his lot, while engaged in active loading or unloading for a period not exceeding forty-eight (48) hours in a five-day period.

(B) The recreational vehicle of a non-Lubbock resident on the lot or parcel of a person he is visiting. However, the recreational vehicle shall only be allowed to be parked on the lot for a maximum of fourteen (14) days during a thirty-day period.

(C) Recreational vehicles parked on private parking lots of hospitals and/or clinics where parking of such vehicles is allowed.

(D) Recreational vehicles parked on parking lots of the civic center where parking of such vehicles is allowed (subject to any civic center policies and regulations).

(Ordinance 2012-O0007, sec. 1, adopted 2/9/2012)

Sec. 40.03.2163 Plan review

Persons developing property within the “CB” districts are strongly encouraged to schedule a pre-application conference with the planning department. Plans submitted under the provisions of this section should convey the exterior design elements of a development and illustrate the property’s relationship to its surroundings. A complete set of documents shall include the following information:

- (1) Completed project application form.
- (2) Owner or representative’s name, address, phone and project title.
- (3) Photographs illustrating the condition of the property, including all facades of any existing buildings.
- (4) Site plans, maps and/or elevation drawings of proposed structures. All submissions should be to scale and illustrate:
 - (A) All property lines, north arrow and scale.
 - (B) All streets, alleys and easements, both existing and proposed.
 - (C) Architectural character and use of materials, including mechanical equipment and other visible items associated with the structure or development lot. Illustrations should include:
 - (i) Elevation drawings, photographs and other supporting materials to illustrate the proposed renovation.
 - (ii) Specifications for all materials to be used, including samples if necessary for complete understanding.
 - (iii) Color specifications with samples preferred.
 - (D) Location and dimensions of buildings and structures.
 - (E) Building height and setback from adjacent right-of-way lines.
 - (F) Proposed ingress and egress to property, and traffic flow and control.

(G) Off-street parking and loading areas, including any additional information required to calculate parking requirements.

(H) Type, dimension, and character of screening.

(I) Location, size and design of signs, existing and proposed.

(J) Location, height and design of outdoor lighting.

(K) Landscape and irrigation plan for the development lot, including specifications for hard-surface landscape materials.

(5) Other information that will assist in the evaluation of site development is encouraged, but not required.

(Ordinance 2012-O0007, sec. 1, adopted 2/9/2012)

Sec. 40.03.2164 Plan review process

(a) Prior to issuance of a construction permit, complete plans as described in [section 40.03.2163](#)(1)–(5) shall be submitted to the planning department. The senior planner or his designated representative shall determine by review of such plans whether the proposed development meets the intent of this section and the “Design Standards for the Central Business District,” dated 1999, a copy of which is attached hereto and incorporated by reference as if fully set forth. Any development within the CB-5 district shall follow the CB-3 guidelines in the “Design Standards for the Central Business District.” Within ten (10) working days of receipt by the planning department, both the proponent and the building official will be informed in writing of the senior planner’s decision including the need for review by the urban design and historic preservation commission as described in subsection (b), or any conditions for approval. The senior planner’s decision may be appealed in writing to the zoning board of adjustment by the applicant or other interested person within thirty (30) days of the written decision in accordance with [article 40.02, division 2](#) of this chapter.

(b) If the senior planner determines that the proposal contains unique circumstances which cannot be accommodated by the standards of this zoning district and the “Design Standards for the Central Business District,” the senior planner shall notify the proponent in writing and the plans shall be placed on the next available agenda of the urban design and historic preservation commission for recommendations. The commission shall use this section and the design standards to determine whether the development meets the intent of

each and to make recommendations. Factors to be considered by the commission in making its recommendation and attaching conditions include: the extent to which the proposal differs from the design standards or the standards of the ordinance, the impact of these modifications on existing and future development in the area, and the public purpose to be served by permitting the requested modifications.

(c) Upon recommendation by the commission, the senior planner may vary the requirements of the design standards so long as the requirements of this division are not altered. Variances from the requirements of this division even if recommended by the commission, must be approved by the zoning board of adjustment in accordance with [article 40.02, division 2](#) of this chapter. The commission shall provide its recommendations in writing to the applicant and to the zoning board of adjustment.

(Ordinance 2012-O0007, sec. 1, adopted 2/9/2012)

Sec. 40.03.2165 Landscaping requirements

(a) No less than ninety (90) percent of the required front yard excluding paved curb returns or driveways up to a minimum of ten (10) percent of the total development lot area shall be landscaped and permanently maintained, except that:

(1) Interior courtyards shall not be included in any required landscaping.

(2) Buildings with zero (0) front and side setback shall not be required to have any on-site landscaping except that when a structure with zero (0) setback has adjacent parking ten (10) percent of that parking area must be landscaped and visible from the street, either in front or elevated (ex. shrubs and trees visible over vehicles).

(b) The parkway areas of adjacent rights-of-way, excluding paved curb cuts and driveways, shall be landscaped and permanently maintained. This shall be in addition to the landscaping required above. Any landscaping placed in the parkway must be in compliance with [section 40.02.002\(f\)\(9\)](#) of the zoning ordinance and the Downtown Public Improvements Guidelines.

(c) All required landscaping must be visible from the public right-of-way and placed for maximum enhancement of the property and the Civic Center Area.

(d) Landscaping shall meet the requirements of [section 40.01.003\(88\)](#), except that required landscaping on the development lot may incorporate no more than ten (10) percent hard surface materials within the landscaping. Hard surface

materials shall include only brick, stone, and modular pavers. Landscaping shall not include the use of smooth, patterned, colored or aggregate poured-in-place concrete or asphalt.

(e) Any landscaping placed within the visibility triangle of a corner lot shall be in compliance with the vision clearance standards of this section.

(f) Off-street parking of motor vehicles immediately adjacent to any street shall be screened from the street by a two and one-half foot (2-1/2) solid fence. Such fencing shall be placed immediately adjacent to the parking area in accordance with [section 40.03.2166](#)(a) of this division and set back no more than six (6) feet. The area between the fence and the property line, if any, must be landscaped and permanently maintained according to the landscape section of this ordinance.

(g) All landscaped areas on the development tract and adjacent parkway shall have immediate availability of water (i.e., a water faucet) or an irrigation system, either system to be capable of sustaining plant materials. Irrigation systems shall meet acceptable industry standards.

(h) Irrigation systems adjacent to public streets shall not spray onto adjacent streets or gutters.

(i) When seasonal conditions warrant, the building official may issue a temporary certificate of occupancy for sixty (60), ninety (90), or one hundred twenty (120) days pending completion of landscaping. No final certificate of occupancy shall be issued prior to completion of landscape requirements.

(Ordinance 2012-O0007, sec. 1, adopted 2/9/2012)

Sec. 40.03.2166 Vision clearance

(a) Front yards. In a front yard, no wall, fence or other structure shall be erected in any part of the front yard that would be higher than a line extending from a point two and one-half (2-1/2) feet above the natural ground level at the front lot line to a point four and one-half (4-1/2) feet above the natural ground level at a depth of twenty-five (25) feet from the front lot line.

(b) Corner lots. It shall be unlawful to set out, construct, maintain, or permit or cause to be set out, constructed, or maintained any tree, shrub, plant, sign or structure or any other view obstruction having a height greater than two (2) feet as measured from the top of the curb of the adjacent streets within the intersection visibility triangle. This restriction shall not apply to traffic-control signs and signals, street signs or utility poles placed within

such area by authority of the city. Intersection visibility triangle shall mean a triangle sight area, at all intersections, which shall include that portion of public right-of-way and any corner lot within a triangle formed by a diagonal line extending through points on the two (2) property lines twenty-five (25) feet from the street corner intersection of the property lines (or that point of intersection of the property lines extended) and intersecting the curblines.

(c) Parkways. It shall be unlawful to set out, construct, maintain, or permit to be maintained, set out or constructed any shrub or plant (excluding trees), sign or structure, or any other view obstruction having a height of greater than three (3) feet, as measured from the top of the curb of the adjacent street, in the parkway area. All trees with a trunk diameter greater than two (2) inches measured three (3) feet above ground level that are within any of the parkway area shall be trimmed so that no foliage is less than six (6) feet above the top of the curb of the adjacent street. No evergreen or coniferous species of tree shall be allowed in the parkway.

(d) This section shall not apply to traffic-control signs and signals, street signs, mailboxes which are less than two (2) feet long on each side which is perpendicular to the street, or utility poles placed within the parkway. No such tree, shrub or plant, sign or structure (including mailboxes) shall be allowed to interfere with the free passage of vehicles on the street or of pedestrians on the sidewalk or to obscure the view of motor vehicle operators of any traffic control device or street sign or otherwise create a traffic hazard.

(Ordinance 2012-O0007, sec. 1, adopted 2/9/2012)

Secs. 40.03.2167–40.03.2230 Reserved