

ORDINANCE NO. _____
Zoning Text Amendment No. 2026 – 02

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, REVISING THE MESQUITE CITY CODE BY MAKING A MESQUITE ZONING ORDINANCE TEXT AMENDMENT, ZTA NO. 2026-02, THEREBY REVISING APPENDIX C – ZONING ORDINANCE, BY MAKING ADDITIONS AND DELETIONS TO CERTAIN SECTIONS IN PART 3 (NONRESIDENTIAL DISTRICTS); AND PART 6 (DEFINITIONS) FOR THE PURPOSE OF ADDING AND/OR REVISING REGULATIONS AND USE-SPECIFIC DEVELOPMENT STANDARDS RELATED TO DRONE DELIVERY, INCLUDING AUTONOMOUS PACKAGE LOADING DEVICES (“APLDs”), AND DRONE STAGING AREAS, AND INCLUDES RELATED DEFINITIONS; AND OTHER GENERAL UPDATES RELATED THERETO; PROVIDING CONFLICTS RESOLUTION, SAVINGS, AND SEVERABILITY CLAUSES; PROVIDING A PENALTY CLAUSE WITH A FINE NOT TO EXCEED \$2,000; PROVIDING FOR PUBLICATION OF THE CAPTION HEREOF; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, it is the intent of the City Council of the City of Mesquite, Texas (“**City Council**”) to protect the public health, safety, and welfare; and

WHEREAS, drone package delivery has moved from pilot programs to active commercial operations across North Texas; and

WHEREAS, this ordinance does **not** regulate recreational consumer Unmanned Aircraft (“UA”), or recreational consumer drones; and

WHEREAS, this City of Mesquite, Texas (“**City**”) Zoning Text Amendment (**No. ZTA 2026-02**) updates the City's drone delivery regulations and addresses regulatory gaps identified as drone delivery operations have expanded in Mesquite; and

WHEREAS, this amendment strengthens existing standards for drone staging areas (i.e. an area is where the drone itself launches, lands, charges, and is stored between missions); and

WHEREAS, Operators have established partnerships with quick-service restaurants and retailers, using small ground-based structures to receive employee-loaded packages for pickup by unmanned aircraft; and

WHEREAS, unlike a drone staging area, where the aircraft itself launches, lands, charges, and is stored, an Autonomous Package Loading Device (“**APLD**”) is solely a package handoff point: an employee loads it, the aircraft collects the package, and the aircraft departs without docking, charging, or staging at the device; and

WHEREAS, the distinction between drone staging areas and APLDs matter because the two structures present different land use considerations—staging areas raise concerns associated with aircraft operations and storage, while APLDs raise concerns associated with small accessory structures sited on commercial property near pedestrians, parking, and drive-through facilities; and

WHEREAS, the amended standards apply to all property within nonresidential zoning districts Citywide where a drone delivery use, drone staging area, or autonomous package loading device may be proposed; and

WHEREAS, this is a zoning text amendment only—no property is being rezoned, no zoning district boundary is being changed, and no specific project is being approved; and

WHEREAS, the amendment allows drone delivery to continue developing in Mesquite while establishing clear standards that protect pedestrian circulation, emergency access, adjacent development, and neighborhood compatibility; and

WHEREAS, taken together, the revisions establish an integrated regulatory framework governing each principal component of a drone delivery operation: the delivery service itself, the staging area, the accessory structures that serve it, and the Autonomous Package Loading Device; and

WHEREAS, in addition to local regulation, [Section 211.019](#) of the Texas Local Government Code offers further protections to property owners and lessees impacted by zoning changes. *In general*, if a municipality requires the cessation of a legal nonconforming *use*, it must either (1) compensate the owner or lessee for direct costs and loss in market value, or (2) allow continued operation of the *use* until those losses are recovered; and

WHEREAS, the City is currently **not** proposing to stop any legal nonconforming *uses*; and

WHEREAS, upon the effective date of this ordinance, any existing drone related installations predating this ordinance will become legally nonconforming *structures*, whereby they may continue to operate, but they may not be expanded, relocated, or replaced without full compliance with the new standards in accordance with MZO, Part 1, 1-300, [Section 1-303](#) (Nonconforming Structures and Premises); and

WHEREAS, the City is a home-rule municipality acting under its Charter adopted, and amended, by the electorate pursuant to Article 11, [Section 5](#) of the Texas Constitution and [Chapter 9](#) of the Texas Local Government Code; and

WHEREAS, a home-rule municipality has full power of local self-government, pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 51, [Section 51.072\(a\)](#); and

WHEREAS, the City shall have the power to enact and enforce ordinances necessary to protect health, life, and property and to prevent and summarily abate and remove all nuisances, and to preserve and enforce good government and order and security of the City and its inhabitants, pursuant to Mesquite City Charter, Article III, [Section 2](#); and

WHEREAS, a home-rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants, pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 54, Subchapter A, [§ 54.004](#), as amended; and

WHEREAS, the City derives its municipal zoning authority for zoning regulations and districts from Texas Local Government Code, Title 7, Subtitle A, [Chapter 211](#), (Municipal Zoning Authority); and

WHEREAS, the City may regulate the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes pursuant to Texas Local Government Code, Title 7, Subtitle A, Chapter 211, [Section 211.003](#); and

WHEREAS, zoning regulations must be adopted in accordance with a comprehensive plan pursuant to Texas Local Government Code, Title 7, Subtitle A, Chapter 211, [Section 211.004](#) (Compliance with Comprehensive Plan); and

WHEREAS, on **July 13, 2026**, the City of Mesquite **PLANNING & ZONING COMMISSION** considered the herein described text amendments to the *Mesquite Zoning Ordinance* and after having given proper public notice and holding a public hearing for the receipt of public comments, the Planning and Zoning Commission *recommended* by majority vote the City Council adopt the text amendments to the Mesquite Zoning Ordinance, attached as **EXHIBIT A**; and

WHEREAS, after having given proper public notice and holding a public hearing, the City Council finds that it is in the best interests of the citizens of the City to amend the Mesquite Zoning Ordinance as herein provided.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. Recitals Incorporated.

The City Council hereby finds and determines the recitals made in the preamble of this Ordinance are true and correct, and hereby incorporates such recitals here in the body of this Ordinance as if copied in their entirety.

**SECTION 2. Mesquite Zoning Ordinance Text Amendment.
Amending Parts 3, and 6.**

The Mesquite Zoning Ordinance is hereby amended by making certain additions and deletions as identified in **EXHIBIT A** and said Exhibits are attached hereto and made a part hereof, and in all other respects said Zoning Ordinance, and its parts, and sections shall remain in full force and effect.

SECTION 3. Conflicts Resolution Clause.

- 3.01.** In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Mesquite and the provisions of this Ordinance, the provisions of this Ordinance shall be controlling.
- 3.02.** The provisions of this ordinance govern only those matters within the City's lawful authority and shall not be construed to regulate such matters as Unmanned Aircraft ("UA") operations, or other matters subject to the exclusive jurisdiction of the Federal Aviation Administration ("FAA"), or otherwise preempted by State or federal law.
- 3.03.** Nothing in this ordinance shall be construed to limit any right or authorization granted under applicable State or federal law, or FAA regulations; and

SECTION 4.

Severability Clause.

Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance and the Mesquite City Code, as hereby or previously amended, which shall remain in full force and effect.

SECTION 5.

Savings Clause.

An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Mesquite City Code, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 6.

Penalty Clause.

Any violation of the provisions or terms of this Ordinance by any “person,” as defined in Mesquite City Code, Chapter 1, [Section 1-2](#), shall be deemed a Class C Misdemeanor criminal offense, and upon conviction thereof, shall be subject to a penalty of fine, or any other general penalties, as provided in Mesquite Zoning Ordinance, Part 5, 5.100, [Section 5.103](#) (General Penalties), or successor and as amended.

SECTION 7.

Publication.

This Ordinance shall be published in the City’s official newspaper in accordance with Mesquite City Charter, Article IV, [Section 24](#).

SECTION 8.

Effective Date.

This Ordinance after its passage and publication shall take effect on, and be in force from and after, five (5) days after publication thereof, in accordance with Mesquite City Charter, Article IV, [Section 24](#), and it is accordingly so ordained.

[Signatures appear on the next page.]

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ON THE 3rd DAY OF AUGUST 2026.

Daniel Alemán, Jr.
Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

Sonja Land
City Secretary

David L. Paschall
City Attorney

MESQUITE CITY CODE

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APPENDIX C – MESQUITE ZONING ORDINANCE (“MZO”)

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PART 3. – NONRESIDENTIAL DISTRICTS

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3.500 - SUPPLEMENTARY USE REGULATIONS

* * *

3.513 Drone Delivery.

These regulations apply to ~~both~~ Drone Delivery Services, ~~and~~ Accessory Drone Delivery, and Autonomous Package Loading Devices (APLD), except where individually referenced.

A. *Definitions.* ~~SEE Section 6.102 for definitions.~~ The following terms and definitions shall apply to this Section 3.513 (Drone Delivery). For additional definitions, see MZO, Part 6, 6.100, Section 6.102 (Definitions):

1. Autonomous Package Loading Device (APLD). A freestanding, wall-mounted, pole-mounted, rooftop-mounted, or building-integrated kiosk, cabinet, portal, structure, or apparatus used to receive, temporarily store, secure, transfer, or present packages or goods for autonomous pickup by an Unmanned Aircraft. The aircraft flies to the device, collects the package, and departs. The aircraft does not return to, dock at, charge at, or stage at an Autonomous Package Loading Device (APLD). See Section 3.513.D.(Autonomous Package Loading Devices – APDL) for APDL development standards.
2. Drone. See Section 6.102 (Definitions).
3. Drone Delivery—Accessory Use; or Accessory Drone Delivery. See 6.102 (Definitions).
4. Drone Delivery Service. See Section 6.102 (Definitions).
5. Drone Staging Area. A designated area of land, structural surface, or rooftop used in conjunction with a drone delivery use for the purpose of launching, returning, landing, docking, charging, storing, dispatching, or recovering Unmanned Aircraft between delivery missions. A Drone Staging Area includes associated launch pads, landing pads, safety areas, charging equipment, storage areas, accessory structures, operational equipment, and related facilities. A drone staging area does not include an Autonomous Package Loading Device (APLD), which serves solely as a business-side package transfer point and is not used for the landing, docking, charging, storage, or staging of Unmanned Aircraft. See Section 3.513.C.(Drone Staging Areas) for development standards.
6. Unmanned Aircraft (UA) or Uncrewed Aircraft. Any Unmanned Aircraft (UA) or Drone operated without the possibility of direct human intervention from within or on the aircraft, including remotely piloted aircraft and fully autonomous aircraft, whether fixed-wing, rotary-wing, or hybrid, used for commercial package delivery purposes. The term does not include recreational consumer unmanned aircraft or recreational consumer drones.

EXHIBIT A TO ORDINANCE NO. _____; ZTA NO. 2026 – 02.

Appendix C – Mesquite Zoning Ordinance (“MZO”); *Amending* Part 3, 3.513 – Drone Delivery.
Planning & Zoning Meeting Date: July 13, 2026 | City Council Meeting Date: August 3, 2026

B. *Drone Delivery.*

1. *Drone delivery services.* Drone ~~d~~Delivery ~~s~~Services are allowed as a primary use. ~~SEE~~See Section 3.203 (Schedule of permitted uses), Sub-section E. (Transportation/Utilities).
2. *Accessory drone delivery.* Accessory Drone Delivery is allowed as an accessory use to a permitted food store, restaurant, retail store, ~~or~~ warehouse/distribution facility, ~~or other permitted commercial use.~~ ~~SEE~~See Section 3.203 (Schedule of permitted uses), Sub-section L. (Accessory Uses and Structures).
3. *Signage.* Any signage associated with a Drone Delivery Service or Accessory Drone Delivery use, including, but not limited to, a Drone Staging Area, Autonomous Package Loading Devices (APLDs), or related accessory structures shall comply with the City's sign regulations. See Mesquite City Code, Chapter 13 (Signs).

C. *Drone staging areas.*

1. ~~Drone staging areas must be designated on an approved site plan.~~ Site plan required. All Drone Staging Areas shall be designated on an approved site plan prior to installation or operation. The site plan shall depict the location, dimensions, and setbacks of all staging areas and structures; power supply connections; and the proximity to driveways, fire lanes, parking areas, pedestrian walkways, building entrances, accessible routes, means of egress, and property lines.
2. *Prohibited locations.* Drone ~~s~~Staging ~~a~~Areas shall not be placed within any setback, required landscape area, fire lane, easement, maneuvering aisle, required loading zone, required parking space, or any location that obstructs visibility or interferes with pedestrian or vehicle circulation.
3. *Size limitations.* Drone ~~s~~Staging ~~a~~Areas as part of an ~~a~~Accessory ~~d~~Drone ~~d~~Delivery use shall be limited to one thousand (1,000) square feet or ten percent (10%) ~~percent~~ of the lot area, whichever is greater. A ~~d~~Drone ~~s~~Staging ~~a~~Area located within or on the roof of the building containing the primary use is not subject to this limitation.
4. *Residential restrictions.* Drone ~~s~~Staging ~~a~~Areas shall be located a minimum of two hundred (200) feet from a residentially zoned property, and any lot used for a residential care facility, nursing home, or public park. The measurement shall be from the outermost edge of the ~~d~~Drone ~~s~~Staging ~~a~~Area to the closest property line.
5. *Location preference.*
 - a. Between building and rear property line. Accessory Drone Staging Sreas shall be located in the area between the building and the rear property line.
 - b. Front yard – prohibited. Placement within a front yard is prohibited.
 - c. Side yard. Placement within a side yard may be approved by the Director of Planning and Development Services, or designee, ("Director") only upon a determination that placement within the area between the building and the rear property line is not feasible due to site-specific conditions and that the side-yard location satisfies all applicable provisions of this Subsection C.(Drone Staging Areas).
 - d. Corner lot front yard and corner lot side yard. Corner lot front yard and corner lot side yard designations shall be determined in accordance with the definition for "yard," specifically "front yard" and "side yard." See Section 6.102 (Definitions).

6. Utility connections. Any Drone Staging Area requiring utility service shall be installed in accordance with all applicable building, electrical, fire, and utility codes adopted by the City, as amended. Any required utility service shall be permanently installed and operational prior to commencement of operations. Temporary or portable utility connections shall not serve as the permanent source of power for a Drone Staging Area. The use of extension cords, cord reels, temporary power services, generators intended for temporary use, or similar temporary utility connections as the permanent source of power is prohibited.

7. Backup power generators. Any Backup Power Generator installed to serve a Drone Staging Area shall comply with Section 3.516 (Accessory Backup Power Generators).

8. Accessory structures. Accessory structures located within a Drone Staging Area shall be permitted only when incidental to and reasonably necessary for the operation of the drone delivery use.

a. All accessory structures shall comply with the applicable provisions of this Zoning Ordinance.

b. Accessory structures should be architecturally compatible with the primary building through the use of similar building materials, colors, and design elements.

c. Shipping containers, cargo containers, portable storage containers, or similar prefabricated storage units shall not be permitted as accessory structures within a Drone Staging Area.

~~D.9. Antennas. Antennas and antenna support structures shall comply with Section 1.700 (Telecommunications Towers and Antennas).~~

~~E. Fencing—optional. Drone staging areas may be enclosed with a fence or wall consisting of masonry, decorative iron, or, link that is coated with black vinyl.~~

10. Screening. All ground-mounted improvements at a Drone Staging Area shall be screened from public view on any side that faces a public right-of-way by landscaping and masonry walls. The following standards apply:

a. Landscaping. Landscaping shall be installed between the masonry screening wall and the public right-of-way in accordance with the applicable landscape requirements of Article 1A-300 (Screening and Buffering Requirements) of this Zoning Ordinance.

b. Masonry screening wall. Masonry screening walls shall be a minimum of eight (8) feet in height.

c. Masonry wall construction. Masonry walls shall be constructed of brick, natural stone, precast concrete panel, or architectural concrete masonry units (CMU) and shall have a decorative finish on all faces abutting public rights-of-way or adjacent properties.

d. Areas not facing a public ROW. Any side of a Drone Staging Area not facing a public right-of-way may utilize decorative iron fencing. Landscaping shall not be required along those sides.

e. Prohibited fencing. Chain link fencing, including vinyl-coated chain link, is prohibited.

11. Nonconforming premises. Any Drone Staging Areas lawfully installed prior to the effective date of this Section 3.513 (Drone Delivery), that does not conform to these standards shall be considered a legally non-conforming premises. See MZO, Part 1, 1-300, Section 1-303 (Nonconforming Structures and Premises).

D. Autonomous Package Loading Devices (APLDs).

1. Definition(s). For purposes of this subsection:

Site Safety Factors. Means pedestrian circulation, accessibility, building access, emergency access, vehicular circulation, drive-through operations, and overall site safety.

2. Permitted use. An Autonomous Package Loading Device (APLD) is permitted as an accessory use, by building permit, in any nonresidential zoning district where the associated primary use—food store, restaurant, retail store, warehouse/distribution facility, or other permitted commercial use with on-premises customer transactions—is permitted. APLDs are not permitted in residential zoning districts.

3. Quantity limit.

- a. General rule. No more than one (1) Autonomous Package Loading Device (APLD) shall be permitted on a parcel as a matter of right, and no parcel shall contain more than three (3) APLDs without Conditional Use Permit (CUP) approval. The Director, or designee, may administratively approve up to a total of three (3) APLDs on a parcel upon a written determination that:

(1) The additional APLDs are necessary to serve the operational needs of the primary use or uses on the property.

(2) The site can safely accommodate the additional APLDs without adversely affecting pedestrian circulation, accessibility, vehicular circulation, parking, emergency access, fire protection features, or site operations.

(3) Each APLD complies with all applicable provisions of this Section 3.513 (Drone Delivery).

(4) The additional APLDs are compatible with the scale and intensity of development on the site and will not materially interfere with the safe and efficient operation of adjacent businesses, shared parking areas, common access drives, or other shared site features.

- b. CUP approval needed. A property owner or operator seeking to install more than three (3) APLDs on a parcel shall obtain Conditional Use Permit (CUP) approval in accordance with Section 3.203 (Schedule of Permitted Uses), and Section 5.310 (Conditional Use Permits) prior to installation. Administrative adjustments shall not authorize an increase in the maximum number of APLDs permitted under this subsection. See Subsection D.16 (Administrative Adjustments).

4. Building permit required.

a. General rule. No Autonomous Package Loading Device (APLD) shall be installed or operated without a building permit. The building permit application shall include:

(1) Site plan. A site plan depicting the location, dimensions, and setbacks of all APLDs; power supply connections; and the proximity to driveways, fire lanes, parking areas, pedestrian walkways, building entrances, accessible routes, means of egress, and property lines.

(2) Manufacturer’s specifications. Manufacturer’s specifications sufficient to demonstrate compliance with this subsection and applicable building codes.

(3) Structural engineering certification.

(a) General rule. Structural engineering certification, stamped and signed by a professional engineer licensed in the State of Texas, demonstrating compliance with all applicable structural, foundation, and wind-load requirements of the International Building Code, as amended, is required.

(b) Exception. A building-mounted APLD not exceeding four (4) feet in horizontal projection and one hundred fifty (150) pounds in weight shall not require a separate structural engineering certification if the building permit application includes manufacturer’s specifications confirming the structural adequacy of the mounting system.

(4) Electrical permit application. Electrical permit application, if the device requires an electrical connection. Battery-powered or solar-powered devices with no hardwired electrical connection are exempt from this requirement but shall provide manufacturer’s documentation confirming that no permanent electrical utility connection is required.

(5) Operational certification. The applicant shall provide documentation demonstrating FCC compliance for the device. The Director, or designee, may waive this requirement for a building-mounted device described in D.4.(Building Permit Required), Subsection a.(3).

b. Purpose. This subsection is intended solely to evaluate land use compatibility and public safety and shall not be construed as regulating Unmanned Aircraft operations or radio frequency communications.

5. Prohibited locations. No Autonomous Package Loading Device (APLD) shall be placed, mounted, or installed within any of the following:

a. Any required setback.

b. Any required landscape area or landscape buffer.

c. Any fire lane or emergency vehicle access route.

d. Any maneuvering aisle, required loading zone, or required parking space.

e. Any public sidewalk, ADA-accessible route, or required means of egress.

- f. Within five (5) feet of any building entrance, exit, emergency exit door, fire department connection, fire hydrant, or path of travel to a building entrance or exit.
 - g. Any location that reduces the clear width of any pedestrian route, accessible path, or means of egress to less than five (5) feet or below the minimum required by the applicable building or fire code.
 - h. Any public right-of-way.
 - i. Any recorded easement, unless written authorization from the holder of the easement is provided to the Director, or designee.
 - j. Any location determined by the Director, or designee, to create an unreasonable conflict with one or more Site Safety Factors.
- 6. Location and site safety. An Autonomous Package Loading Device (APLD) shall be sited to minimize conflicts with pedestrians, building entrances, drive-through lanes, parking, and emergency access. The Director, or designee, may require relocation or modification of an APLD whenever necessary to maintain Site Safety Factors. See Subsection D.16.(Administrative Adjustments).
- 7. Location preference.
 - a. Between building and rear property line. An Autonomous Package Loading Device (APLD) shall be located in the area between the building and the rear property line.
 - b. Front yard – prohibited. Placement within a front yard is prohibited.
 - c. Side yard. Placement within a side yard may be approved by the Director, or designee, only upon a determination that placement within the area between the building and the rear property line is not feasible due to site-specific conditions and that the side-yard location satisfies all applicable provisions of this subsection. See Subsection D.16.(Administrative Adjustments).
 - d. Corner lot front yard and Corner lot side yard. Corner lot front yard and corner lot side yard designations shall be determined in accordance with the definition for “yard,” specifically “front yard” and “side yard.” See Section 6.102 (Definitions).
- 8. Height. An Autonomous Package Loading Device (APLD) shall not exceed fifteen (15) feet in height, measured from finished grade to the top of the structure, exclusive of any antenna. See Subsection D.16.(Administrative Adjustments). Antennas and antenna support structures associated with an APLD shall comply with Section 1.700 (Telecommunications Towers and Antennas).
- 9. Separation from drive-through and service facilities. An Autonomous Package Loading Device (APLD) shall be located a minimum of fifteen (15) feet from any drive-through lane, order board, pick-up window, or designated truck loading dock, measured from the nearest point of the APLD to the nearest point of the protected area. This separation requirement does not apply to a building-mounted APLD. See Subsection D.16.(Administrative Adjustments).

10. Building-mounted Autonomous Package Loading Device (APLD). Any Autonomous Package Loading Device (APLD) attached to a building exterior shall:
 - a. Not project more than four (4) feet horizontally from the building facade at any point, exclusive of any antenna or antenna-like features such as guide arms.
 - b. Not obstruct any required ventilation opening, means of egress, accessible route, or required egress pathway.
 - c. Not obstruct any existing window not specifically designated for APLD use. An APLD may be installed at an existing window opening or a purpose-built wall opening, provided the installation is structurally sound, does not reduce required light or ventilation below code minimums, and does not conflict with any means of egress or accessible route.
 - d. See Subsection D.16.(Administrative Adjustments).
11. Rooftop access. Any Autonomous Package Loading Device (APLD) installed on a rooftop shall be screened from public view by a parapet, screen wall, or architectural element consistent with the building's exterior materials, unless the Director, or designee, determines that the rooftop location does not create a material visual impact from adjacent public rights-of-way. A determination under this subsection shall constitute an administrative adjustment subject to the findings and documentation requirements of Subsection D.16.(Administrative Adjustments) and shall be retained in the permit file.
12. Screening. The Director, or designee, may require screening when necessary to reduce visual impacts, minimize pedestrian conflicts, or improve compatibility with adjacent development. When required, screening shall be architecturally compatible with the primary building. See Subsection D.16.(Administrative Adjustments).
13. Residential setback. An Autonomous Package Loading Device (APLD) shall be located a minimum of one hundred (100) feet from any residentially zoned property, and any lot used for a residential care facility, nursing home, or public park. The measurement shall be from the outermost edge of the device to the closest property line.
14. Utility connections. Any Autonomous Package Loading Device (APLD) requiring utility service shall be installed in accordance with all applicable building, electrical, fire, and utility codes adopted by the City, as amended. Any required utility service shall be permanently installed and operational prior to activation of the APLD. Temporary or portable utility connections shall not serve as the permanent source of power for an APLD. The use of extension cords, cord reels, temporary power services, generators intended for temporary use, or similar temporary utility connections as a permanent power source is prohibited.
15. Backup power generators. Any backup power generator installed to serve an Autonomous Package Loading Device (APLD) shall comply with Section 3.516 (Accessory Backup Power Generators).

16. Administrative adjustments.

- a. General rule. The Director, or designee, may approve minor administrative adjustments to the standards contained in Subsections D.6.(Location and Site Safety) through D.12.(Screening) where strict application of those standards would create practical difficulties due to site design, existing development, or operational characteristics of the primary use, provided the intent of this subsection is maintained, public safety is not compromised, and the Director, or designee, determines that:
- (1) The adjustment will not adversely affect public health, safety, or welfare, or any Site Safety Factor.
 - (2) The adjustment will not substantially increase impacts on adjacent properties.
 - (3) The adjustment is consistent with the intent of this subsection.
 - (4) The adjustment represents the minimum deviation necessary to address the site-specific condition.
- b. In writing. The Director, or designee, shall document the basis for any approved administrative adjustment in writing.
- c. Limited approvals. Administrative adjustments shall not be permitted from any provision of this subsection D.(APLDs) related to public safety, any Site Safety Factors, or placement within a public right-of-way, nor can administrative adjustments authorize an increase in the maximum number of Autonomous Package Loading Devices (APLDs) permitted under Subsection D.3.(Quantity Limit).

17. Operational interference. Operation of an Autonomous Package Loading Device (APLD) shall not create harmful interference with emergency communications, navigation systems, or Unmanned Aircraft operations. Upon written determination by the Director, or designee—which may be based in whole or in part on a finding by another governmental agency having jurisdiction over the subject matter—that harmful interference exists, operation of the device shall cease until the condition has been corrected.

18. Abandonment and removal. An Autonomous Package Loading Device (APLD) that is no longer associated with an active drone delivery operation, or that has been not operational for a period exceeding ninety (90) consecutive days, shall be removed by the owner or operator within sixty (60) days of written notice from the Director, or designee.

19. Nonconforming APLD structures. Any Autonomous Package Loading Device (APLD) lawfully installed prior to the effective date of this Section 3.513 (Drone Delivery), that does not conform to these standards shall be considered a legally non-conforming structure. Such nonconforming APLDs shall not be expanded, relocated, or replaced without full compliance with this Section 3.513 (Drone Delivery). Normal maintenance and like-for-like replacement shall not require compliance with this Section 3.513 (Drone Delivery), provided the replacement APLD does not increase the height, footprint, or operational clearance of the original installation. See *a/so* MZO, Part 1, 1-300, Section 1-303 (Nonconforming Structures and Premises).

PART 6. – DEFINITIONS

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6.102 - Definitions.

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Autonomous Package Loading Device (APLD). See Part 3, 3-500, Section 3.513. (Drone Delivery). Subsection A.(Definitions).

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Drone. A Drone is herein defined as an Unmanned Aircraft (UA) without a human pilot onboard used for commercial package delivery purposes. It is guided by remote control, or flies autonomously using onboard computers, sensors, and GPS. See Part 3, 3-500, Section 3.513.(Drone Delivery). Subsection A.(Definitions), for the definition of Unmanned Aircraft (UA).

Drone Delivery—Accessory Use; or Accessory Drone Delivery. A permitted food store, restaurant, retail store, warehouse/distribution facility, or other permitted commercial use utilizing one (1) or more Drone Staging Areas, Autonomous Package Loading Devices (APLDs), or a combination thereof, as an accessory use to facilitate the aerial delivery of commercial goods by Unmanned Aircraft. This includes any appurtenant buildings, structures, equipment, utilities, and facilities associated with drone delivery operations.

Drone Delivery Service. A principal use of property involving the operation of one (1) or more Drone Staging Areas for the launch, landing, docking, charging, storage, dispatch, or recovery of Unmanned Aircraft used to deliver commercial goods by air. This includes any appurtenant buildings, structures, equipment, utilities, and facilities associated with drone delivery operations.

Drone Staging Area. See Part 3, 3-500, Section 3.513. (Drone Delivery). Subsection A.(Definitions).

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~~Drone Delivery—Accessory Use; or Accessory Drone Delivery: A permitted food store, restaurant, retail store, or warehouse/distribution facility with one (1) or more designated drone staging areas that are incidental to the primary use of the property for use by small, unmanned aircraft systems under fifty-five (55) pounds take-off weight to distribute commercial goods by air. This includes any appurtenant areas used or intended for use for unmanned aircraft system buildings, structures, and other facilities.~~

~~Drone Delivery Service: A primary use of the property with the purpose of operating one (1) or more drone staging areas for use by unmanned aircraft to deliver commercial goods by air. This includes any appurtenant areas used or intended for use for unmanned aircraft system buildings, structures, and other facilities.~~

~~Drone Staging Area: A designated area over which an unmanned aircraft completes the final phase of the approach, to a hover or landing, and from which an unmanned aircraft initiates take-off. The drone staging area includes both the launch pads and any required safety areas, and may include areas for the outdoor storage of goods, materials, containers, or equipment related to unmanned aircraft systems.~~

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Unmanned Aircraft (UA) or Uncrewed Aircraft. See Part 3, 3-500, Section 3.513. (Drone Delivery). Subsection A.(Definitions).

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