

ORDINANCE NO. O-02-26

AN ORDINANCE CONTAINING WIDE-SCALE TEXT AMENDMENTS TO APPENDIX A, ZONING, OF THE CROCKETT CODE, WITH A FOCUS ON ADDING AND CLARIFYING REGULATIONS RELATING TO THE USE OF LAND, BUILDINGS, AND STRUCTURES AND INCORPORATING EDITORIAL, FORMATTING, AND CONFORMING CHANGES THROUGHOUT ALL AMENDED SECTIONS; AMENDS SECTIONS 101 THROUGH 104 OF ARTICLE 1, TITLE, PURPOSE, APPLICATION, AND DEFINITIONS, TO INCLUDE THE ADDITION AND REVISION OF NUMEROUS DEFINITIONS; AMENDS SECTIONS 201.01 THROUGH 201.09 OF ARTICLE 2, ESTABLISHMENT OF DISTRICTS, REGULATIONS, AND ZONING MAP, TO ADD MH-1, MANUFACTURED HOME SUBDIVISION DISTRICT, AND MH-2, MANUFACTURED HOME PARK AND RV PARK/CAMPGROUND DISTRICT, TO THE ESTABLISHED DISTRICTS, TO ADD REGULATIONS RELATING TO OUTDOOR COMMERCIAL DISPLAYS IN THE C-2 DISTRICT, TO PROHIBIT ROUTINE OUTDOOR MERCHANDISE DISPLAY OR STORAGE IN THE C-3 DISTRICT, TO REQUIRE A SPECIFIC USE PERMIT AND AN ASSESSMENT FROM THE CITY'S FIRE CHIEF OR DESIGNEE WHEN A NEW LAND USE IN THE I DISTRICT ABUTS A RESIDENTIAL DISTRICT, AND ADDS SECTION 201.10 TO CONTAIN THE AMENDED LAND USE CHARTS; AMENDS SECTIONS 301, 303, 305, AND 306, ARTICLE 3, ADDITIONAL DISTRICT PROVISIONS, TO ADD NEW REGULATIONS RELATING TO DESIGN STANDARDS FOR DETACHED SINGLE-FAMILY AND TWO-FAMILY DWELLINGS, TO ADD SCREENING REQUIREMENTS FOR MANUFACTURED HOME PARKS AND RECREATIONAL VEHICLE PARKS, AND TO ADD REGULATIONS RELATING TO TEMPORARY USES OF BUILDINGS, EQUIPMENT, AND RECREATIONAL VEHICLES INCIDENTAL TO CONSTRUCTION AND/OR EXTENSIVE CLEANUP WORK; ADDS SECTION 311, ACCESSORY BUILDINGS, SECTION 312, ACCESSORY DWELLING UNITS, SECTION 313, BARNDOMINIUMS, SECTION 314, MANUFACTURED HOMES OUTSIDE OF THE MH-1 AND MH-2 DISTRICT, SECTION 315, MIXED-USE PROPERTIES, AND SECTION 316, TINY HOMES, WITH EACH ADDED SECTION CONTAINING RELATED REGULATIONS; AMENDS SECTION 401, ARTICLE 4, PARKING AND OFF-STREET LOADING REQUIREMENTS, TO ADD REGULATIONS RELATING TO RESERVED SPACES IN CITY-OWNED PARKING LOTS IN THE C-3 DISTRICT AND TO PROHIBIT RECREATIONAL VEHICLE PARKING ON ANY STREET OR IN A FRONT YARD OTHER THAN AN OVERSIZED DRIVEWAY OR PARKING AREA NOT BEING USED TO MEET THE MINIMUM PARKING STANDARDS; CONTAINING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE

THE COUNCIL OF THE CITY OF CROCKETT, TEXAS HEREBY ORDAINS:

SECTION I:

Article 1, Title, Purpose, Application and Definitions, Appendix A, Zoning, Sections 101, 102, 103, and 104 are amended to read as follows:

APPENDIX A  
ZONING<sup>1</sup>

**ARTICLE 1. TITLE, PURPOSE, APPLICATION AND DEFINITIONS**

**Section 101. Title.**

This ordinance, in accordance with the authority granted in the legislature of the State of Texas in the Tex. Local Gov't Code, Chap. 211, shall be known and may be cited as the Crockett zoning ordinance.

**Section 102. Purpose.**

Zoning and district regulations and related standards are herein established in accordance with the City's comprehensive plan adopted by the city council in accordance with Tex. Local Gov't Code, Chap. 213, for the purpose of promoting the sound long-range development of the City and promoting public health, safety, and welfare. In addition, the regulations and standards contained herein are designed to encourage the most appropriate uses of land and capital improvements; to maintain and stabilize the value of property; to reduce fire hazards, to provide adequate light and air; to decrease traffic congestion and its accompanying hazards; to prevent the overcrowding of land to avoid undue concentration of population; to effectively and fairly regulate land use activities which are not in conformance with this ordinance; and to facilitate the adequate provision of water supply, sewers, energy use and distribution, transportation, schools, parks, public utilities, and other public requirements.

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<sup>1</sup>Editor's note(s)—Ordinance O-9-85, adopted Sept. 3, 1985, repealed former app. A, Zoning, and enacted a new app. A in lieu thereof to read as set out herein. Prior to repeal, app. A contained Ord. No. 70-E, enacted Mar. 23, 1970, as amended by Ord. Nos. O-5-81Z, O-5A-81Z, O-5C-81Z, adopted June 15, 1981; Ord. Nos. O-1A-83, O-1B-83, adopted Jan. 17, 1983; Ord. Nos. O-10-84, O-10A-84, adopted Oct. 1, 1984; Ord. No. O-1A-85, adopted Jan. 21, 1985; and Ord. No. O-2A-85, adopted Feb. 18, 1985.

The new zoning ordinance is set out substantially as enacted; however, a uniform system of capitalization and punctuation has been employed. Material added by the editor for clarity or to correct errors has been included in brackets [ ]. Amendments to the zoning ordinance are indicated by an historical notation at the end of the affected section; the absence of such a notation indicates the section derives unchanged from Ord. No. O-9-85.

Charter reference(s)—Planning and zoning generally, § 11.01 et seq.; power of city council to adopt zoning plan, § 3.11(j).

Cross reference(s)—Planning and zoning commission, § 2-81 et seq.; airport zoning, § 3-16 et seq.; buildings and building regulations, § 5-1 et seq.; streets and sidewalks, § 16-1 et seq.; subdivisions, § 17-1 et seq.

State law reference(s)—Zoning, Vernon's Ann. Civ. St. art. 1011a et seq., codified in Chapter 211 of the Texas Local Government Code by Acts 1987, 70<sup>th</sup> Legislature, Ch. 149, Sec. 1, effective September 1, 1987.

### **Section 103. Application of the zoning ordinance.**

This ordinance classifies and regulates the use of land and structures within the city limits of Crockett, as hereinafter set forth. Except as hereinafter provided, no land may be used and no structure may be erected, constructed, moved, altered, enlarged, or rebuilt unless it will be used and maintained in accordance with the requirements established for the district in which the structure is to be located, and in accordance with the provisions of the articles within this ordinance as they pertain to districts.

The City recognizes that new types of land and structure use will develop, and it is not possible for the City to anticipate every conceivable use. Zoning text amendments to add a new use to a zoning district classification may be requested and considered in accordance with the process established in section 605 of this ordinance.

### **Section 104. Definitions.**

- A. For the purpose of these regulations, words used in the present tense include the future tense; words used in the singular number include the plural; and words in the plural include the singular, except where the natural and obvious construction of the writing indicates otherwise; the words "building" and "structure" are synonymous; the words "primary" and "principal" are synonymous; and the words "lot", "plot" and "tract" are synonymous. The word "may" is not discretionary unless the context in which it is used indicates otherwise. The words "must" and "shall" are mandatory in every instance.
- B. Undefined terms. Terms not defined in this section have the meanings assigned to them in the city building codes. Terms not defined in this section or in the building codes have the customary meaning assigned to them with Webster's Dictionary (latest edition) to be used as a resource for determining the meaning.
- C. For purposes of this ordinance, certain terms and words are to be used and interpreted as defined hereinafter. Should any definition established by ordinance be later found to conflict with the definition of the same term made by applicable Texas law, the Texas statutory definition will supersede the definitions herein.

*Accessory building:* (See definition for "Building, Accessory.")

*Accessory dwelling unit:* (See Sec. 312.)

*Accessory use:* A use that is customarily incidental, appropriate and subordinate to the main or principal use of land or buildings located upon the same premises.

*Agricultural activity:* The use of land for producing crops or other activities normally associated with the production of commercial crops. (See "animal business" definition for commercial livestock operations.)

- *Crop:* Includes a shrub, vine, tree, seedling, shoot, slip, or other plant capable of producing food, fiber, medicine, nursery stock, floral products, or aesthetic beauty. [State law reference: Tex. Agriculture Code, Sec. 252.001]

*Alley:* A public passage or way affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

*Amusement arcade (also video arcade):* Any building, room, place or establishment of any nature or kind, and by whatever name called, where any percentage of the public floor area is devoted to six (6) or more amusement devices that are operated for a profit, whether the same is operated in conjunction with any other business or not, including, but not limited to, such amusement devices as coin-operated pinball machines, video games, electronic games, shuffle boards, or other similar amusement devices. However, the term "amusement device", as used herein, shall not include amusement redemption machines, musical devices, billiard tables which are not coin-operated, machines that are designed exclusively for small

children, devices designed to train people in athletic skills or golf, tennis, baseball, archery or other similar sports. Does not include an amusement redemption machine establishment (see “amusement redemption machine establishment” definition) or pool hall (see “pool hall” definition.)

*Amusement, commercial – indoor:* An amusement enterprise that is wholly enclosed within a building which is treated acoustically so that noise generated by the enterprise is not perceptible at the bounding property line, and that provides activities, services and/or instruction for the entertainment of customers or members, but not including amusement arcades, amusement redemption machine establishments, live entertainment venues, or pool halls. Uses may include, but are not limited to, the following bowling alley, skating rink, martial arts club, racquetball/handball club, indoor tennis courts/club, indoor swimming pool or scuba diving facility, museums, and other similar types of uses.

*Amusement, commercial - outdoor.* An amusement enterprise offering entertainment and/or games of skill to the general public for a fee wherein any portion of the activity takes place outdoors. Includes but is not limited to an archery range, batting cages, go-cart tracks, golf course, golf driving range, miniature golf course, batting cages, go-cart tracks, amusement parks, petting zoo/animal exhibition, and other similar types of uses. Does not include live entertainment venues or theaters. Specific regulations for outdoor commercial amusement use in the Agriculture-Residential District are set forth in Sec. 201.1.

- *Archery range:* A recreational facility designed and constructed for the practice and teaching of archery, and operated by a public agency, quasi-public or private organization. No discharge of firearms permitted.

*Amusement redemption machine and amusement redemption machine establishment:* See Article XIII, Chapter 13, of the Crockett Code.

*Animal Business:* A business involving the breeding, care, treatment, or sale of animals or animal products, including a veterinary practice, if the person operating that business holds a license for the business that is issued by the federal government or state; does not include pet shop. [State law reference: Tex. Loc. Gov't Code, Sec. 229.901] Source for required licenses: Current *Texas Business Licenses & Permits Guide* published by the Business Permit Office within the Texas Economic Development and Tourism Office in the Office of the Governor.

*Antiques shop:* A retail establishment engaged in the selling of works of art, furniture and/or other artifacts from an earlier period with all sales and storage occurring inside a building.

*Apartment building:* (See “Dwelling, multi-family” definition.)

*Appliance sales/servicing shop:* A commercial establishment providing retail sales and repairs of household and home equipment designed to perform a specific household task, such as dishwashers, clothes washers and dryers, ovens, refrigerators and similar items.

*Art studio:* An artist’s workroom for the purpose of painting, pottery, sculpture, woodworking, scrapbooking, photography, graphic design, filmmaking, animation, industrial design, and other arts and for the purpose of displaying such works for retail sales and for the retail sale of related supplies as an incidental use.

*Assembly/manufacturing/production establishment:* Establishments engaged in the assembly, manufacturing, production or transformation of materials into new products. These establishments are usually described as plants and factories and characteristically use power driven machines and materials handling equipment. Assembly/manufacturing production is usually executed for the wholesale market, rather than for direct sales to the domestic consumer.

- *Light assembly/manufacturing/production establishment:* An assembly/manufacturing/production practice that does not use capital-intensive machinery or production equipment and typically produces goods targeted at the end consumers such as

clothes, shoes, electronics, toys, jewelry, leather goods, toys, metal/paper/plastics/wood products, food products, solar panels, or other fast-moving consumer goods. May include a factory outlet retail or wholesale store for the sales and servicing of goods or materials on the same premises as the assembly/manufacturing company to which they are related, including sales and service, in a separate building or buildings.

- *Heavy assembly/manufacturing/production establishment:* An assembly/manufacturing/production practice that uses capital and energy-intensive machinery to typically produce large and complex products and/or goods that are used by other businesses in producing other products, such as raw materials, machinery, and equipment. Examples include but are not limited to cement, concrete, lime and gypsum manufacturing, chemical manufacturing, leather tanning and refinement facilities, wood products, and paper manufacturing plants.

*Auction sales:* A business enterprise primarily engaged in the sale of new or used goods sold to the highest bidder where the operations are wholly enclosed within a building. The definition does not include the sale or trade of animals or other livestock (see "Animal Businesses").

*Automobile:* A self-propelled mechanical vehicle designed for use on streets and highways for the conveyance of goods and people including, but not limited to, the following: passenger cars, light duty trucks, sport utility vehicles, vans and mini-vans, motor scooters, and motorcycles.

*Automobile laundry:* See "Car Wash" definition.

*Auto parts and accessory sales store:* The use of any building or other premises for the primarily indoor display and sale of new or used parts for automobiles, panel trucks or vans, trailers, or recreation vehicles.

*Automobile rentals:* Indoor/outdoor storage and leasing/renting of automobiles, motorcycles, and light load trucks.

*Automobile repair:*

- *Major:* General repair or reconditioning of engines, air conditioning systems and transmissions for motor vehicles; wrecker service; collision repair services including body, frame or fender straightening or repair; customizing; painting; vehicle steam cleaning; undercoating and rustproofing; the uses listed under "automobile repair, minor," and other similar uses.
- *Minor:* Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil, spark plug, and filter changing; tune-ups; emergency road service; replacement of starters, alternators, hoses, and brake parts; automobile washing and polishing; performing state inspections and making minor repairs necessary to pass said inspection; normal servicing of air conditioning systems, and other similar minor services for light road vehicles, but not including any operation named under the definition of "automobile repair-major" or any other similar use. Includes quick oil change facilities and quick tune-up facilities.

*Automobile sales:*

- *New:* Retail sales of new automobiles or light-load vehicles, including, as a minor part of the business, the sales of used automobiles or light-load vehicles and the service of new or used vehicles.
- *Used:* Retail sales, or offering for sale, of used automobiles or light load vehicles.

*Automobile salvage or wrecking yard:* An outdoor place where a person stores three or more vehicles for the purpose of dismantling or wrecking the vehicles to remove parts for sale or for use in automotive repair or rebuilding. [State law reference: *Tex. Transportation Code, Chapter 396*].

**Automobile service station:** Any building, land area, or other premises, or portion thereof, used, or intended to be used, for the retail dispensing, sale or offering for sales of any automobile fuels, oils or accessories including lubrication of automobiles and minor automobile repairs.

**Bail bond business:** The solicitation, negotiation, or execution of a bail bond by a bail bond surety as defined under the TOC, Chap. 1704, as amended.

**Bakery shop (retail):** A retail location where more than 50% of sales made are sales of bakery items sold from a display case or counter and consumed off the premises. Bakery items include bread, rolls, buns, biscuits, bagels, croissants, pastries, doughnuts, Danish pastries, cakes, tortes, pies, tarts, muffins, bars, cookies, tortillas, and/or similar items. The term does not include candy, snack items, sandwiches, tacos, or pizzas. [State law reference: Tex. Admin. Code, Title 34, Part 1, Ch. 3, Subchapter O, Rule 3.293]

**Bank/financial institution:** An establishment for the custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds.

**Barber shop/beauty shop:** A personal services shop where the practice of barbering or cosmetology as described in the TOC, Chap. 1603, Regulation of Barbering and Cosmetology, is performed or offered to be performed for compensation, except when such place is duly licensed as a barber or cosmetology school or college.

**Barndominium:** See Sec. 313.

**Bed and breakfast:** See Sec. 307.

**Bicycle shop:** A retail establishment that specializes in selling bicycles, bicycle parts, and accessories including, but not limited to, tools, helmets, clothing, and shoes. Facilities may also be used to offer basic repair services for bicycles, bicycle parts and equipment.

**Block:** A piece or parcel of land entirely surrounded by public highways, streets, streams, railway rights-of-way, parks, etc., or a combination thereof. The planning and zoning commission is the city's authority as to a determination of questions regarding the limits or extent of a block.

**Board of adjustment:** The officially designated municipal body appointed by the City Council and authorized by the Tex. Local Gov't Code, Sec. 211.008, with the composition, powers and duties set forth in Article 7 of the zoning ordinance.

**Body art studio (also known as a tattoo studio or body piercing studio):** An establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following: placing of designs, letters, figures, symbols, or other marks upon or under the skin or any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin; or the creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration. The establishment must have a current license issued by the Texas Department of State Health Services to operate the studio, with the license prominently displayed in the studio. This definition does not include ear piercing.

**Bottling plant:** A commercial specialized facility fitted with bottling machinery that provides the service of filling empty containers with the desired product and performing other needed services to prepare that product to be shipped to customers.

**Brewery:** A place where beer is produced.

**Building:** Any structure intended for shelter, housing or enclosure of persons, animals or property. When separated by dividing walls without openings, each portion of the separated structure is considered to be a separate building.

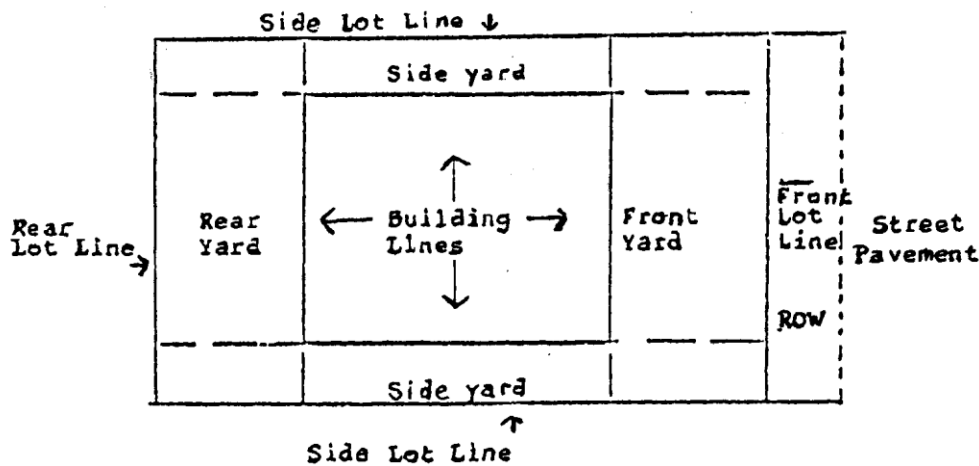
- *Building, accessory - business or industry:* On non-residential property, a detached, subordinate building to the main building that is used for purposes accessory and incidental to the main use (see "Accessory Use").
- *Building, accessory - residential:* On residential property, a subordinate building that is detached and is used for a purpose that is customarily incidental to the primary dwelling structure and is not an accessory dwelling unit. Examples may include, but are not limited to, the following: a private garage for automobile indoor storage, tool shed, greenhouse as a hobby, home workshop, children's playhouse, indoor storage building, garden shelter, boathouse etc.
- *Building, main or primary:* A building in which the principal use of the lot on which it is situated is conducted. On residential property, the permitted dwelling other than an accessory dwelling unit will be a main or primary building.

**Building area:** That portion of a lot upon which buildings may be placed, excluding required yards and limited by the maximum building coverage as specified for each zoning district.

**Building coverage:** The percentage of the lot area covered by the building, excluding all overhanging roofs.

**Building height:** The vertical distance from the average line of the highest and lowest points of that portion of the lot covered by the building to the highest point of the coping of a flat roof, or the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.

**Building lines:** The lines established on a lot, behind which a building can be constructed and in front of which are the unoccupied front, side, and rear yards.



Example 1 — Building Lines and Setbacks for Front, Side and Rear Yards

**Building material and home supply store:** A commercial establishment offering lumber, building supplies, tools, home improvement materials and related items for retail and wholesale sales (e.g., to building contractors). May be indoor storage only or include outdoor storage behind a solid screening wall or include a lumber yard for the outdoor storage and sale of cut lumber and associated building materials.

**Building site:** A single parcel of land occupied or intended to be occupied by a building or structure.

**Bus passenger station:** Any premises for the transient housing or parking of motor-driven buses and the loading and unloading of passengers.

**Business office:** See "Offices, professional and general business."

*Campground:* A recreational area or tract of land that retains an open-air or natural character and on which accommodations for temporary overnight occupancy are located or may be placed along with related accessory buildings (e.g., office building), private facilities (e.g., laundry facilities, showers and restrooms), and recreational facilities/equipment for client use only. The overnight accommodations may include cabins, recreational vehicles, tents, or yurts or similar accommodations. The campground area may rise to or include a glamping area, which is a blend of “glamorous” and “camping” and describes a style of camping with amenities not usually associated with “traditional” camping, such as Wi-Fi and public utilities. A glamping area may have a variety of permanent structures for overnight accommodation such as cabins and yurts or other accommodations and facilities and accessory buildings more luxurious than those associated with traditional camping. The area is used for temporary leisure, recreational or study purposes and provides opportunities for the enjoyment or appreciation of the natural environment. A campground may be operated as a commercial enterprise.

*Capital improvement:* The addition of a permanent structural change or the restoration of some aspect of a property, which will either enhance the property’s overall value, prolong its useful life, or adapt it to new uses.

*Car wash:*

- *Attended:* The owner of the vehicle does not actually wash the vehicle. Instead, he either leaves the vehicle and comes back to retrieve it later, or he waits in a designated area while employees of the car wash facility vacuum, wash, dry, wax and/or detail the vehicle for a fee.
- *Unattended:* The owner of the vehicle causes the vehicle to become washed. One type of unattended car wash facility utilizes automated self-service (drive-through/rollover) wash bays and apparatus in which the vehicle owner inserts money or tokens into a machine, drives the vehicle into the wash bay, and waits in the vehicle while it is being washed. The other type of unattended facility is comprised of wand-type self-service (open) wash bays in which the vehicle owner drives the vehicle into the wash bay, gets out of the vehicle, and hand washes the vehicle with a wand-type apparatus by depositing coins or tokens into a machine.

*Carport:* A permanent roofed structure open on at least two (2) sides, designed for the parking and shelter of private passenger vehicles, not to exceed thirty-six (36) feet on its longest dimension.

*Catering services establishment:* A commercial establishment that provides the preparation, delivery and service of food consumed off premises at another location.

*Cemetery:* A place that is used or intended to be used for interment, and includes a graveyard, burial park, mausoleum, or any other area containing one or more graves. [State law reference: Tex. Health and Safety Code (THSC) Sec. 711.001].

*Child care/day care facility:* An establishment subject to regulation by the Texas Health and Human Services Commission that provides assessment, care, training, education, custody, treatment, or supervision of three (3) or more children under the age of sixteen (16) years who are not related by blood, marriage, or adoption to the owner or operator of the facility, for all or part of the 24-hour day, whether or not the establishment operates for profit or charges for its services. This term does not include child-placing agencies and listed family homes as defined by 26 TAC Section 745.21. This definition does not extend to churches or other religious or public institutional buildings in which children are cared for while their parents or legal guardians are attending services, meetings, or classes, or are engaged in church activities.

*Church or other religious establishment (temple, synagogue, mosque):* A building or structure with a primary use as a place of public assembly for worship and religious training as customarily occurs in churches, synagogues, mosques, and temples. Accessory buildings include rectories and centers for recreational and social activities sponsored by the religious establishment.

*City council:* The governing body of the City of Crockett, Texas.

*Clinic, health care:* A facility or group of offices for one or more health care providers for the examination and treatment of ill and afflicted human outpatients; provided, however, that patients are not kept overnight except under emergency conditions. Includes but is not limited to, chiropractic, dental, and physician offices.

*Coffee shop:* A business establishment with a primary focus on the sale and serving of various types of coffee, espresso, lattes, and cappuccinos.

*Commercial property:* Any property having a primary use for a public purpose, business activities, economic gain or other similar activity. Includes but is not limited to shopping centers, office spaces, hospitals, schools, churches or other religious establishments, warehouses, or any other location for a business or social enterprise. A mixed-use property remains a commercial property.

*Communication tower:* A structure designed to support antennas for telecommunications and broadcasting and may include television, cellular phone, or wireless internet or radio signals.

*Community garden, private:* An area limited to five (5) acres of privately owned land which is used for the growing of usual farm products, vegetables, fruits, and trees and is gardened collectively by a group of people. For a community garden owned by the City or other government agency, refer to the definition for public parks and public facilities.

*Convalescent, rest, nursing or other extended care facility:* A place of residence or care for persons suffering from infirmities of age, illness, or other debilitating conditions where care is provided on a prolonged or permanent basis for compensation.

*Convenience store:* An establishment engaged in the retail sale of food, beer, wine, household products and may include the retail sale of self-service gasoline.

*Counseling and rehabilitation home/facility:* A nonmedical facility providing living facilities (either with or without board), recreational, counseling and other rehabilitative service to noninstitutionalized individuals of either sex, who require specialized attention and care in order to achieve personal independence. Includes but is not limited to an emergency shelter for victims of crime, abuse, or neglect, a halfway house, a rehabilitation care facility/institution, or a residential treatment center. The facility must be approved by an appropriate local and/or state agency.

*Country club:* An area of twenty (20) acres or more containing a golf course and a club house and available only to private specific membership. Such a club may contain adjunct facilities such as a private club, dining room, swimming pool, tennis courts and similar recreational or service facilities.

*Coverage:* See "Building coverage" definition.

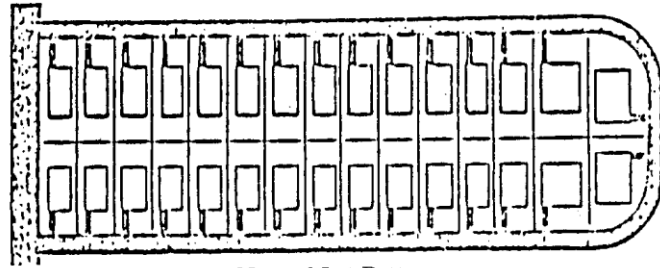
*Crop:* See "Agricultural activities" definition.

*Dance or gymnastics studio:* A building or portion of a building used as a place of work for a dancer or gymnast or for instructional classes in dance or gymnastics.

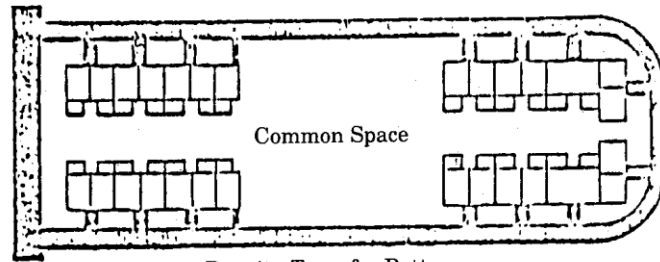
*Day care facility:* See "Child-care facility" definition.

*Density:* The average number of housing units per unit of land expressed as square feet of land area per housing unit or dwelling units per acre.

*Density transfer of dwelling unit clustering:* Within a planned unit development, this term refers to the substitution of common open space for private open space relinquished by waiver of minimum yard requirements for individual buildings. The average density in dwelling units per acre for the total planned unit development remains the same as permitted in the appropriate zoning district before the planned unit development designation is given. (See example 2.)



Normal Lot Pattern



Density Transfer Pattern

Example 2 — Density Transfer of Dwelling Unit Clustering

*Dental clinic/office:* See “Clinic” definition.

*District zoning:* Any section or sections of the City of Crockett for which regulations governing the use of buildings and/or premises are described in Article 2 of this ordinance and as shown on the official zoning map of Crockett.

*Donut shop:* See “Bakery shop (retail)” definition.

*Drive-in theater:* See “Theater, drive-in (outdoor)” definition.

*Drive-in restaurant:* Any establishment where food, and/or beverage is sold to the consumer, motor vehicle parking space is provided and where patrons are served in their respective vehicles.

*Dry cleaning or laundry establishment:* Any attended or unattended place, building or portion thereof, available to the general public for the purpose of washing, drying, extracting moisture from, or dry-cleaning wearing apparel, cloth, fabrics, and textiles of any kind by means of a mechanical appliance(s). Includes a washateria.

*Dry cleaning plant:* An industrial facility where fabrics are cleaned with substantially nonaqueous organic solvents, on a commercial or wholesale basis.

*Duplex:* See “Dwelling, two-family” definition.

*Dwelling:* Any building or portion thereof, which is designed to be used as living quarters for one (1) or more families, but not including:

- (A) Recreational vehicles, travel trailers or motor homes (see definition);
- (B) Industrialized buildings (see definition);
- (C) Relocatable educational facilities (see definition); or
- (D) Accessory buildings (see definition for “building, accessory”).

*Dwelling, attached:* A dwelling having any portion of each of one (1) or more walls in common with adjoining dwellings.

*Dwelling, detached:* A dwelling having open space outside all exterior walls.

*Dwelling, multiple-family:* Three or more attached dwelling units on a single lot designed to be occupied by three (3) or more families living independently of one another, exclusive of hotels, motels, resort facilities, recreational vehicle (RV) camping areas, manufactured home parks and RV parks. Includes three-family units (triplex), four-family units (fourplex), as well as traditional apartment buildings and condominiums.

*Dwelling, single-family attached:* A dwelling unit which is joined to another dwelling unit at one or more sides by a party (i.e., shared) wall, which is designed for occupancy by one (1) family, and which is located on a separate lot delineated by front, side and rear lot lines. Example: Townhome.

*Dwelling, single-family detached:* A dwelling designed and constructed as a free-standing structure for occupancy by one (1) family and located on a lot or separate building tract having no physical connection to a building located on any other lot or tract.

*Dwelling, two-family (duplex):* Two dwellings sharing a common wall in one stand-alone structure on one lot owned by one owner, designed to be occupied by two (2) families living independently of each other. Does not include a twin home.

*Dwelling, townhouse or rowhouse:* Three (3) or more attached single-family dwelling units attached at the side or sides and forming a continuous group, each unit of which has a separate outdoor entrance and is designed to be occupied and may be owned by one (1) family. The owner owns the interior and exterior of the home as well as the property it sits on.

*Dwelling, twin home:* An attached single-family dwelling consisting of a single building sharing a center wall, but unlike a duplex, it consists of two properties on two lots that can be owned by two different property owners. The lot line runs down the middle of the house.

*Dwelling unit:* Complete and independent living facilities for a single family with permanent provisions for living, sleeping, cooking and sanitation on a long-term basis of more than thirty (30) consecutive days with one or more bedrooms. The kitchen must, at a minimum, contain cabinets, a countertop, a sink with running water, and a stove or stove hookup. The term does not include a residential unit in a hotel, motel, or other establishment that exists for the purpose of use on a transient basis or any structure that does not meet the definition of a dwelling. An attached mixed-use dwelling unit may be joined at one or more sides by a wall shared with a commercial business.

*Earthmoving equipment, Heavy:* See "Heavy earth-moving equipment rentals, sales, and storage" definition.

*Easement:* A right given by the owner of a parcel of land to another person, public agency or private corporation for a specific and limited use of that parcel.

*Entertainment venue, live:* An indoor venue that is wholly enclosed within a building which is treated acoustically so that noise generated by the enterprise is not perceptible at the bounding property line and for which the primary purpose is the display, presentation, or performance of live concerts, musicals, or other live stage entertainment.

*Event:* An activity that is planned for a special purpose and usually involves a lot of people (example: trade show, conference, party). The event might be a one-day event or might be a recurring event that happens on a repeat schedule (e.g., every Saturday). Does not include the routine operation of a for-profit or non-profit business.

*Event venue:* A building used for the hosting of weddings, conferences, galas, and other similar events. Such uses may include an area for catering preparation and storage or a commercial kitchen to be used only for special events held at the event venue.

*Extended educational/training institutions/schools:* Includes a business or professional school, a college/university or a vocational technical or trade school.

- *Business or professional school:* A school, commercial or non-profit, organized to offer instruction and training in a service or art, such as office administration school, barber college, beauty school, or commercial art school.
- *College/university:* An institution established for educational purposes offering courses of study beyond the secondary education level.
- *Vocational technical or trade school:* A commercial school involved in training students in vocational-technical skills (e.g., auto mechanics, barbering, food service, electrical, plumbing, welding, etc.) and other trade studies, including instruction in the use of a variety of machines and equipment (e.g., lathes, drill presses, electronics, etc.).

*Family:* One (1) or more persons related by blood or marriage including adopted children or a group of not to exceed five (5) persons not related by blood or marriage occupying premises and living as a single nonprofit housekeeping unit, as distinguished from a group occupying a hotel, club, short-term rental, or similar dwelling for group use.

*Family care facility for children:* See “Foster family home” definition.

*Farm machinery, implements, and supply sales:* A commercial facility and open area utilized for the display, sales, rental and storage of machinery, equipment, or implements or attachments to the machinery, equipment, or implements, all in operable condition, used for, or in connection with, planting, cultivating, irrigating, harvesting, and producing agricultural or forestry products.

*Farmer’s market:* Means a designated location used for a recurring event at which a majority of the vendors are farmers or other food producers who sell food directly to consumers. Must include at least two vendors who meet the definition of “farmer.” May include vendors who are not “farmers” or “food producers,” provided that “farmers” and “food producers” constitute the majority of vendors who participate in the market throughout the year. Does not include the farmers market located in the city park across the street from City Hall, which is a public facility.

- *Farmer:* A person or entity that produces agricultural products including, but not limited to, fruits, vegetables, fungi, grains, fiber, honey, dairy products, meat, poultry, or eggs, by practice of the agricultural arts upon land that the person or entity owns, rents, leases, or to which the person or entity otherwise has access.
- *Food producer:* A person who grew, raised, processed, prepared, manufactured, or otherwise added value to the food product the person is selling. The term does not include a person who only packaged or repackaged a food product.

(State law reference: Title 25 Tex. Admin. Code, Part 1, Chapter 229, Subchapter FF, Rule §229.702)

*Feed and grain store:* An establishment for the retail and/or wholesale selling of corn, grain and other food stuffs for animals and livestock, and implements and goods related to agricultural processes; does not include the sale of farm machinery.

*Feedlot:* See “Animal business” definition.

*Flea market:* An outdoor or partially indoor premises, where the main use is the sale of new and used household goods, personal effects, tools, artwork, small household appliances and similar merchandise, objects or equipment, in small quantities, in broken stalls, lots or parcels, not in bulk, for the use or consumption by the immediate purchaser in a building, open air or partly enclosed booths or stalls not within a wholly enclosed building. This term does not include wholesale sales establishments or rental services establishments or for the routine operation of for profit or non-profit businesses but may include food vending vehicles or concession stands operating for the benefit of flea market customers. This definition does not pertain to arts and craft shows, auction sales, garage sales, retail sidewalk sales, or sales held by nonprofit organizations.

*Floor area:*

- *Gross:* The sum of the gross horizontal areas of all floors of a building measured from the exterior faces of exterior walls or from the centerline of the walls separating two (2) buildings, and including, but not limited to, basements; elevator shafts and stairwells at each floor; attic space providing headroom of seven (7) feet or more; and accessory uses in enclosed space but excluding space used for off-street parking.
- *Net:* The total floor area within a building devoted or intended to be devoted to a particular use, with structural headroom of seven (7) feet or more, whether above or below the finished lot grade.

*Floor area ratio:* A mathematical expression determined by dividing the gross floor area of a building by the area of the lot on which it is located.

*Florist shop:* A retail store devoted to the display and sale of cut flowers, potted plants, blooming plants, inside foliage plants, bedding plants, corsage flowers, cut foliage, floral decorations, live decorative materials, accessories, and arrangements thereof.

*Food truck park:* An area designed to accommodate three or more food vending vehicles as the primary use of the property while possibly accommodating areas on the property for entertainment or recreational opportunities. The sale of merchandise other than food and beverages shall not be permitted. Note: A food truck park on city-owned property is considered a public facility. See Article III, Chapter 9, Crockett Code, for related regulations.

*Food vending vehicle:* Any vehicle that operates as a food service establishment and is designed to be readily movable. [State law reference: Health and Safety Code, §437B.001, as added by HB 2844, 89<sup>th</sup> Legislature.]

*Foster family home:* A home under the regulation of a child-placing agency that is the primary residence of the foster parents and provides care for six or fewer children or young adults for 24 hours a day. A foster family home may temporarily increase the capacity to seven or eight children under certain circumstances. [Source: Tx Health & Human Services Child Care Regulation Handbook, Revision 24-1, effective Feb. 20, 2024.]

*Foster group home:* An operation under the regulation of a child-placing agency that provides care for seven to 12 children or young adults for 24 hours a day. Must be the primary residence of the foster parents. [Source: Tx Health & Human Services Child Care Regulation Handbook, Revision 24-1, effective Feb. 20, 2024.]

*Fraternal lodge or service organization clubhouse:* An enclosed space, room or structure used by an organized group having a restricted membership and specific purpose related to the welfare of the members, for the purpose of holding organization-related meetings, gatherings or social functions.

*Funeral/interment service establishment:* A place of business used in the care and preparation for interment or transportation of human remains, or any place where one or more persons, either as sole owner, in

co-partnership, or through corporate status, are engaged or represent themselves to be engaged in the business of embalming or funeral directing. [State law reference: Sec. 711.001, Health and Safety Code] May include a crematory.

*Furniture restoration shop:* An establishment that reupholsters, refinishes, repairs and/or restores household-type (i.e., living room, kitchen and bedroom) furniture and institutional (i.e., public building, such as schools, theaters, civic buildings, churches or other religious establishments, etc.) furniture for individuals on a small-scale retail basis. This activity does not include the term “furniture manufacture” or wholesale sales of any type of furniture or commodities.

*Garage:*

- *Private:* An accessory building enclosed on at least three sides or a part of a main building used for storage of automobiles and used solely by the occupants and their guests. Such term is also referred to as “enclosed parking space.”
- *Parking:* See “Parking garage

*Garage apartment:* A dwelling unit for one (1) family erected in or above a private garage. (See Sec. 301, for performance standards relating to garage apartments.)

*Glamping area:* See “Campground” definition.

*Group care facility for children:* See definition for “Foster group home.”

*Gymnastic studio:* See “Dance or Gymnastic Studio” definition.

*Health care clinic:* See “Clinic” definition.

*Health/reducing/fitness club/studio:* Includes, but is not limited to, an establishment which provides facilities and equipment (e.g., gymnasiums, weight rooms, swimming pools/spas, exercise apparatus, instruction/classes, etc.) which are intended to promote health, fitness, weight reduction and/or similar health-related activities. Such facilities may include such accessory uses as food service, sales of sundries and apparel, and childcare services, provided that such accessory uses are clearly incidental to the primary use and are for the use of studio patrons only (i.e., not the general public). No outside signage may be used to advertise accessory uses.

*Heavy earthmoving equipment rentals, sales, and storage:* A commercial facility and open area utilized for the display, sales, rental and indoor/outdoor storage of heavy-duty vehicles in operable condition built for use on earthmoving works-related construction projects such as digging of foundations, rock removal, digging of trenches, soil grading, demolition of structures, and other similar projects. Examples of such equipment include excavators, scrapers, bulldozers, wheel loaders, and trenching machines.

*Heavy truck sales and rentals:* A commercial facility and open area used for the display, sale, rental and indoor/outdoor storage of new or used heavy load vehicles in operable condition.

*Height:* See “Building height” definition.

*Home-based business:* See Section 308.

*Homeowner's association:* A formal nonprofit organization operating under recorded land agreements through which (a) each lot and/or homeowner in a planned unit development or other described land area is automatically a member and (b) each lot may be subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintenance of common property, and (c) if unpaid, the charge may become a lien against the nonpaying homeowner's property.

*Hospital:* An institution providing health services primarily for human inpatient, medical or surgical care for the sick or injured and including related facilities such as laboratories, outpatient departments, training facilities, central service facilities, and staff offices which are an integral part of the facilities.

*Hotel or motel:* A building or group of buildings under one (1) ownership containing six (6) or more sleeping rooms occupied, intended or designed to be occupied, as the temporary abiding place for persons who are lodged with or without meals for compensation, but not including a hospital or recreational vehicle camping area.

*Ice cream/frozen yogurt shop:* A small-scale retail establishment for producing, mixing, compounding, serving ice cream or frozen yogurt or similar confection primarily for on-premises consumption with extremely limited wholesale distribution as an accessory use only.

*Incidental use:* Any use which is different from the main or principal use but which compliments and/or supplements the main or principal use.

*Industrialized building:* A commercial structure that is constructed in one or more modules or constructed using one or more modular components built at a location other than the commercial site and designed to be used as a commercial building when the module or the modular component is transported to the commercial site and erected or installed. An industrialized building includes the structure's plumbing, heating, air conditioning, and electrical systems. An industrialized building includes a permanent commercial structure and a commercial structure designed to be transported from one commercial site to another commercial site but does not include a commercial building or structure that is installed in a manner other than on a permanent foundation and either (a) not open to the public; or (b) less than 1, 500 square feet in total area and used other than as a school or a place of religious worship. [State law reference: TOC, Sec. 1202.003.]

*Industrialized housing:* A residential structure that is designed for the occupancy of one or more families, constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site, and designed to be used as a permanent residential structure when the module or the modular component is transported to the permanent site and erected or installed on a permanent foundation. Industrialized housing includes the structure's plumbing, heating, air conditioning, and electrical systems. Industrialized housing does not include: (1) housing constructed of a section or panelized system that does not use a modular component; or (2) a ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for the purpose of selling and moving the home to another location. A modular home will have a decal issued by the Texas Department of Licensing and Regulation signifying that the home has been built to comply with the International Residential Code. [State law reference: TOC, Sec. 1202.002]

*Iron works/machine shop:* A facility performing cutting, grinding, turning, honing, milling, deburring, lapping, electrochemical machining, etching, or other similar metal fabrication operations.

*Junkyard:* A place where a business that owns junk and is operated to store, buy, or sell junk keeps all or part of the junk outdoors until the business disposes of the junk.

- *Junk:* Means copper, brass, iron, steel, rope, rags, batteries, tires, or other material that has been discarded or sold at a nominal price by the previous owner of the material. The term does not include a wrecked vehicle. [State law reference: Tex. Transportation Code, Chap. 396.]

*Laboratory, medical:* An indoor establishment that includes laboratories and/or experimental equipment for medical, dental, or optical research, testing, and analytical work having a direct relationship to the provision of health services, prototype design and development, or product testing.

*Laboratory, scientific and/or industrial research:* An establishment that engages in research, testing or evaluation of materials or products that may include experimental equipment and operations involving compounding of materials. Does not include a medical laboratory. (See "Laboratory, Medical.")

*Laundromat:* See "dry cleaning or laundry establishment" definition.

*Livestock and livestock market:* See "Animal business" definition.

*Living space:* The interior space within a building that: (1) is designed and intended for human habitation; (2) is heated by a conventional heating system; (3) has a finished interior, including walls, floors, and ceilings; (4) is directly accessible from other living areas, typically through a door, heated hallway, or stairway, and (5) is capable of being used year-round for living, sleeping, eating, or cooking. The term does not include unfinished basements, attics or other unfinished areas, garages, screened or open patios, porches, or accessory structures.

*Loading space:* Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. The minimum dimensions of the loading space must be scaled to accommodate the largest vehicle used for such pickups and deliveries, including vertical clearance. Required off-street loading space cannot be included as off-street parking space as required in the computation of such space for certain zoning districts.

*Lot, corner:* A lot on which at least two (2) adjacent sides abut for their full lengths on a street.

- *Lot depth:* The mean horizontal distance between the front and rear lot lines.
- *Lot width:* The mean horizontal distance between the side lot lines.

*Manufactured home or "manufactured housing" means a HUD-code manufactured home or a mobile home.*

- *HUD-code manufactured home:* Has the meaning assigned by 42 U.S.C. Section 5402(6), which states that the term means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary (Secretary of Housing and Urban Development) and complies with the standards established under this chapter (Chapter 70, Title 42 U.S. Code); and except that such term shall not include any self-propelled recreational vehicle. The term does not include a recreational vehicle as defined by 24 C.F.R. Section 3282.15(b).

Note: An HUD-code manufactured home displays a red certification label on the exterior of each section per 24 C.F.R. § 3280.11. This label serves as the manufacturer's certification that the section is built in accordance with federal HUD standards.

- *Mobile Home:* (A) means a structure: (i) constructed before June 15, 1976; (ii) built on a permanent chassis; (iii) designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities; (iv) transportable in one or more sections; and (v) in the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet; and (B) includes the plumbing, heating, air conditioning, and electrical systems of the home.
- *Attached:* In reference to a manufactured home means that the home has been: (A) installed in compliance with the rules of the Texas Department of Housing and Community Affairs

operating through its manufactured housing division; (B) connected to a utility, including a utility providing water, electric, natural gas, propane or butane gas, or wastewater service.

- *Installation*: Means the temporary or permanent construction of the foundation system and the placement of a manufactured home or manufactured home component on the foundation. The term includes supporting, blocking, leveling, securing, anchoring, and property connecting multiple or expandable sections or components and making minor adjustments.
- *New manufactured home*: Means a manufactured home that is not a used manufactured home, regardless of its age.
- *Used manufactured home*: Means a manufactured home which has been occupied for any use or for which a statement of ownership has been issued. The term does not include: (A) a manufactured home that was used as a sales model at a licensed retail location; or (B) a manufactured home that: (i) was sold as a new manufactured home and installed but never occupied; (ii) had a statement of ownership; and (iii) was taken back from the consumer or transferee because of a first payment default or agreement to rescind or unwind the transaction.

[State law reference: TOC, Chapter 1201, Manufactured Housing, Sec. 1201.003, Definitions, amended by SB 1341, 89th Tex. Legislature, and Sec. 1201.004, Definitions Binding.]

Note: See Section 314 for specific requirements relating to manufactured homes outside of a manufactured home subdivision or manufactured home park.

*Manufactured home park (also known as mobile home park or trailer park or manufactured home community)*: See Sec. 201.4c for definition and Sec. 314 for specific requirements.

*Manufactured/mobile home pad area*: An area designed for the exclusive use of an individual manufactured/mobile home.

*Manufactured homes sales*: A commercial establishment and open area used for the display, sale, and outdoor storage of manufactured homes.

*Manufactured home subdivision (also known as mobile home subdivision)*: See Sec. 201.4b for definition.

*Massage establishment*: Any place of business in which massage therapy is practiced by a massage therapist as defined and licensed by the TOC, Chap. 455.

*Metal dealer, crafted precious*: A place of business in which a person registered with the Finance Commission of Texas, as required by TOC, Chap. 1956, Subchapter B, engages in the business of purchasing and selling crafted precious metal, including purchases or sales made through the mail, .

- *Crafted precious metal*: Means jewelry, silverware, and art object or another object, made wholly or partly from precious metal and used primarily for personal, family, or household purchases. The term does not include a coin or other excluded items listed in the definition in the TOC, Chap. 1956, Subchapter B.

*Metal dealer, scrap (or secondhand)*: A place of business in which a person purchases, gathers, collects, solicits, or procures scrap metal or where scrap metal is gathered or kept for shipment, sale, or transfer, under terms and conditions found in Vernon's Ann. Civ. St., art.9009. (Also see Junk or Salvage Yard.)

*Mini warehouse (or self-storage warehouse)*: Small individual storage units for rent or lease, restricted solely to the inside storage of items. The conduct of sales, business or any other activity other than storage

within the individual storage units is prohibited, other than a sale conducted by the owner or representative in an effort to sell a unit's contents after a renter/lessee has defaulted on payment.

*Mixed-use*: See definition in Section 315.

*Mobile home*: See "Manufactured home" definition.

*Mobile home park*: See "Manufactured home park" definition.

*Mobile home subdivision*: See "Manufactured home subdivision" definition.

*Modular component*: A structural part of housing or a building constructed at a location other than the building site in a manner that prevents the construction from being adequately inspected for code compliance at the building site without damage or removal and reconstruction of a part of the housing or building. [State law reference: TOC, Sec. 1202.001.]

*Modular home*: See definition for "industrialized housing." Note: A modular home is a type of industrialized housing.

*Motor truck*: Any truck with a manufacturer's rated carrying capacity in excess of two thousand (2,000) pounds and which is used or maintained primarily for the transportation of property. "Light" trucks, pickup trucks, panel delivery trucks, and carryall trucks are not "motor trucks" under this definition.

*Motorcycle*: A usually two-wheeled, self-propelled vehicle having one (1) or two (2) saddles or seats, and which may have a sidecar attached. For the purposes of this definition, motorbikes, all-terrain vehicles (ATVs), motor scooters, mopeds and similar vehicles are classified as motorcycles.

*Motorcycle sales and repair*: A commercial establishment used for the display, sale and/or servicing, including repair work, of motorcycles in operable condition; may include an open area and indoor/outdoor storage as permitted by the zoning district.

*Multiple-family dwelling*: See "Dwelling, multiple-family" definition.

*Music studio (also known as recording studio)*: A specialized facility for recording and mixing instrumental or vocal musical performances, spoken words, and other sounds.

*Neighborhood business*: An independently owned and operated small-scale personal services shop or professional and general business office (see definitions) that: (1) is located in or surrounded by a residential district; (2) is secondary to the principal use of the building as a dwelling or which is the primary use of the building; (3) must not create any noise, odor, or electrical disturbance beyond the confines of the lot on which the activity is conducted; and (4) must by nature be low-intensity with a limited number of clients/customers at any specific time so as to not act as a traffic generator to the detriment of the neighborhood. In connection with a neighborhood business, there shall be no display of more than two (2) square feet in area attached to the main or accessory building and no outside storage. Does not include any retail shops. A specific use permit for a neighborhood business transfers to a new property owner unless the condition of the permit is that it only applies to the owner of the property at the time the permit was approved. However, the specific nature of the neighborhood business may not change from what the business was at the time the specific use permit was issued (e.g., a beauty shop must remain a beauty or barber shop, a law office must remain a law office or an office for a similar professional), unless the current property owner obtains a new specific use permit for a business of a different nature. (

*Nonconformance*: A lawful condition of a structure or land which does not conform to the regulations of the zoning district in which it is situated. This may include, but is not limited to, failure to conform to use, height, area coverage or off-street parking requirements.

*Nonconforming use:* A structure or land lawfully occupied by a land use activity that does not conform to the regulations of the zoning district in which it is situated and which has been identified as a nonconforming use by the Crockett zoning board of adjustment.

*Offices, professional and general business:* A room or group of rooms used as executive, management, and/or administrative offices for private, governmental or non-profit organizations or that provide business or information technology services benefiting the public. Typical uses include but are not limited to business offices for accounting, advertising, computer programming and software services, insurance, investment, legal, property management, real estate, travel, and other professions or offices providing computer, facsimile, photocopying and minor printshop or telephone answering services. Excludes health care provider offices.

*Oil and gas drilling/extraction:* A process whereby a hole is bored using a drill bit to create a well for oil and natural gas production.

*Oil field equipment rentals, sales, and storage facility:* A commercial facility and open area utilized for the display, sales, rental and indoor/outdoor storage of large equipment in operable condition associated with the oil and natural gas exploration and production process.

*Open/outdoor Storage:* The permanent and/or continuous keeping, displaying or storage of any equipment, goods, machinery, building or other materials, or commodities, including raw, semifinished, finished materials, or other products outside a building during hours of business and extending into the hours during which a business is closed and which is visible from any public street or adjacent property owned by a different property owner when viewed from ground level. Permitted industrial open storage may include any products on pallets, in shipping containers or in crates. Vehicular parking, storage that is accessory to residential use, and outside commercial displays as specifically permitted by this ordinance are not open/outdoor storage.

*Optical sales/service shop:* A facility housing the workplace of an optician engaged in the fitting and sale of glasses, contact lenses and related optical apparatus for correcting vision.

*Outside commercial display:* See Sec. 201.6, paragraph I.

*Park:* An area of land, usually in a largely natural state, for the enjoyment of individuals and having facilities for rest, recreation, and social opportunities for the surrounding community (e.g., ballfield, botanical garden, picnic area, playground, pocket park).

- *Pocket Park:* A mini park designed to provide recreational and social opportunities for the surrounding community, typically located on vacant or under-utilized lots, offering a green oasis in a developed area. May be publicly or privately owned.
- *Public:* Owned and operated by a public agency such as the City of Crockett, Houston County, or the Crockett ISD.
- *Private:* Not owned by a public agency but owned, developed and sponsored by a quasi-public group, private agency, or private residents for the exclusive use of residents or neighborhood groups and their guests or for specific groups or social opportunities, such as "Little League" baseball.

*Parking garage, public:* A building or portion of a building, other than a private garage, which is used by the general public for the temporary parking of motor vehicles, usually for a fee.

*Parking space:* A permanently surfaced area, enclosed or unenclosed, sufficient in size to store one automobile together with a surfaced driveway connecting the parking space with a street or alley and permitting ingress or egress of an automobile. For purposes of this ordinance, the size of a parking space for one (1) vehicle consists of a rectangular area having dimensions of not less than eight (8) feet by eighteen (18) feet plus adequate area for ingress and egress.

*Pawn shop:* A location at which or premises in which a pawnbroker regularly conducts business consisting of: (a) lending money on the security of pledged goods; or (b) purchasing goods on condition that the goods may be redeemed or repurchased by the seller for a fixed price within a fixed period. Unclaimed property may be sold at the shop. The pawnbroker must display the pawnshop license issued by the Office of Consumer Credit Commissioner for the place of business, and it must identify the name of the pawn broker and the address at which the business is to be conducted. A separate pawnshop license is required for each place of business. [State law references: Tex. Finance Code, Chap. 371, and Tex. Local Gov't Code, Sec. 211.0035.]

*Permanent foundation:* A slab, footing (perimeter foundation), or a pier and beam foundation. In the case of footings or a pier and beam foundation, skirting must be installed along the bottom of the structure so that no space under the structure may be seen and to prevent creating a habitat for animals. See "Skirting" definition.

*Personal services shop:* A commercial establishment primarily engaged in providing personal services related to the care and appearance of the body or the repair of personal effects. Includes but is not limited to barbershops, beauty salons, shoe repair shops, and tailoring/seamstress/alteration shops.

*Pet shop:* A commercial establishment specializing in the display and retail sale of small live animals generally kept as household pets, such as dogs, cats, birds, or fish and associated goods for the maintenance of such animals. (See "animal business" for state law reference.)

*Petroleum bulk stations:* A facility, including pipeline terminals, refinery terminals, rail and barge terminals, and associated underground and aboveground storage tanks, connected or separate, from which petroleum products are withdrawn from bulk and delivered into a cargo tank or barge used to transport those products. [State law reference: 30 TAC, Part 1, Chap. 334, Subchapter F, Rule 334.122.]

*Petroleum refining and storage facility:* An industrial facility utilized for the bulk storage and refining of crude petroleum and for production of refined petroleum products.

*Planned unit development (PUD):* An area with a specified minimum contiguous acreage to be developed as a single entity according to a unified site design plan, containing one (1) or more residential uses.

*Planning and zoning commission:* The planning and zoning commission of Crockett, Texas.

*Plant nursery, wholesale:* A wholesale establishment, often including artificially heated and/or cooled buildings (greenhouse) or open spaces where plants, shrubs, and trees are raised and/or sold on a wholesale basis; may include related indoor/outdoor storage of equipment for landscape contracting. May not include retail sales, such as a retail garden center.

*Plant nursery and garden supply sales:* A retail establishment, including a building, part of a building, a greenhouse, or open space for the growth, display and/or sale of plants, shrubs, trees, horticultural supplies and similar items used in indoor or outdoor planting. All such displays shall be located behind the front yard line established in the district in which the establishment is located.

*Plumbing/electrical/air conditioning/heating equipment sales/services:* A commercial establishment providing supplies, repairs, installation and sales of plumbing, electrical, air conditioning, heating, and related equipment.

*Pool hall:* See Article IV, Chapter 13, City Code.

*Portable building sales:* A commercial establishment and open area used for the display, sale, and outdoor storage of structures capable of being carried and transported to another location, but not including manufactured homes, tiny homes or any other portable temporary or permanent dwelling unit.

*Premises:* Structures and land that make up a parcel of property.

*Primary building:* See “Building, main/primary” definition.

*Print shop:* A commercial establishment that produces or reproduces in print form individual orders from a business, profession, service, industry, or government organization or from other customers. Services may range from simple duplicating services to using a variety of printing processes and may include placement of orders for printing conducted off premises.

- *Print shop, minor:* An establishment which primarily reproduces, in printed form, individual orders from a business, profession, service, industry or government organization. Offset, letterpress, and duplicating equipment are used, but no rotary presses or linotype equipment are used. Related services might include faxing, digitizing, graphic reproducing, and report assembling.
- *Print shop, major:* An establishment used for bulk printing, binding, cutting or copying of materials including books, magazines, newspapers, posters, photos, signs or drawings by means of a printing press, lithography, offset printed, blue printing, photographic reproduction techniques, or other similar methods, for either distribution or sale.

*Private airport or landing field:* A privately or publicly owned location that maintains an airfield, air strip, or runway for private use by its owner(s) or employees or by invitation and is not open for use by the general public. May be equipped with hangars, facilities for refueling and repair, and various accommodations for passengers.

*Private club:* A building or portion of a building in which liquor-by-the-drink is served by permission of the Texas Alcoholic Beverage Commission to people having membership in said club.

*Private school:* A school that offers a course of instruction for students in one or more grades from prekindergarten through grade 12 and is not operated by a governmental entity. [State law reference: Tex. Education Code, Sec. 5.001]

*Professional Office:* See “Offices, Professional and General Business.”

*Public agency:* A recognized public agency, unit of government, or public utility.

*Public facilities and offices:* Any property, building or structure which is owned, leased, primarily used and/or primarily occupied by the state, the United States or the city, any of their subdivisions or agencies, or any public or quasi-public utility.

*Public parking garage:* See “parking garage, public” definition.

*Public school:* A school that is supported with public funds and is authorized by action of and operated under the oversight of a publicly constituted local or state educational agency; provides educational services to all students who are enrolled.

*Radio or television stations:* A public or commercial facility for broadcasting live or pre-recorded programs by radio or television, or recording of such programs, records, tapes, compact discs, video tapes or other recorded media. Such a facility may house activities and equipment necessary for recording and programming, broadcasting and receiving, radio and television signals. Includes transmission lines.

*Recording studio:* See “Music studio” definition.

*Recreational vehicle:* A mobile unit built on a chassis and intended to be used generally for temporary living and sleeping quarters for travel, recreation and vacation purposes. The term includes travel trailers designed to be towed, motor homes designed as temporary dwellings equipped to travel under their own power, tiny homes on wheels, and any other portable contrivance intended to be used as temporary living and sleeping quarters which may be moved under its own power, towed or transported by another vehicle. A recreational vehicle may also be utilized as a long-term place of

residence for more than thirty (30) consecutive days within a permitted recreational vehicle park or camping area or a manufactured home park within established limits. This definition does not include manufactured homes, tents, or yurts or similar structures.

*Recreational vehicle/camper sales and leasing:* An establishment that sells, leases and/or rents new and/or used recreational vehicles, travel trailers, campers, and boats/watercraft, including repair work of recreational vehicles and boats as an accessory use.

*Recreational vehicle park:* Any development, site, parcel or tract of land designed, maintained or intended to be used for the purpose of providing short-term occupancy of less than 30 consecutive days or long-term occupancy of recreational vehicles in an atmosphere similar to a manufactured home park but limited to recreational vehicles. The use of tents or yurts or similar structures allowed within a campground are not allowed as dwellings within a recreational vehicle park.

*Recycling plant:* A facility in which recoverable resources such as paper, newspapers, magazines, books, glass, metal cans and other products are recycled, reprocessed and treated to return such products to a condition in which they may again be used for production. Definition does not include a junkyard or Automotive Salvage Yard.

*Relocatable educational facility:* A portable, modular building capable of being relocated, regardless of whether the facility is built at the installation site, that has been used or is designed to be used primarily as an educational facility for teaching the curriculum required under V.T.C.A., Texas Education Code, § 28.002. [State law reference: Tex. Occupations Code (TOC), Sec. 1202.004.]

*Residential density:* The number of lots, dwelling units, or persons located or residing within a residential density.

- *Gross density:* The number of lots, dwelling units, or persons located within the total acreage of a residential area.
- *Net density:* The number of lots, dwelling units, or persons located within the total acreage of a residential area, exclusive of street rights-of-way, easements, nonresidential land use sites, and acreage unsuitable for development.

*Restaurant:* An establishment with a principle business of the sale of foods and beverages to the general public in a ready-to-consume state with designated dining areas.

*Retail sales in general:* Retail stores or shops which sell, lease or rent new or used products to the general public that are not intended for resale and not primarily intended for commercial/industrial use. Typical stores and shops include but are not limited to arts & craft stores, auto parts and accessory sales, bicycle shops, bookstores, clothing stores, convenience stores with or without self-service gasoline, department stores, delicatessens, florist shops, furniture and home décor stores, general stores, gift shops, grocery markets/stores, hardware stores, pharmacies, shoe stores, specialty boutiques or shops, and thrift/second-hand shops. May also include servicing or repair of the items sold as incidental use. Any retail shop that is listed as a separate use in the land use charts in Sec. 201.10 is not included in this definition.

- *Delicatessen:* A commercial establishment primarily engaged in the retail sale of cold cuts, cheeses, and a variety of salads, as well as a selection of unusual or foreign prepared food for home consumption.

*Sand, gravel or stone extraction and/or storage:* The process of extracting and/or indoor/outdoor storage of sand, gravel, stone, topsoil, compost or other products from the earth.

*Setback:* The required minimum distance that a structure must be “set back” from a property line to ensure there is adequate space for fire safety, access to utilities, light, air, and for maintaining neighborhood

aesthetics, and within which no structure may be built but which may include driveway areas or other similar surface improvements.

*Sexually oriented business:* See Chapter 15.5 of the Crockett Code. Note: No other land use may include a sexually oriented business.

*Shopping center:* A group of primarily retail and service commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site, provision for goods delivery separated from customer access, provision of aesthetically appropriate design and protection from the elements.

*Short-term rental:* See Sec. 310.

*Single-family dwelling:* See “Dwelling, Single-Family” definition.

*Skirting:* A type of exterior trim that is installed around the foundation of a structure so that no space under the structure may be seen and to prevent creating a habitat for animals.

*Specific use:* A land use activity that may be appropriate within a designated zoning district but which must be reviewed by the planning and zoning commission and approved by the city council. The criteria for determining the appropriateness of a land use activity requiring a specific use permit is found in section 303 of this ordinance.

*Stable:*

- *Private stable:* A stable for private use with a capacity of not more than two (2) horses or mules.
- *Public/commercial stable:* A stable, other than a private stable, with a capacity for boarding more than two (2) horses or mules for a fee. A public/commercial stable that also rents horses to the general public for recreational riding must comply with regulations for outdoor commercial amusements in the AR District.

*Note:* Private and public/commercial stables must comply with Sec. 4-6, Article I, Chapter 4 of City Code.

*Stadium:* An indoor or outdoor sports arena with tiers of seats for spectators. May also be used for special events.

*Story:*

- *Full Story:* That portion of a building, other than a basement, that is included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and ceiling next above it.
- *Half story:* A space under a sloping roof which has the line of intersections of roof decking and wall face not more than three (3) feet above the top floor level, and in which space not more than two-thirds ( $\frac{2}{3}$ ) of the floor area is finished off for use. A half story containing independent apartments or living quarters will be counted as a full story.

*Street:* Any public thoroughfare which affords the principal means of access between various land use activities.

*Structure:* Anything constructed or erected, the use of which requires a location on the ground or an attachment to something located on the ground (also see definition of “Building”).

*Structural alteration:* Any change in the supporting members of a building, such as bearing wall of partitions, column, beams, or girders, or any substantial change in the roof or in the exterior walls.

*Tailoring/alteration/seamstress shop:* A personal services shop which houses the workplace of a tailor or seamstress engaged in fabrication, alteration, repair, of men's and women's clothing and apparel. Not a clothing factory.

*Tanning salon:* An indoor commercial facility where individuals may receive a tan by means of artificial light.

*Tattoo Studio:* See "Body Art Studio" definition.

*Theater, drive-in:* An open lot with its appurtenant facilities devoted primarily to the showing of motion pictures or theatrical productions on a paid admission basis to patrons seated in automobiles.

*Theater, movie (indoor):* A building or part of a building devoted to the showing of motion pictures. May include arcade games and concessions as incidental uses.

*Theater, outdoor:* An open-air cinema or open-air theater where the screen or stage and the spectator seats are located outdoors with or without a canopy or other covering. May be a temporary seasonal or permanent setting.

*Theater, playhouse (indoor):* See "Entertainment venue, live" definition.

*Tiny home:* See Section 316.

*Tiny home development:* See Section 316.

*Tiny home on wheels:* A manufactured or prefabricated nonmotorized but movable house on wheels that typically has a living space of 400 square feet or less and that is considered the same as a recreational vehicle for the purpose of this zoning ordinance. Also known as a THOW.

*Tiny homes sales:* A commercial establishment and open area used for the display, sale and outdoor storage of tiny homes and tiny homes on wheels.

*Townhouse or rowhouse:* See "Dwelling, townhouse or rowhouse" definition.

*Trailer, camping, recreational or travel trailer:* See recreational vehicle.

*Trailer, hauling:* A mobile unit to be pulled behind an automobile or truck which is designed for hauling animals, produce, goods or commodities, including boats.

*Truck sales and rentals, heavy trucks:* See "Heavy Truck Sales and Rentals" definition.

*Truck stop:* A facility for parking, refueling and/or minor repair of heavy load tractor-trailer trucks. These facilities may also include retail sales of food and/or other items, restaurant(s), restroom/showers facilities, and/or temporary sleeping quarters.

*Truck terminal:* An area and building where cargo is stored and where trucks, including tractor and trailer units, load and unload cargo on a regular basis. May include facilities for the temporary indoor/outdoor storage of loads prior to shipment. Also known as a motor freight terminal.

*Twin home:* See "Dwelling, twin home" definition.

*Two-family dwelling:* See "Dwelling, two-family" definition.

*Variance:* A site-specific approval granted by the Board of Adjustments for a particular property to vary from the terms of the City's zoning ordinance; the approval must be based on a finding of hardship and must not be contrary to the public interest.

*Vineyard, private:* A private enterprise establishment used for the growing of grapevines, typically producing grapes used in winemaking, which may provide for on-site sales and wholesale sales and distribution of such produce and products.

*Warehouse, mini:* See “Mini warehouse” definition.

*Warehouse, commercial storage:* A commercial facility designed and used for the inside storage of manufactured products, supplies, and equipment, but excluding bulk storage of materials that are inflammable or explosive, or that create hazardous or commonly recognized offensive conditions.

*Warehouse, office/showroom:* An establishment with a minimum of seventy-five percent (75%) of its total floor area devoted to indoor storage and warehousing, but not accessible to the general public. The remaining area may include retail and wholesale sales areas, sales offices and display areas for products sold and distributed from the storage and warehousing areas.

*Washateria:* See “Dry cleaning or laundry establishment” definition.

*Wholesale distribution center:* Building or facility used for the indoor storage and distribution of wholesale items/products.

*Wholesale sales establishments:* The selling and/or distribution of merchandise or commodities to retailers, or to industrial, commercial, institutional or professional business users, or to other wholesalers. This activity also includes acting as an agent or broker that buys merchandise for, or sells merchandise to, such individuals or companies. This activity does not typically involve retail (i.e., walk-up or drive-up) sales to individuals who are the end-users of the merchandise.

*Use permitted by right:* A land use activity that does not require the review and approval of the planning and zoning commission or the city council unless otherwise specified.

*Yard:* An open space on a lot between the lot line and the building line which is unoccupied by any building or part of a building including any parking structures (e.g., garage, carport) except for roof overhangs.

- *Front yard:* The minimum depth of the front yard is the distance between the nearest point of the street-side wall of building; and the front line of the lot, or that line produced, measured at right angles of the front line of the lot.
- *Rear yard:* The unoccupied space between the rear lot line and the building line, as specified for each zoning district, which is parallel to the front lot line.
- *Side yard:* The unoccupied space between the side lot line and the building line, as specified in each zoning district, extending from the front yard to the rear yard.

*Winery:* A wine-making establishment.

*Yurt:* A portable, circular dwelling made of a lattice of flexible poles and covered in felt or other fabric; a sturdy, reliable type of tent that functions like a real home, protecting inhabitants from the elements while still simple enough in construction to suit camping or glamping purposes.

*Zoning or code enforcement officer:* The municipal employee who has been officially designated as the individual responsible for determining compliance with the regulations and policies found in this ordinance.

## SECTION II:

Article 2, Establishment of Districts, Regulations, and Zoning Map, Appendix A, Zoning, Sections 201, 201.1, 201.2, 201.3, and 201.4 are amended to read as follows:

### **Section 201. Establishment of zoning districts and regulations.**

- A. The City of Crockett, Texas, is hereby divided into zoning districts as listed in this section.
- B. The city's zoning districts are as follows:
  - 1. AR Agricultural-residential district.
  - 2. R-1 Single-family residential district.
  - 3. R-2 Two-family residential district.
  - 4. R-3 Multiple-family residential district.
  - 5. MH-1 Manufactured home subdivision district.
  - 6. MH-2 Manufactured home park and RV park/campground district.
  - 7. C-1 Neighborhood commercial district.
  - 8. C-2 General commercial district.
  - 9. C-3 City center shopping district.
  - 10. M Manufacturing/industrial district – light.
  - 11. I Manufacturing/industrial district – heavy.
- C. The regulations for each of the above-named zoning districts are established on the following pages.

#### **Section 201.1. AR agricultural-residential district.**

- A. *Description.* The AR agricultural-residential district is intended to provide a location for agricultural and residential land use activities in areas situated on the fringes of Crockett's present boundaries and which may become an urban area in the future. Therefore, the agricultural and residential activities permitted within the district should not be detrimental to urban land uses and are intended to encourage and protect appropriate agricultural uses until urbanization is warranted and the appropriate change in zoning district classification is made.
- B. *Uses permitted by right.* Refer to the Sec. 201.10 land use chart – residential for land uses permitted by right.
- C. *Specific uses.* Refer to the Sec. 201.10 land use chart – residential for land uses requiring a specific use permit.
- D. *Area, coverage, and height regulations.* All buildings in the AR district must conform to the requirements listed in the land use district standards chart in Sec. 201.10.
- E. *Regulations to protect the natural state of the AR district.* Event venues, commercial/public stables, and outdoor commercial amusements must meet the following requirements.
  - 1. Minimum area shall be three (3) acres.

2. At least fifty percent (50%) of the total site shall be left in its natural state or be landscaped. The remaining fifty percent (50%) of land is eligible for development.
  3. Where needed to enhance aesthetics or to ensure public safety, a fence, wall, landscape screen, earth mound, or other screening approved by the Building Official shall enclose the portion of land developed for specific use. The Planning & Zoning Commission shall determine the necessity of such screening.
  4. Utility conduits shall be installed underground in conformance with the applicable State and local regulations.
- G. *Mandatory project plan requirements.* Individuals requesting a specific use permit must comply with the project plan requirements as prescribed in section 303 of this ordinance.

### **Section 201.2. R-1 single-family residential district.**

- A. *Description.* This is the most restrictive residential zoning district. The primary use of land is for detached single-family dwellings and related religious, educational, and recreational facilities normally required to provide the basic elements of a balanced and attractive neighborhood. These areas are intended to be separated and protected from the encroachment of land use activities that do not perform a function necessary to sustain the residential environment. Internal stability, attractiveness, order, efficiency, and security are encouraged by the provision for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of these various elements. Densities in this district may not exceed seven (7) dwelling units per gross acre.
- B. *Uses permitted by right.* Refer to the Sec. 201.10 land use chart – residential for land uses permitted by right.
- C. *Specific uses.* Refer to the Sec. 201.10 land use chart – residential for land uses requiring a specific use permit.
- D. *Area, coverage, and height regulations.* All buildings in the R-1 district must conform to the requirements as listed in the land use district standards chart in Sec. 201.10.
- E. *Mandatory project plan requirements.* Individuals requesting a specific use permit or a zoning amendment to achieve R-1 status must comply with the project plan requirements as prescribed in section 303 of this ordinance.

### **Section 201.3. R-2 two-family residential district.**

- A. *Description.* The R-2 district is intended to serve as a residential zone that provides a slightly higher population density but with basic restrictions similar to the R-1 district. The principal use for land in the R-2 district is for detached single-family and two-family (duplex) dwellings along with related religious, educational and recreational facilities normally required for the provision of a balanced and attractive neighborhood. These areas are intended to be separated and protected from the encroachment of land use activities that are incompatible with residential development. Internal stability, attractiveness, order and efficiency are encouraged by providing adequate light, air and open space for dwellings and related facilities and through the consideration for the proper functional relationship and arrangement of each element. Densities in this district may not exceed seven (7) single-family dwelling units or 11 two-family dwelling units per gross acre.
- B. *Uses permitted by right.* Refer to Sec. 201.10 land use chart – residential for land uses permitted by right.
- C. *Specific uses.* Refer to the Sec. 201.10 land use chart – residential for land uses requiring a specific use permit.
- D. *Area, coverage and height regulations.* All buildings in the R-2 district must conform to the requirements as listed in the land use district standards chart in Sec. 201.10.

- E. *Mandatory project plan requirements.* Individuals requesting a specific use permit or an amendment to the zoning map to achieve R-2 status must comply with the project plan review as prescribed in section 303 of this ordinance.

**Section 201.4a. R-3 multiple-family residential district.**

- A. *Description.* This is a residential district to provide for medium density development of up to fifteen (15) dwelling units per acre. The principal use of land is for attached single-family dwellings such as townhomes, detached single-family dwellings, two-family dwellings (duplexes), and multiple-family dwellings consisting of apartment complexes, condominiums, triplexes, fourplexes, garden apartments, and similar dwellings. Recreational, religious and educational land use activities normally appropriate to service such residential neighborhoods are also permitted to provide the basic elements of a convenient, balanced and attractive living area. Densities in this district may not exceed seven (7) single-family dwelling units, 11 two-family dwelling units, or 15 multiple-family dwelling units per gross acre.
- B. *Uses permitted by right.* Refer to the Sec. 201.10 land use chart – residential for land uses permitted by right.
- C. *Specific uses.* Refer to the Sec. 201.10 land use chart – residential for land uses requiring a specific use permit.
- D. *Area, coverage and height regulations.* All buildings in the R-3 district must conform to the requirements as listed in the land use district standards chart in Sec. 201.10.
- E. *Mandatory project plan requirements.* Individuals requesting a specific use permit or a zoning amendment to achieve R-3 status must comply with the project plan requirements as prescribed in section 303 of this ordinance.
- F. *Screening requirement.* A screening fence is required between any apartment use and a developed single-family residential use in accordance with section 305 of this ordinance.

**SECTION III:**

Article 2, Establishment of Districts, Regulations, and Zoning Map, Appendix A, Zoning, Sections 201.4b and 201.4c are added to read as follows:

**Section 201.4b. MH-1 Manufactured Home Subdivision District.**

- A. *Definition and Description.* A manufactured home subdivision is defined as a parcel of land which is designed, platted, improved and intended for the long-term placement of individually owned HUD-Code manufactured homes on platted lots which can be purchased outright by the owners of the homes. Facilities may include a residence for the owner/manager of the premises, utility hook-ups, accessory structures, playgrounds and open space areas, fenced yard areas for pets, and other similar amenities.

The MH-1 district is intended to provide for quality manufactured home subdivision developments containing many of the characteristics and the atmosphere of a standard single-family subdivision but where manufactured homes are permitted by right. Density in this district shall not exceed seven (7) single-family dwelling units per gross acre.

- B. *Uses permitted by right.*

Manufactured homes are permitted by right when: (i) an existing manufactured home is being replaced in accordance with Sec. 314.04; or (ii) a manufactured home is being newly installed and the manufactured date is not more than five (5) years prior to the date of the installation. Although permitted by right, a

building permit must be obtained from the City's building official before installing a replacement or a newly placed manufactured home.

Refer to the Sec. 201.10 land use chart – residential for additional land uses permitted by right.

- C. *Specific uses.* Refer to the Sec. 201.10 land use chart – residential for land uses requiring a specific use permit.
- D. *Area, coverage and height regulations.* All buildings in the MH-1 district must conform to the requirements listed in the land use district standards chart in Sec. 201.10.
- E. *Mandatory project plan requirements.* Individuals requesting a specific use permit or a zoning amendment to achieve MH-1 status must comply with the project plan requirements as prescribed in section 303 of this ordinance.
- F. *Pad areas.*
  - 1. Manufactured home subdivisions must have a pad area for each manufactured home to be placed in the subdivision.
  - 2. *Access.* Each lot and manufactured home pad area must have access to an all-weather surfaced interior roadway that conforms to the specifications provided by the Crockett Platting Ordinance.
  - 3. *Length, width and square footage of pad area.* Each manufactured home pad area must have a minimum length of not less than eighty (80) feet and a minimum width of not less than forty (40) feet. The minimum square footage required for a pad area is three thousand two hundred (3,200) square feet.
- G. *Subdivision design and construction standards applicable.* All manufactured home subdivisions must comply with the design and construction standards as specified in the Crockett Subdivision Regulations.
- H. *Additional Regulations.* In addition to the manufactured home subdivision regulations set forth in this section, manufactured homes must comply with the single lot standards, structural safety and skirting requirements established in Section 314.

#### **Section 201.4c. MH-2 Manufactured Home Park and RV Park/Campground District.**

- A. *Definitions and Description.*
  - 1. A manufactured home park or community is defined as a development site, parcel or tract of land under single ownership designed, maintained or intended to be used for the purpose of providing long-term occupancy of more than thirty (30) consecutive days for the placement of four (4) or more manufactured/mobile homes including all buildings used or maintained for the use of the residents of the development. This term is not to be used in conjunction with any manufactured homes, RV, or trailer sales lots which contain unoccupied units that are intended for purposes of inspection and sale. *[State law reference: Tex. Prop. Code, Sec. 94.001(4)]*
  - 2. The MH-2 district is intended to provide for quality development and maintenance of manufactured home parks and recreational vehicle parks and campgrounds. In addition to the manufactured home park requirements set forth in this section, manufactured homes must comply with the structural safety and skirting requirements in Section 314.
- B. *Uses permitted by right.*
  - 1. Manufactured homes are permitted by right when: (i) an existing manufactured home is being replaced in accordance with Sec. 314.04; or (ii) a manufactured home is being newly installed and the manufactured date is not more than five (5) years prior to the date of the installation. Although

permitted by right, a building permit must be obtained from the City's building official before installing a replacement or a newly placed manufactured home.

2. Recreational vehicles (which include a manufactured tiny home on wheels) used as a primary dwelling are permitted by right for up to twenty percent (20%) of the pad areas within a manufactured home park in the MH-2 district. All requirements for a manufactured home within the manufactured home park, including size of the pad and setbacks, will be applicable to the recreational vehicle.
3. Refer to the Sec. 201.10 land use chart – residential for additional land uses permitted by right.

C. *Specific uses.*

1. Boat and recreational vehicle and travel trailer storage yard.
2. Recreational Vehicle Park.
3. Campground.

Refer to the Sec. 201.10 land use chart – residential for additional land uses requiring a specific use permit.

D. *Area, coverage and height regulations.* All buildings in the MH-2 district must conform to the requirements listed in the land use district standards chart in Sec. 201.10.

E. *Mandatory project plan requirements.* Individuals requesting a specific use permit or a zoning amendment to achieve MH-2 status must comply with the project plan requirements as prescribed in section 303 of this ordinance.

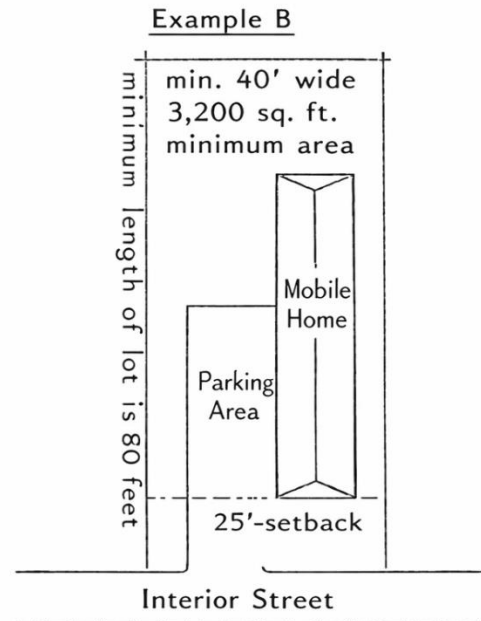
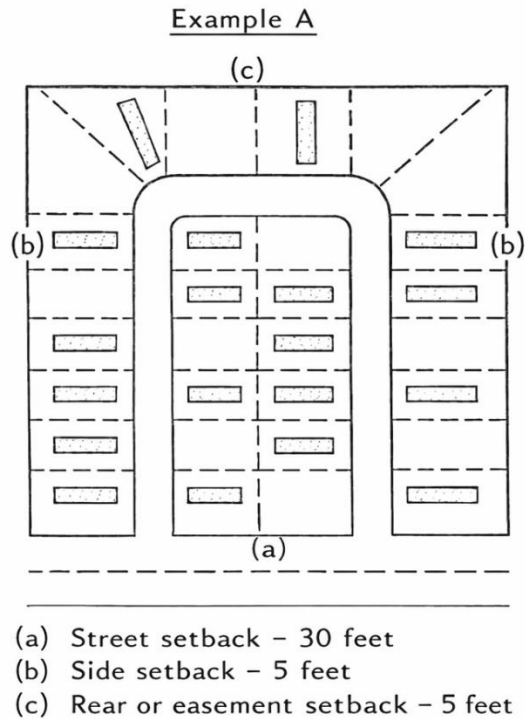
F. *Manufactured home parks pad areas.*

1. *Pad area requirement.* Manufactured home parks must have a pad area for each manufactured home to be placed in the park.
2. *Access.* Each manufactured home pad area must have access to an all-weather surfaced interior roadway that conforms to the specifications provided by the Crockett Platting Ordinance.
3. *Length, width and square footage of pad area.* Each manufactured home pad area must have a minimum length of not less than eighty (80) feet and a minimum width of not less than forty (40) feet. The minimum square footage of area required for a pad area is three thousand two hundred (3,200) square feet.
4. *Clearance.* Each manufactured home must be located so that at least fifteen (15) feet of clearance is maintained between it and other manufactured homes or structures located within a manufactured home park except that manufactured homes placed end-to-end may have a clearance of ten (10) feet where opposing rear walls are staggered.

G. *Manufactured home park site standards.* All manufactured home parks must comply with the following standards:

1. *Setbacks.* All manufactured homes and structures must be set back from exterior street right-of-way lines to comply with the following standards:
  - a. The minimum depth of a yard abutting an exterior street must be thirty (30) feet. When a site has double frontage, this provision must be met on both yards.
  - b. All manufactured homes and structures must be set back at least five (5) feet from any easement or property line.
  - c. All manufactured homes and structures must be set back at least five (5) feet from all side lot lines.

See examples A and B below for illustration.



2. *Coverage.* Primary and accessory buildings cannot cover more than forty (40) percent of the lot or site area on interior lots and sites, and fifty (50) percent of the lot or site area on corner lots or sites. Accessory buildings cannot cover more than twenty (20) percent of a rear yard.
  3. *Subdivision design and construction standards applicable.* All manufactured home parks must comply with the design and construction standards as specified in the Crockett Subdivision Regulations.
- H. *Required recreational areas in manufactured home parks.* In all parks accommodating or designed to accommodate twenty-five (25) or more manufactured homes there shall be one (1) or more recreation areas which shall be easily accessible to all park residents. The size of such recreation areas shall be based upon a minimum of one hundred (100) square feet for each lot.
- I. *Maintenance of Register.* To help ensure that replacement manufactured homes comply with Sec. 314.04, the park management shall maintain a register containing the make, model, year of each manufactured/mobile home and provide a copy of the register to the City code enforcement officer on an annual basis.
- J. *Recreational vehicle parks requirements.* The standards relating to setbacks, coverage, design and construction, and recreation areas for manufactured home parks apply to recreational vehicle parks. Skirting and security to pad requirements do not apply.
- K. *Campground requirements.* Each individual site shall be no less than 1000 square feet and there shall be no more than nine (9) sites per developable acre. Group camp sites shall be designed to accommodate no more than 25 people per acre.

- L. *Screening requirement.* A screening fence is required between the side and rear property lines of any manufactured home park, recreational vehicle park, or campground and adjacent property in accordance with section 305 of this ordinance.

#### **SECTION IV:**

Article 2, Establishment of Districts, Regulations, and Zoning Map, Appendix A, Zoning, Sections 201.5, 201.6, 201.7, 201.8, and 201.9 are amended with paragraphs 201.6H and 201.7G added, to read as follows:

#### **Section 201.5. C-1 neighborhood commercial district.**

- A. *Description.* The C-1 neighborhood commercial district is primarily designed to accommodate neighborhood businesses designed to provide a compatible relationship with adjacent residential areas. Requirements for sunlight, natural air circulation, open space, on- and off-street parking are more restrictive in the C-1 district because the neighborhood businesses located within it are intended to become an integral part of the surrounding neighborhood and must operate in harmony with residential, educational, religious and recreational land use activities.
- B. *Uses permitted by right.* Refer to the Sec. 201.10 land use chart – non-residential for land uses permitted by right.
- C. *Specific uses.* Refer to the Sec. 201.10 land use chart – non-residential for land uses requiring a specific use permit.
- D. *Area, coverage and height regulations.* All buildings in the C-1 district must conform to the requirements as listed in the land use district standards.
- E. *Mandatory project plan requirements.* Individuals requesting a specific use permit or a zoning amendment to achieve C-1 status must comply with the project plan review as prescribed in section 303 of this ordinance.
- F. *Access to C-1 sites.* Not more than two (2) entrance/exit points of access to a C-1 site will be permitted except as allowed on state highways in the access design standards of the state highway department.
- G. *Screening requirement.* A screening fence is required between any commercial, manufacturing or industrial use and a developed residential use in accordance with section 305 of this ordinance.

#### **Section 201.6. C-2 general commercial district.**

- A. *Description.* The C-2 district is primarily intended to provide for the location and development of larger retail shops and stores that provide goods and services for the residents of the city and the surrounding region and that may require outdoor display and storage of merchandise.
- B. *Uses permitted by right.* Refer to the Sec. 201.10 land use chart - non-residential for land uses permitted by right, which includes all uses permitted by right and specific use in the C-1 neighborhood commercial district except for mixed-use.
- C. *Specific uses.* Refer to the Sec. 201.10 land use chart – non-residential for land uses requiring a specific use permit.
- D. *Area, coverage and height regulations.* All buildings in the C-2 district must conform to the requirements as listed in the land use district standards.

- E. *Mandatory project plan requirements.* Individuals requesting a specific use permit or a zoning amendment to achieve C-2 status must comply with the project plan requirements as prescribed in section 303 of this ordinance.
- F. *Access to C-2 sites.* Not more than two (2) entrance/exit points of access to a C-2 site will be permitted, except as allowed on state highways in the access design standards of the state highway department.
- G. *Screening requirement.* A screening fence is required between any commercial, manufacturing or industrial use and a developed residential use in accordance with section 305 of this ordinance.
- H. *Outside commercial displays.*

Commercial and mixed-use properties may have neat and orderly outside displays of decor (e.g., planters, etc.), including seasonal decor celebrating a current holiday, special event, or a seasonal change, an outside seating area with seating made of non-porous material, and outside displays of merchandise that may be purchased by the general public.

Outside commercial displays must be an accessory use and comply with the following provisions.

1. Items must be placed/located on the same lot as the primary use and may not extend onto adjacent property.
2. Items must not occupy any required parking spaces or loading areas and must not extend into public street right-of-way.
3. Public sidewalks in front of commercial properties must maintain a minimum clear width for an accessible route and entryway in compliance with the ADA.
4. The placement of items must not pose a safety or visibility hazard, nor impede public vehicular or pedestrian circulation, either on-site or off-site, in any way.
5. Except for the merchandise of businesses that have their primary inventory routinely displayed outside based on the nature of the business or which are permitted by definition to have outside displays and storage, all merchandise for sale must be removed from outside display when the business is closed to the general public.
6. All items must be displayed in a neat, orderly manner within a clean, litter-free area that is maintained so that excessive dust, fumes or odors will not be produced by the continued display of items.

### **Section 201.7. C-3 city center shopping district.**

- A. *Description.* The C-3 district is intended to encourage and facilitate the maintenance and redevelopment of Crockett's City Shopping District with a mixture of retail, office and residential uses while preserving the historic identity of downtown. Most types of office and retail-commercial businesses with indoor display or sales are permitted within the C-3 district. The district's area regulations are the most liberal in this section because it is recognized that the full lot coverage pattern which characterizes the district's development would create many difficulties if altered.
- B. *Uses permitted by right.* Refer to the Sec. 201.10 land use chart – non-residential for land uses permitted by right, which includes all uses permitted by right in the "C-1" neighborhood commercial district.
- C. *Specific uses.* Refer to the Sec. 201.10 land use chart – non-residential for land uses requiring a specific use permit.
- D. *Area, coverage, and height regulations.* All buildings in the C-3 district must conform to the requirements as listed in the land use district standards.

- E. *Screening requirement.* Screening is not required for any uses permitted by right in the C-3 district. Screening may be required for uses permitted by specific use if required by the city council.
- F. *Off-street parking is not required with uses allowed by right in the C-3 district.* Additional parking may be required for uses allowed by specific use if required by the city council. Such parking shall be provided at the rate identified in section 401. City-owned parking lots located in the C-3 district provide for employee and/or customer parking for the C-3 district.
- G. *Outdoor commercial displays, storage, repair or assembly of goods.*
  - 1. Except when a display of merchandise is during a special public event that includes the display of items on closed off streets and parking spaces (e.g., Christmas in Crockett sponsored by the Crockett Area Chamber of Commerce), no outside display of merchandise that may be purchased by the general public or is an example of the type of merchandise sold at the location and no outdoor storage, repair or assembly of goods is permitted in the C-3 district including by businesses that would be permitted to have outdoor storage in another district.
  - 2. This restriction does not prohibit commercial and mixed-use properties from having neat and orderly outside displays of decor (e.g., planters) that is not similar to the merchandise the property user is selling, including seasonal decor celebrating a current holiday, special event, or a seasonal change, or an outside seating area with seating made of non-porous material.

### **Section 201.8. M manufacturing/industrial district – light.**

- A. *Description.* The M district is primarily intended to provide for the location and development of non-nuisance types or light manufacturing, fabrication, assembling, warehousing and wholesaling businesses. The district may serve as a buffer between heavy industrial zones and other inharmonious land use activities.
- B. *Uses permitted by right.* Refer to the Sec. 201.10 land use chart – non-residential for land uses permitted by right, which includes all uses permitted by right in the C-2 general commercial district, except churches or other religious establishments.
- C. *Specific uses.* Refer to the Sec. 201.10 land use chart – non-residential for land uses requiring a specific use permit.
- D. *Area, coverage and height regulations.* All buildings in the M district must conform to the requirements as listed in the land use district standards.
- E. *Mandatory project plan requirements.* Individuals requesting a specific use permit or amendment to the zoning ordinance to achieve M status must comply with the project plan review as prescribed in section 303 of this ordinance.
- F. *Access to M district sites.* Not more than two (2) entrance/exit points of access to an M district site will be permitted.
- G. *Screening requirement.* A screening fence is required between any commercial, manufacturing or industrial use and a developed residential use in accordance with section 305 of this ordinance.
- H. *Major automobile repair restrictions.* Major automobile repair activities are permitted by right when the premises of such activities are conducted wholly enclosed within a building or behind a wooden or brick screening fence. The material and maintenance requirements of such a screening fence are found in section 305 of this ordinance.

## **Section 201.9. I manufacturing/industrial district – heavy.**

- A. *Description.* The I district is primarily intended to provide for location and development of medium and heavy impact industries, which may generate noise, odor, smoke, dust or intense light, and any supporting commercial and public uses, while still allowing light manufacturing, fabrication, assembling businesses along with warehousing and wholesaling businesses allowed by right in the M district. The industrial and manufacturing uses restricted to the I district must provide access to rail or street transportation routes, and provision may also be made for outdoor operations and outdoor storage. Due to the character and intensity of land use activities that are restricted to the I district, such uses are not permitted to directly abut a residential district without a specific use permit for which the approval process includes consideration of an assessment by the City’s Fire Chief or designee as to whether the proximity of the use to the abutting residential district would create a much higher than average risk to public health and safety.
- B. *Uses permitted by right.* Refer to the Sec. 201.10 land use chart – non-residential for land uses permitted by right, which includes all uses permitted by right in an M district except those commercial uses permitted by right in the C-2 general commercial district.
- C. Reserved.
- D. *Specific uses.* Refer to the Sec. 201.10 land use chart – non-residential for land uses permitted by right or requiring specific use permit.
- E. *Area, coverage and height regulations.* All buildings in the I district must conform to the requirements as listed in the land use district standards.
- F. *Mandatory project plan review requirements.* Individuals requesting a specific use permit or amendment to the zoning ordinance to achieve I status must comply with the project plan review requirements as prescribed in section 303 of this ordinance.
- G. *Access to I district site.* Not more than two (2) entrance/exit points of access to an I district site will be permitted except as allowed on state highways in the access design standards of the state highway department.
- H. *Screening requirement.* A screening fence is required between any commercial, manufacturing or industrial use and a developed residential use in accordance with section 305 of this ordinance.
- I. *Junk/salvage yard and automobile salvage/wrecking yard restriction.* Junk/salvage yards and automobile salvage/wrecking yards are permitted by right when the premises on which such activities are conducted are surrounded by a wooden or brick fence which is at least six (6) feet in height and forms a solid and continuous screen. Such a screen shall be maintained in good condition.

## **SECTION V:**

Article 2, Establishment of Districts, Regulations, and Zoning Map, Appendix A, Zoning, Section 201.10, is added to contain the amended land use charts and to read as follows:

**Section 201.10. Land Use Charts.**

*LAND USE DISTRICT STANDARDS RELATING TO SETBACKS, LOT SIZE, COVERAGE, AND HEIGHT\**

<b>Subject</b>	AR	R-1	R-2	R-3	MH-1	MH-2	C-1	C-2	C-3	M	I
<b>Setbacks</b>											
Front Yard	30	20	20	30	20	201.4(c)	20	20	NA	20	30
Rear Yard	20	20	20	20	20	201.4(c)	15	15	15	20	20
Side Yard	10	10	10	10	10	201.4(c)	10	10	NA	15	15
Corner Lot						201.4(c)	15	15			
<b>Minimum Lot Size (in square feet)</b>											
Tiny home	10,000		2,400	2,400	6,000	201.4(c)					
Manufactured	10,000	6,000	6,000	6,000	6,000	201.4(c)					
Two-family			7,500	7,500							
Multifamily				0.50 acre							
All Other Structures	10,000	6,000	6,000	6,000	6,000	6,000	7,500	7,500	NA	10,000	10,000
<b>Minimum Lot Width</b>											
Tiny home	NA		40	40	60	201.4(c)					
Two-Family			75	75							
Multifamily				100							
All Other	NA	60	60	60	60	201.4(c)	60	60	NA	NA	NA
<b>Maximum Lot Coverage (See "Coverage" Definition.)</b>											
Interior	25%	25%	30%	40%	40%	201.4(c)	50%	50%	100%	60%	60%
Corner	30%	30%	40%	50%	50%	201.4(c)	60%	60%	100%	60%	60%
<b>Maximum Height**</b>											
All Structures	35	35	35	35	35	35	35	35	35	35	45

All numbers in feet unless otherwise indicated. NA = Not applicable;

Square feet to acres: 2400 sf = 0.0551 acre; 3500 sf = 0.0803 acre; 6000 sf = 0.138 acre; 7500 sf = 0.172 acre; 10,000 sf = 0.23 acre; 32,670 sf = 0.75 acre

Any tract of land platted before October 10, 1984, for residential use shall have a minimum of 5,000 sq. ft. The principal structure on these lots shall not cover more than 50% of said lots.

\* See Article 3, Sec. 301, for supplemental land use district standards relating to lot size, open space, front yard determinations, and height restrictions.

LAND USE CHART - RESIDENTIAL

Land Uses	AR	R-1	R-2	R-3	MH-1	MH-2
Accessory Buildings complying with Sec. 311	P	P	P	P	P	P
Accessory Dwelling Units (ADUs) complying with Sec. 312	P		S	S		
Agricultural Activities	P					
Amusements, Commercial - Outdoor complying with Sec. 201.1 and Chapter 13, Article VIII, City Code	S					
Animal Businesses with appropriate license	P	P	P	P	P	P
Barndominiums complying with Sec. 313	P	S	S	S	P	P
Bed and Breakfasts complying with Sec. 307			S			
Cemeteries	S	S	S			
Child Care/Day Care Facilities	S	S	S	S		
Churches or Other Religious Establishments and Accessory Buildings	P	P	P	P		
Communications Towers	S	S	S	S		
Community Garden, Private	P	P	P	P		
Convalescent, Rest, Nursing, or Other Extended Care Facilities				S		
Counseling/Rehabilitation Homes	S	S	S	S		
Country Clubs	P	S	S			
Event Venues complying with Sec. 201.1	S					
Foster Family Homes (6 or fewer children)	P	P	P	P		
Foster Group Homes (7 – 12 children)	S	S	S	S		
Fraternal, Lodge, or Service Organization Clubhouses	S	S	S	S		
Funeral/Interment Service Establishment Adjacent to a Church or Other Religious Establishment	P	P	P	P		
Garage Apartments complying with Sec. 301			S	P		
Health Care Clinics (Chiropractic, Dental, Medical)				S		
Home-based business - no impact, complying with Sec. 308.	P	P	P	P	P	P
Manufactured Homes complying with Sec. 314	S	S	S	S	P	P
Manufactured Home Parks complying with Sec. 201.4						P
Multiple-Family Dwellings				S		
Neighborhood Business			S	S		
Oil & Gas Drilling/Extraction	S					
Parks, Private and Public	P	P	P	P	P	P
Pet Shops not including retail sale of dogs or cats	P	P	P	P		
Plant Nurseries, Wholesale	P					
Private Airports or Landing Fields	S					
Private Schools			S	S		
Public Facilities, Offices, and Schools	P	P	P	P		
Radio or Television Stations	S					
Sand, Gravel, or Stone Extraction/Storage	S					
Short-Term Rentals complying with Sec. 310	P	P	P	P		
Single-family dwellings – Attached (e.g., Twin Home, Town Home)				S		

Land Uses	AR	R-1	R-2	R-3	MH-1	MH-2
Single-Family Dwellings – Detached, other than accessory dwelling units, barndominiums, manufactured homes, and tiny homes	P	P	P	P	P	P
Stable, Public/Commercial complying with Sec. 201.1	S					
Tiny homes as primary residential dwelling complying with Sec. 316 (site-built or modular)	S		S	S	P	P
Tiny Home Developments complying with Sec. 316.			S	S		
Two-Family Dwellings (Duplexes)			P	P		
P—Land Use Permitted by Right						
S—Specific Use Permit Required						
Blank —Land Use Not Permitted and Expressly Prohibited						
Note: All uses permitted by right or by specific use permit are subject to compliance with the applicable provisions of City Code.						

*LAND USE CHART – NON-RESIDENTIAL*

LAND USES	C-1	C-2	C-3	M	I
Amusement Arcades/Video Arcades complying with Chapter 13, Article VIII, City Code		P	S	P	
Amusements, Commercial Indoor complying with Chapter 13, Article VIII, City Code		P	S	P	
Amusements, Commercial Outdoor complying with Chapter 13, Article VIII, City Code with no animals		P		P	
Amusement Redemption Machine Establishments complying with Chapter 13, Article XIII, City Code		P		P	P
Animal Businesses with appropriate license	P	P	P	P	P
Antiques Shops		P	P	P	
Appliance Sales/Service Shops		P		P	P
Appliance Sales/Service Shops (Indoor only)			P		
Art Studios		P	P	P	
Assembly/Manufacturing/Production, Light				P	P
Assembly/Manufacturing/Production, Heavy					P/S*
Auction Sales		P	P	P	
Automobile Laundry/Car Wash Establishments		P		P	
Automobile Repair—Minor		P	S	P	P
Automobile Repair—Minor (Indoor Only)			S		
Automobile Repair – Major				P	P
Automobile Sales/Rentals		P		P	
Automobile Sales/Rentals (Indoor Only)			S		
Automobile Salvage or Wrecking Yard w/required screening per Sec. 201.9					P
Automobile Service Station		P		P	
Bail Bond Business		P		P	
Bakery/Donut Shops (Retail)		P	P	P	

LAND USES	C-1	C-2	C-3	M	I
Banks/Financial Institutions		P	P	P	
Barndominiums complying with Sec. 313 and 315 (mixed use )				S	S
Body Art Studio (aka Tattoo or Body Piercing)		P	P	P	
Bottling Plants				P	P
Brewery/winery		S	S	S	
Building Material & Home Supply Store (indoor only)		P		P	
Building Material & Home Supply Store w/Lumber Yard or Other Outdoor Storage				P	P
Bus Passenger Station		P		P	
Catering Services Establishments		P	S	P	
Child Care/Day Care Facilities		P	S	P	
Churches or Other Religious Establishments and Accessory Buildings complying with Sec. 311		P	P	P	
Coffee Shops			P	P	
Colleges/Trade Schools or Similar Extended Educational/Training Schools		P		P	
Communications Towers	S	S	S	S	S
Convalescent, Rest, Nursing, or Extended Care Facilities		P		P	
Dance or Gymnastics Studios		P	P	P	
Drive-in Restaurants		P	P	P	
Dry Cleaning/Laundry Establishment		P	P	P	
Dry Cleaning Plant					P/S
Entertainment Venues, Live		P	P	P	
Event Venues		P	P	P	
Farm Machinery, Implements, and Supply Sales		P		P	
Farmers Markets		P	P	P	
Feed and Grain Stores		P		P	
Flea Markets				S	
Food Truck Park		P	P	P	P
Fraternal, Lodge, or Service Organization Clubhouses		P		P	
Funeral/Interment Service Establishment		P		P	
Furniture Restoration Shops		P		P	
Health Care Clinics (Chiropractic, Medical, Dental Clinics and Offices)		P	P	P	
Health/Reducing/Fitness Center/Studio		P	S	P	
Heavy earth moving equipment rentals, sales and storage					P
Hospitals		P		P	
Hotels and Motels		P	S	P	
Ice Cream/Yogurt Shops		P	P	P	
Iron Works/Machine Shop (indoor shop with onsite general retail)		P	P	P	P

LAND USES	C-1	C-2	C-3	M	I
Iron Works/Machine Shop (indoor/outdoor shop with primarily commercial/industrial sales/service)					P/S*
Junkyards w/required screening per Sec. 201.9					P
Laboratories, Medical		P		P	
Laboratories, Scientific and/or Industrial Research				P	P
Manufactured Home Sales		P		P	
Massage Establishment		P	P	P	
Metal Dealer, Precious		P		P	
Metal Dealer, Scrap					P
Mixed-Use, Horizontal complying with Sec. 315 - one (1) attached dwelling unit.	S	S	P	S	S
Mixed-Use, Horizontal complying with Sec. 315 - two (2) or more attached dwelling units			S		
Mixed-Use, Horizontal complying with Sec. 315 – one (1) detached site-built single-family dwelling other than a tiny home.				S	S
Mixed-Use, Vertical complying with Sec. 315 – one (1) attached dwelling unit			P	S	S
Mixed-Use, Vertical complying with Sec. 315 - two (2) or more attached dwelling units			S		
Motorcycle Sales and Repair		P		P	P
Motorcycle Sales and Repair (Indoor only)			P		
Music/Recording Studios		P	P	P	
Neighborhood Business	S				
Offices, Business or Professional		P	P	P	
Oil field equipment rentals, sales, and storage facilities					P
Open/Outdoor Storage, Industrial					P
Optical Sales/Service Shop		P	P	P	
Outside Commercial Displays complying with Sec. 201.6		P		P	P
Parks, Private and Public		P	P	P	
Parking Garage, Public		S	S	S	S
Pawn Shop				P	
Personal Services Shop		P	P	P	
Pet Shops excluding the retail sale of dogs and cats	P	P	P	P	P
Pet Shops including the retail sale of dogs and cats	S	P	P	P	P
Petroleum Bulk Stations				P	P
Petroleum Refining and Storage Facilities					P
Plant Nurseries and Garden Supply Sales		P		P	
Plumbing, Electrical, Air Conditioning, Heating Equipment Sales/Services		P		P	
Plumbing and/or Electrical Equipment Sales/Services (Indoor Only)			S		
Pool Hall complying with Article IV, Chapter 13, City Code.		P	S	P	

<b>LAND USES</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>M</b>	<b>I</b>
Portable Building Sales		P		P	
Print Shops, Minor		P	P	P	
Print Shops, Major				P	P
Private Clubs		S	S	S	S
Private Schools		P		P	
Public Facilities, Offices and Schools	P	P		P	
Public Parking Garages			S		
Radio or TV Stations		P	P	P	
Recreational Vehicle/Camper Sales and Leasing		P		P	
Recycling Plants					P/S*
Restaurants		P	P	P	
Retail Sales in General		P		P	
Retail Sales in General (Indoor only)			P		
Sexually oriented businesses complying with Chapter 15.5 of the Crockett Code		S			
Stadiums		S		S	
Tanning Salon		P	P	P	
Theaters, Drive-in		S		S	
Theaters, Indoor (Movie or Playhouse)		P	P	P	
Theaters, Outdoor (not drive-in)		P	P	P	
Truck Stops				P	P
Truck Terminals				P	P
Warehouse, Mini/Self-Storage		P		P	
Warehouse, Commercial Storage				P	P
Warehouse, Office/Showroom				P	P
Wholesale Distribution Centers				P	P
Wholesale Sales Establishments				P	P
P - Land Use Permitted by Right					
S - Specific Use Permit Required					
P/S* - Applies to uses permitted only in the I district that requires an SUP with assessment by Fire Chief if location of use abuts a residential district.					
Blank Box - Land Use Not Permitted and Expressly Prohibited					
Note: All uses permitted by right or by specific use permit are subject to compliance with applicable provisions of City Code.					

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**SECTION VI:**

Article 3, Additional District Provisions, Appendix A, Zoning, Section 301, is amended, with paragraph 301.D added, to read as follows:

**Section 301. Performance standards.**

Upon and after the effective date of this ordinance, the following performance standards apply:

A. *Environmental compatibility.*

1. Any use established or changed to and any building, structure, or tract of land that is developed, constructed or used for, any permitted, primary or secondary land use must not produce any noise, vibrations, air pollution or odor that would substantially and reasonably interfere with another person's use and enjoyment of his/her property.
2. All federal and state pollution, noise, and requirements for toxic waste disposal shall be observed.
3. The indoor/outdoor storage and use of all flammable liquids and materials such as pyroxylin plastics, nitrocellulose film, solvents, and petroleum products shall be permitted only when such storage or use conforms to the standards and regulations of the City of Crockett Fire Code or are approved by the fire chief.
4. The following uses are specifically prohibited:
  - a. Manufacturing of explosives;
  - b. Dead animal reduction, dumping or the distillation of bones or fat rendering; and
  - c. Ore smelting.

B. *Land use district standards relating to lot size, open space, front yard determination, and height.*

The following standards supplement the minimum standards by zoning district shown in the land use district standards table in Sec. 201.10.

1. The minimum yards and other open spaces, including lot area per family, required by this ordinance for each and every building existing at the time of the passage of this ordinance, or for any building herein erected, shall not be encroached upon or considered as yard or open space requirements for any other building, nor shall any lot area be reduced to an area less than the district requirements of this ordinance. Any division of a lot/parcel must be approved by the Planning & Zoning Commission to ensure district standards continue to be met.
2. The following is to be used in determining which boundary is the front yard for lots with double or multiple street frontages:
  - a. When a lot has double frontage, the street with the heavier traffic load and the larger right-of-way width is the boundary of the front yard. The rear yard must be a minimum of twenty (20) feet.
  - b. When a lot faces three (3) or four (4) streets, the street with the heaviest traffic load and the largest right-of-way width is the boundary of the front yard. All other yards facing a street must be a minimum of twenty (20) feet.

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3. The maximum height regulations for each district do not apply to television and radio towers, church spires, belfries, monuments, tanks, water and fire towers, stage towers or scenery lofts, cooling towers, ornamental towers, and spires, chimneys, elevator bulkheads, smokestacks, conveyors, and flag poles or similar structures not made for occupation.
- C. *Number of buildings per lot and existing garage to apartment conversion.*
1. Only one (1) primary residential structure per lot is allowed except in an apartment complex. A barndominium, a duplex, or a manufactured home is considered to be a primary residential structure. A tiny home is either a primary residential structure complying with Sec. 316 or an accessory dwelling unit complying with Sec. 312. Only one accessory dwelling unit complying with Sec. 312 is allowed per lot.
  2. The conversion of an existing garage into a garage apartment is allowed by specific use permit in R-2 districts and by right in R-3 districts. Lots on which a garage is to be converted into a dwelling must meet the minimum lot size and setback requirements for a duplex. The construction of a new structure to be placed on a lot as a garage apartment is not allowed.
  3. For non-residential development, more than one (1) building may be placed on a lot provided that the lot coverage restrictions of each zoning district are met. The minimum separation between buildings is ten (10) feet unless otherwise specified in the Standard Building Code.
- D. *Design standards for detached single-family and two-family (duplex) dwellings.* The purpose of the following design standards is to help ensure that permitted barndominiums and tiny homes do not have a negative impact on neighborhoods by having an appearance of a storage building or fortress or a box-like appearance. Because some barndominiums and tiny homes might be modular homes and state law does not allow a municipality to adopt a regulation that is more restrictive for industrialized housing than that required for a new single-family or duplex dwelling constructed on-site, the design standards apply to all newly built or installed detached single-family and two-family dwellings except for a manufactured home with a living space greater than 900 square feet. *[State law reference: TOC, Section 1202.253(e)]*
1. Masonry, wood, glass, or a decorative material equivalent to such standard, a minimum of three feet (3') high from ground level on all facades that are visible from a public street.
  2. At least five different design features to break the front wall plane. Design features may include the façade required by paragraph 1, horizontal off-sets, recesses or projections, porches, breezeways, porte-cocheres, courtyards, awnings, canopies, alcoves, recessed entries, ornamental cornices, display or other ornamental windows, vertical "elevation" off-sets, peaked roof forms, arches, outdoor patios, architectural details such as tile work or moldings integrated into the façade, integrated planters or wing walls, accent materials, varied roof heights, premium roof materials such as tile or standing seam metal, or similar design features approved by the City's Building Official.
  3. A minimum of ten percent (10%) of the front façade must consist of window or door openings.
  4. The front door of the dwelling must face a public or private street unless a variance is granted to allow a different directional orientation of the dwelling.
  5. Must have an acceptable hard surface driveway providing access to a public or private street.
  6. A garage or carport must cover a paved parking area or other materials allowed for a driveway and be connected to a street by an allowed driveway, meet the minimum building setback requirements, and have roof and siding material compatible with the primary dwelling.

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7. No two dwellings side by side or directly across the street or “caddy corner” across the street in a residential development may have the same front elevation (how the front exterior of a home looks from the middle of the front yard or sidewalk).

**SECTION VII:**

Article 3, Additional District Provisions, Appendix A, Zoning, Section 303, paragraph I, is amended to read as follows:

**Section 303. Specific use permit and procedures.**

- I. Reserved.

**SECTION VIII:**

Article 3, Additional District Provisions, Appendix A, Zoning, Sections 305 and 306 are amended, with paragraphs 305C, 306A, 306B, and 306C added, to read as follows:

**Section 305. Screening.**

- A. *Screening between commercial or industrial land and residential land required.* Where there is a common side or rear lot line or lot lines between developed residential land and land to be developed to a commercial or industrial use, the owner of said commercial or industrial land shall erect a fence that properly screens adjacent residential lots from adverse influences such as noise, vehicular lights, trespass and other adverse influences as part of the normal operation of buildings dedicated to said nonresidential usage.
- B. *Screening between single-family residential and apartment uses.* Where there is a common side or rear lot line or lot lines between developed single-family residential land and land to be developed into apartment usage, the owner of the apartment land shall erect a fence that will properly screen adjacent single-family residential land from adverse influences such as noise, vehicular lights, trespass, and other adverse influences as part of the normal operation of the apartment project.
- C. *Screening around manufactured home parks and recreational vehicle parks/campgrounds.* Where there is a common side or rear lot line between a manufactured home park or a recreational vehicle park/campground with any other land, the owner of the park/campground shall erect a fence that completely screens/obstructs the view of the park/campground from the adjacent property.
- D. *Screening material.* Such screening shall be made of brick or wood, shall be at least six (6) feet in height, and shall form a solid and continuous screen between the residential and nonresidential land uses. In the case of rear lot lines such screening fence shall be continued from one side lot line along the rear lot line to the other side lot line. In the case of side lot lines, such screening fence shall be continued from the rear lot line along the side lot line to the front setback but no farther than a point fifteen feet from the street right-of-way line. Each such screening fence shall be maintained in good condition by the owner of said commercial, industrial or apartment project, for as long a time period as may be needed to protect adjacent residential land uses.

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## **Section 306. Temporary buildings, equipment, and recreational vehicle housing.**

Temporary buildings, equipment, and recreational vehicle housing for uses incidental to construction and/or extensive cleanup work on premises are allowed in any zoning district in compliance with the following regulations.

- A. *Temporary construction site building.* A commercial structure that is not open to the public, contains no living quarters, and is only for incidental use relating to the construction on the commercial premises may be temporarily located on the affected commercial property after issuance of a building permit if it is located within the property's setbacks. Such a building shall be removed within ten (10) days following the final inspection of the construction permit by the city or upon the building permit becoming invalid due to failure to commence construction, abandonment of the construction, or any other reason. Additional temporary construction-office buildings and outdoor storage trailers may be allowed on the property with the approval of the building official.
- B. *Temporary warehousing or indoor storage structure.* A temporary structure may be used as a warehousing or indoor storage area if it is located within the same property's setbacks, contains no living quarters, and provides for only incidental use relating to the construction on the premises or clean-up of premises after a fire, natural disaster, or similar event. Such structure shall be removed within ten (10) days following the final inspection of the construction activity by the city or upon the building permit becoming invalid due to failure to commence construction, abandonment of the construction, or any other reason, or upon the closure of the clean-up activities. Additional temporary structures may be allowed in a non-residential zoning district with the approval of the building official.
- C. *Temporary recreational vehicle housing.* Upon the Building Official's written approval, a recreational vehicle may be used for temporary housing in certain situations, including but not limited to while building a house or while working on a construction project after a building permit has been issued or after a documented and verified medical emergency of an immediate family member or natural disaster. The recreational vehicle must be located within the same property's setbacks and behind the primary structure if a primary structure exists on the property and there is adequate room to park the vehicle behind the primary structure. The maximum period of occupation is 90 calendar days. The Building Official may, on a case-by-case basis, extend this 90-day period for a maximum of 90 additional days. Failure of the owner or occupant to comply with the temporary permit may cause the Building Official to revoke the permit and city utilities to the recreational vehicle to be disconnected. At no other time or under any other circumstances may a recreational vehicle be used for housing for any period, including overnight, other than as allowed within a permitted recreational vehicle camping area.

## **SECTION IX:**

Article 3, Additional District Provisions, Appendix A, Zoning, Sections 311, 312, 313, 314, 315, and 316 are added, to read as follows:

### **Section 311. Accessory Buildings.**

#### **311.101. Purpose.**

The purpose of this section is to establish regulations for accessory buildings to help ensure that such buildings do not substantially depreciate the value of adjacent and nearby residential properties and do not have a negative impact on the neighborhood's overall curbside appeal.

#### **311.102. Requirements.**

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The following requirements are in addition to the City’s applicable building code requirements.

- A. An accessory building is not permitted without a main/primary structure on the same site, lot, or tract.
- B. An accessory building must meet the area regulations of the zoning district in which the building is located (e.g., setbacks, height restrictions, maximum coverage).
- C. An accessory building must not reduce available off-street parking spaces to the extent that the property no longer meets the applicable off-street parking space requirements.
- D. An accessory building must be built toward the rear of the property when possible and to the side of the property when not possible; in no case shall the front of the accessory building be closer to the front property line than the primary building.
- E. An accessory building that is in front of or is siding a public street must meet the following requirements:

Metal exterior walls shall be compatible in color with the principal building and existing surrounding structures. If the walls are metal, the use of corrugated panels is prohibited; profile panels, deep ribbed panels and concealed facing systems are permitted. Exterior finish for metal walls that are fronting or siding a public street shall be of a permanent material such as baked or enamel finish or painted to the wall manufacture standards. The use of galvanized, corrugated aluminum coated, zinc-aluminum coated, or unpainted exterior metal finish is prohibited.
- F. Not more than three metal accessory buildings are allowed on the same site, lot, or tract of land for use by a religious establishment or private school in a residential district.

## **Section 312. Accessory Dwelling Units.**

### **312.101. Purpose.**

The purpose of this section is to establish criteria and regulations that would allow accessory dwelling units, also sometimes known as guest houses, to be built on properties large enough to accommodate an accessory dwelling unit without circumventing the corresponding zoning district’s general description and land use standards.

### **312.102. Definition.**

*Accessory dwelling unit (ADU):* A detached dwelling unit that is subordinate in size, location, and use to the principal dwelling unit located on the same property and is built in compliance with City Code and building permits issued by the City’s Building Official. An ADU does not include a dwelling unit that can only be accessed through the primary dwelling or is open to the primary dwelling with no expectation of privacy and does not include a garage apartment.

### **312.103. General Provisions.**

- A. An ADU is allowed by right in the AR District and by specific use in the R-2 and R-3 Districts only when the primary dwelling is a detached single-family dwelling. The primary detached single-family dwelling must not be a manufactured home or a tiny home and must be built prior to or in conjunction with the ADU. Under no circumstances may the ADU be constructed prior to the primary dwelling. Only one ADU is permitted on a lot or parcel, regardless of the size of the lot or parcel.
- B. An ADU must be a tiny home built in compliance with Section 316 of this code, which includes the requirement of having a living space consisting of at least 450 square feet and not more than 900 square feet. The ADU may not be a barndominium, a repurposed structure originally designed as a storage building or other non-dwelling structure, or a manufactured home.

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- C. An ADU must have exterior siding, roofing, roofing pitch, foundation fascia, and fenestration compatible with the primary single-family dwelling location on the same lot/parcel and must have a permanent foundation.
  - D. The ADU shall be built in the rear yard of the property with a minimum of ten feet (10') between the primary dwelling and the ADU. The zoning district's setbacks and land use standards will apply to the ADU.
  - E. An ADU must have a separate water and sewer tap from the primary dwelling unit. The cost of the separate taps shall be the same as a water or sewer tap for a primary single-family dwelling unit.
  - F. An ADU requires one off-street parking space in addition to the minimum parking space for the primary dwelling. The parking space may be provided in a tandem fashion (behind another parking space.)
  - G. An ADU must have an acceptable hard surface driveway providing access to a public or private street or an acceptable hard surface walkway directly to the driveway shared with the primary dwelling on the same lot or parcel.

### **Section 313. Barndominiums.**

#### 313.101. Purpose.

The purpose of this section is to establish regulations for barndominiums to help ensure such buildings are aesthetically pleasing, compatible with any single-family homes located within 500 feet of the lot on which the barndominium is built, and do not substantially depreciate the value of properties within the City.

#### 313.102. Definition.

*Barndominium:* A structure with a steel frame and sheet metal siding that was: (a) newly designed and constructed to be a detached single-family dwelling; or (b) originally designed as a storage building, barn, or other non-dwelling structure and has been repurposed in compliance with City Code and building permits issued by the City's Building Official to be a detached single-family dwelling. A barndominium might be a modular home or a site-built dwelling.

313.103. Foundation. A barndominium must be placed on a slab foundation.

#### 313.104. Design Standards.

A barndominium must incorporate the following regardless of whether the barndominium is in a residential district or on a mixed-use property in the M or I District:

- A. A barndominium must comply with the design standards established by Sec. 301.
- B. If the barndominium is in a residential district, the barndominium must have a square footage equal to or greater than the median square footage for each single-family dwelling located within 500 feet of the lot on which the barndominium will be located, as determined by the most recent certified tax appraisal roll for the county.

#### 313.05. Single Lot Standards.

- A. Barndominiums shall conform to the setback requirements of structures in the district in which it is located.
- B. No more than one (1) barndominium may be located on a single lot or parcel.

### **Section 314. Manufactured Homes Outside of the MH-1 and MH-2 Districts.**

314.01. Restrictions on specific use permits for manufactured homes.

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Notwithstanding any language in this appendix to the contrary, a specific use permit for a manufactured home may be granted only when the following requirements are met:

- A. The manufactured date of the manufactured home must not be more than five (5) years prior to the date of the application for the specific use permit;
- B. The living space for the manufactured home must be greater than 900 square feet; and
- C. The building official must have approved the proposed location of the manufactured home and verified that the required setbacks from the property line will be met after reviewing:
  - 1 the property legal description, the location of survey stakes on the corner boundaries of the property, and a site plan showing the proposed location of the manufactured home on the property; or
  - 2 a survey plat prepared by a licensed surveyor when such a survey plat is necessary to confirm that the setbacks will be met based on the proposed location of the manufactured home.

#### 314.02. Single Lot Standards.

- A. Manufactured homes located on individual lots shall conform to the setback requirements of structures in the district in which it is located. No more than one (1) manufactured home may be located on a single lot.
- B. Manufactured homes must face the street in a horizontal manner (i.e., the longest side faces the street) on the address side of the structure, unless the required setbacks can only be met by allowing a different directional orientation of the longest sides of the unit.
- C. Each manufactured home must have an acceptable hard surface driveway providing access to a public or private street.

#### 314.03. Structural safety and skirting requirements

- A. Each manufactured home located within the City of Crockett must be secured to its pad or foundation material by a cable, harness or other safety device meeting federal and state standards and approved by the city building inspector. Additional rooms and enclosed porches must be constructed on a permanent foundation.
- B. The transportation wheels and the towing mechanism (tongue) must be removed.
- C. Skirting is required along the bottom of each manufactured home so that no space under the manufactured home may be seen, and the skirting may not be fastened directly to the ground but must be fastened to a concrete runner or footer.
  - 1. Skirting shall be compatible in color with the manufactured home's siding. If the skirting is metal, the use of corrugated panels is prohibited; however, profile panels, deep ribbed panels and concealed facing systems are permitted. The exterior finish for the skirting shall be of permanent material such as baked or enamel finish or painted to the wall manufacture standards. The use of galvanized, corrugated aluminum coated, zinc-aluminum coated, or unpainted exterior metal finish is prohibited.
  - 2. The skirting must be installed, and the trailer tongue, wheels, axles and trailer hitches must be removed from the manufactured house prior to City utilities being turned on.
  - 3. Skirting shall be maintained in good, safe, and stable condition and kept in good aesthetic condition. The property owner shall repair or replace any portion of skirting if it becomes unsightly or a menace to public health, safety, or welfare.

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4. If a manufactured home requires replacement of its skirting and the home was manufactured in 2020 or later, the replacement skirting shall be made of materials described herein even if the manufactured home was moved onto the property with a specific use permit issued prior to the time the ordinance codified herein was enacted.

#### 314.04. Replacement of Existing Manufactured Home.

Notwithstanding any zoning or other law, in the event that a manufactured home occupies a lot in the City, the owner of the manufactured home may remove the manufactured home from its location and place another manufactured home on the same property, provided that the replacement is a newer manufactured home and is at least as large in living space as the prior manufactured home. Setbacks, structural safety and skirting requirements and other land use requirements established by this code must still be met, and the owner must obtain a building permit from the City's building official prior to replacing the manufactured home. *[State law reference: TOC, Sec. 1201.008(e).]*

### **Section 315. Mixed-Use Properties.**

#### 315.101. Purpose.

The City of Crockett allows and encourages the development of mixed-use projects, especially those that are owner occupied and/or have a strong pedestrian orientation. The purpose of this section is to establish limitations and regulations for permitted mixed-use properties to help ensure that property owners of such properties are not using the property for only residential use without an active business operation, to help ensure that allowing mixed-use on commercial property in a non-residential district benefits the welfare of the City's business community, and to help ensure there is no unintended negative impact on surrounding properties.

#### 315.102. Definition.

*Active business operation:* A permitted business operation that is not an inactive business operation.

*Inactive business operation:* The mere continued holding or renewal of right to property that is not presently deployed to generate revenue or provide services.

*Mixed-use:* The mix of residential use and permitted business use in a commercial building or on commercial/industrial property in a non-residential district as allowed by the City's zoning code. Mixed-use will not affect the commercial/industrial status of a building or property; the commercial/industrial use will always be the main/primary use, and the residential use will be the accessory use.

*Mixed-use horizontal:* Having one or more attached dwelling units on the first floor of a commercial building behind or beside an active business operation in the C-1, C-2, C-3, M or I Districts or having one detached single-family dwelling other than a tiny home on the same property as the commercial building(s) in the M or I District. Note: A barndominium must meet the regulations in Sec. 313, and a manufactured home must meet the regulations in Sec. 314.

*Mixed-use vertical:* Having one or more attached single-family dwelling units on the second or higher floor above the corresponding active business operation in the C-3 District.

#### 315.103. General Provisions.

- A. The goals of allowing residential use in an otherwise commercial building or on an otherwise commercial property are
  1. to encourage and facilitate the development and redevelopment of underutilized buildings and properties by permitted commercial, industrial, and manufacturing businesses, especially owner-occupied businesses;

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2. to stimulate business activities in the City and thereby directly or indirectly increase City revenue, and
  3. to enhance not only the security for the business located on the mixed-use property but also for surrounding businesses and their customer base.
- B. When the mixed-use consists of a horizontal or vertical dwelling unit within a commercial building, the dwelling unit must receive a certificate of occupancy before being used as a residence. The exception for single-family residential purposes established by Sec. 602 of this code is not applicable for such mixed-use property.
  - C. Mixed-use is a privilege that can be forfeited or denied when the residential or business use does not comply with the regulations established by the zoning code, does not comply with other applicable laws, rules, and regulations, or when the residential use is having a documented negative impact on surrounding businesses or their customers.
  - D. A mixed-use specific use permit may be limited to the property owner to whom it is issued and for only while the corresponding business use does not change.

#### 315.103. Square Footage Limitation for Residential Use.

##### A. Commercial Building.

When mixed-use is permitted on the first floor of a commercial building, the residential use is limited to not more than fifty percent (50%) of the square footage of the first floor of the building and the residential use must be behind or beside the corresponding business use. The total residential use in a permitted vertical mixed-use building may be more than fifty percent (50%) of the building's square footage.

##### B. Detached Single-Family Dwellings on Commercial Property.

1. When mixed-use is permitted on what is otherwise commercial property and the residential use is a detached single-family dwelling, an accessory building for residential use that meets the criteria established by Section 311 is also allowed. The dwelling and the accessory building must be behind or beside the corresponding business.
2. The total residential use area, including porches, garages, carports, accessory buildings for residential use, private yard space, and surrounding setbacks from the commercial building(s) is limited to not more than fifty percent (50%) of the commercial property's total square footage.

#### 315.103. Active Business Operation Requirements.

The corresponding permitted business use in a mixed-use building or on a mixed-use property must remain an active revenue-generating business operation benefiting the welfare of the City's residents and meeting the following criteria for the property to retain the privilege of being a mixed-use property.

- A. The business must be open to the public a minimum of two (2) days *and* ten (10) hours in a calendar week between the hours of 8:00 am to 12:00 pm.
- B. The business must post the name of the business and the hours that it is open to the public on the front door or on a nearby surface that is observable to a pedestrian attempting to enter the front door.
- C. The business must have a customer-oriented entranceway immediately inside the business that:
  1. opens directly onto the sidewalk or onto the front parking lot in areas where a sidewalk does not exist; and
  2. is a depth of not less than 24 feet.

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- D. The business must have a hard copy or internet-based description of its operations readily available to the public.

#### 315.104. Exception to Minimum Hours Open to the Public.

If a property owner owns two or more commercial buildings within the same block and the buildings house two or more active business operations, one of the operations may be open to the public for fewer than the required hours as long as the combined total of hours open to the public meets the minimum hours of operations times the number of business operations (e.g., if a property owner owns two buildings in the same block housing two different business operations, one business might be open only five hours and one day a week if the other business is open 20 hours and three days a week to meet the minimum requirements when combined). All other operational requirements would still need to be met before allowing mixed use.

#### 315.104. Parking.

The number of required off-street parking spaces is determined by Article 4 and equals the total required for the type of business at the mixed-use location plus the number required for the attached or detached dwelling unit at the mixed-use location.

#### 315.104. Enforcement.

The City' code enforcement officer shall investigate whether the corresponding business on a mixed-use property is an active business operation when the business does not comply with the requirements established by this section or when the code enforcement officer has other reasons to believe that the mixed-use property is only being used for residential use with an inactive business operation. In all cases, the burden is on the mixed-use property owner to demonstrate that the corresponding permitted business meets the requirements set forth herein and is an active business operation.

### **Section 316. Tiny Homes.**

#### 316.01. Purpose.

The purpose of this section is to help ensure that when tiny homes are permitted in a neighborhood they are aesthetically pleasing and compatible with single-family homes located within 500 feet of the lot where the tiny home is to be placed and do not substantially depreciate the value of properties within the City.

#### 316.02. Definition.

*Tiny home:* A detached single-family dwelling that is a permanent structure with a permanent foundation and with a living space size of at least 450 square feet and no more than 900 square feet. For the purpose of this zoning code, a tiny home can be a modular or site-built home but does not include a manufactured home or a tiny home on wheels (which is a recreational vehicle for the purposes of this zoning code).

*Tiny home development:* When four or more tiny homes will be constructed on bordering lots or parcels or on lots or parcels directly across from each other and the lots or parcels are or were owned by the same property owner or developer prior to development or sale as tiny home lots or parcels.

#### 316.02. Conforming Use and Lot Size.

- A. Only one tiny home may be permitted per lot or per parcel when the parcel is not divided into lots. The tiny home may be permitted as either the primary dwelling or as an accessory dwelling unit per Section 312 of this code.

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- B. The minimum lot size for a tiny home as the primary dwelling is indicated on the Land Use District Standards table in Section 201.10.
  - C. Other than the smaller minimum lot size, a tiny home must conform to the area, coverage and height regulations applicable to the residential district in which the tiny home is located as listed in the land use district standards.
  - D. Each tiny home other than an accessory dwelling unit must have an acceptable hard surface driveway providing access to a public or private street.

316.03. Design Standards.

A tiny home must comply with the design standards for detached single-family dwellings established by Sec. 301.

SECTION X:

Article 4, Parking and Off-Street Loading Requirements, Appendix A, Zoning, Section 401, Parking Requirements, paragraph D is amended, and paragraph K is added to read as follows:

D. *Joint parking facilities.*

1. *Shared Parking Areas:* Whenever two (2) or more uses are located in a common building, shopping center, or other integrated building complex, a common parking area may be cooperatively maintained. The number of spaces must not be less than the sum of the requirements for the individual uses. A legally sufficient written agreement assuring the perpetual joint usage of said common parking for the combination of uses or buildings must be properly drawn and executed by the parties concerned and approved as to form and execution by the planning and zoning commission. Parking spaces required for a theater or other place of evening entertainment, for a church or other religious establishment, for multifamily dwelling units, or for a school, may be provided and used jointly by banks, offices, retail stores, repair shops, service establishments, and similar uses not normally open, used, or operated during evening hours if specifically approved by the planning and zoning commission.
2. *Reserved Spaces in City-owned Parking Lots in C-3 District:* The owner of a permitted mixed-use building in the C-3 District may enter into a rental agreement with the City to reserve the number of required parking spaces for that building's residential or short-term rental use. The location of the parking spaces to be reserved shall be determined by the planning and zoning commission. The City Council shall determine the parking space rental rate.

K. *Recreational vehicle parking.*

Boats, campers, trailers, and other recreational vehicles may not be parked on any street or in a front yard other than in an oversized driveway or parking area that is not being used to meet the minimum parking requirement.

SECTION XI: Severability.

The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of

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this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION XII: Repealing Clause

All Ordinances, or parts of Ordinances, inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION XIII: Effective Date.

A descriptive caption of this Ordinance shall be published two (2) times in the official newspaper of the City of Crockett, within fourteen (14) days after the date of passage thereof, and said Ordinance shall become effective \_\_\_\_\_, 2026.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Crockett, Texas, on the \_\_\_\_ day of \_\_\_\_\_, 2026.

CITY OF CROCKETT

BY: \_\_\_\_\_

DR. IANTHIA FISHER, MAYOR

ATTEST:

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MITZI STEFKA, CITY SECRETARY

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DONNA GORDON, CITY ATTORNEY