

**Discussion regarding the City of Glen Rose
Zoning Definitions**

14.02.005 Definitions

Words used in the present tense include the future tense, words in the singular number include the plural number, and words in the plural number include the singular number. The word "building" includes the word "structure," except as otherwise specified. The term "use" means "used or intended to be used for, or arranged or designed for use." The word "shall" is mandatory, not directory; the word "may" is permissive. The word "person" includes a firm, association, organization, partnership, trust, foundation, company or corporation as well as an individual. The word "including" means "including, but not limited to."

For the purpose of this article, the following definitions shall apply, unless the context clearly indicates or requires a different meaning:

Abut or abutting. Having lot lines or boundary lines in common.

Accessory building. A subordinate building which is incidental to that of the main building on the same lot. Accessory buildings in residential districts shall be limited to attached or detached garages, carport, servant's quarters, storage building, bathhouse, greenhouse, or bomb or fallout shelter.

Accessory residential storage building. A building originally constructed for use as a storage building for the storage of materials and equipment. If in residential zones is accessory to a primary residential structure. Cargo containers, railroad cars, truck vans, converted mobile homes, trailers, recreational vehicles and similar prefabricated items and structures originally built for purposes other than storage of goods and materials are not accessory storage buildings.

Accessory use. A subordinate use which is incidental to the main or primary use.

Adult arcade. Any place to which the public is permitted or invited wherein coin-operated, token-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to 5 or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on matter depicting or describing sexual activities or specified anatomical areas.

Adult bookstore. A commercial establishment which as one of its principal business purposes offers for sale or rental for any form of consideration books, magazines, periodicals or other printed matter which are distinguished or characterized by an emphasis on matters depicting or describing specified sexual activities or specified anatomical areas.

Adult cabaret. A nightclub, bar, restaurant or similar commercial establishment which regularly features persons who appear in a state of nudity or give live performances which are distinguished or characterized by an emphasis on the exposure of specified anatomical areas or by an emphasis on specified sexual activities.

Adult motel. A hotel, motel or similar commercial establishment which:

- (a) Offers accommodations to the public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, videocassettes, slides or other photographic reproductions which are distinguished or characterized by an emphasis on matters depicting or describing specified sexual activities or specified anatomical areas, and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions;
- (b) Offers a sleeping room for rent for a period of time that is less than 10 hours; or

- (c) Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than 10 hours.

Adult movie theater. A commercial establishment where, for any form of consideration, films, motion pictures, videocassettes, video reproductions, slides or other visual representations are regularly shown which are distinguished or characterized by an emphasis on matters depicting or describing specified sexual activities or specified anatomical areas.

Adult video store. A commercial establishment which as one of its principal business purposes offers for sale or rental for any form of consideration photographs, films, motion pictures, videocassettes, video reproductions, slides or other visual representations which are distinguished or characterized by an emphasis on matters depicting or describing specified sexual activities or specified anatomical areas.

Alcohol Sales (Retail). Retail outlets where alcohol is the primary product for sale. Alcoholic beverages include beer, wine and liquor for the purpose of this definition. Alcoholic beverages may only be sold in accordance with the Texas Alcoholic Beverage Commission requirements and local laws.

Alley. A way which affords only a secondary means of access to abutting property.

Amusement park. Any building, lot, tract or parcel of land used in whole or part for the operation and maintenance of a circus, carnival, miniature golf course, golf driving range, batting cages, skating rinks, go-cart racing tracks and/or minstrel shows.

Amusement redemption machine. Any electronic, electromechanical, or mechanical contrivance designed, made, and adopted for bona fide amusement purposes that rewards the player exclusively with noncash merchandise, prizes, toys, or novelties, or a representation of value redeemable for those items, with a wholesale value available from a single play of the game or device in an amount not more than 10 times the amount charged to play the game or device once or \$5, whichever amount is less.

Animal hospital or clinic. A facility operated by a veterinarian for the purpose of examining and treating animals, including outdoor facilities for caring for the animals, and allowing the keeping of animals overnight.

Animal shelter. A facility that keeps impounded stray, homeless, abandoned or unwanted animals.

Apartment. A room or suite of rooms in an apartment building intended, designed or occupied as a home or residence by a single family, individual or group of individuals living together as a single housekeeping unit.

Apartment (multifamily) building. Any building which is intended, designed or occupied as the home or residence of 3 or more families living independently of each other and maintaining separate cooking facilities.

Arcade. A public place of business where 50% or more of the gross sales are derived from amusement machines. The term "amusement machine" shall mean every machine of any kind of character whatsoever, when the machine is capable of use or operation for amusement, other than for the purpose of vending merchandise, music, or a service such as telephone service, laundry service and the like. Included in the description of amusement machines are video games, pinball machines, miniature sports machines, and all other machines which designed for challenge, entertainment or pleasure.

Asphalt, concrete batching plant. A facility, permanent or temporary, which mixes asphalt or cement with various aggregates and water in large quantities for transport elsewhere.

Attached. Having one or more walls common with a main use building, or joined to a main use building by a covered porch or passageway, the roof of which is a part or extension of a main use building.

Auto repair shop. A building or space for the repair or maintenance of motor vehicles, but not including factory assembly of such vehicles, auto wrecking establishments or junkyards.

Auto sales lot. An open area or lot used for the display or sale of automobiles, where no repair work is done except minor reconditioning of the cars to be displayed and sold on the premises, and no dismantling of cars for sale or keeping of used car parts or junk on the premises.

Automobile/motor vehicle. 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, trucks (one ton GVW or less), buses, motor scooters, motorcycles and recreational vehicles.

Automobile salvage or wrecking yard. An area outside of a building where motor vehicles are disassembled, dismantled, junked or "wrecked," or where motor vehicles not in operable condition or used parts of motor vehicles are stored.

Automobile service station. Any area of land, including structures thereon, that is used for the sale of gasoline, oil or other fuels, and automobile accessories, and which may include facilities for lubricating, washing, cleaning, mechanical repair and other normal servicing of automobiles. Painting is not considered within the scope of "other normal servicing."

Bakery, retail. An establishment which produces bakery goods and various confectionery items, such as rolls, bread and the like, for direct sale to the consumer.

Basement. A story below the first story of a building.

Beauty salon/spa (full service). A state-licensed, commercial establishment which offers any combination of the following services:

- (a) Cosmetic. Including but not limited to: Permanent makeup and professional makeup applications.
- (b) Hair. Including but not limited to: Cut, style, color, perms, permanent straightening, weaves, extensions and braiding.
- (c) Hair removal. Including but not limited to: Waxing and laser hair removal.
- (d) Massages. Including but not limited to: Facials and other various types of body massages.
- (e) Nails. Including but not limited to: Manicures and pedicures.
- (f) Skin. Including but not limited to: Microdermabrasion, microneedling, dermaplaning and chemical peels.
- (g) Tanning. Including but not limited to: Tanning beds/booths and sunless tanning (spray on tanning).

Bed and breakfast (B&B). A type of short term rental consisting of a small lodging establishment that offers overnight accommodations and breakfast. Bed and breakfasts are often private family homes and typically have been between four and eleven rooms, with six being the average. In addition, a B&B usually has the hosts living in the house.

Block. That property abutting on one side of a street and lying between the nearest intersecting or intercepting streets or nearest intersecting or intercepting street and railroad right-of-way, waterway, or other barrier to or gap in the continuity of development along the street.

Boarding (rooming) house. A dwelling wherein lodging or meals for 3 or more persons, not members of the principal family therein, is provided for compensation, but not including a building in which 10 or more guest rooms are provided.

Body piercing. The creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.

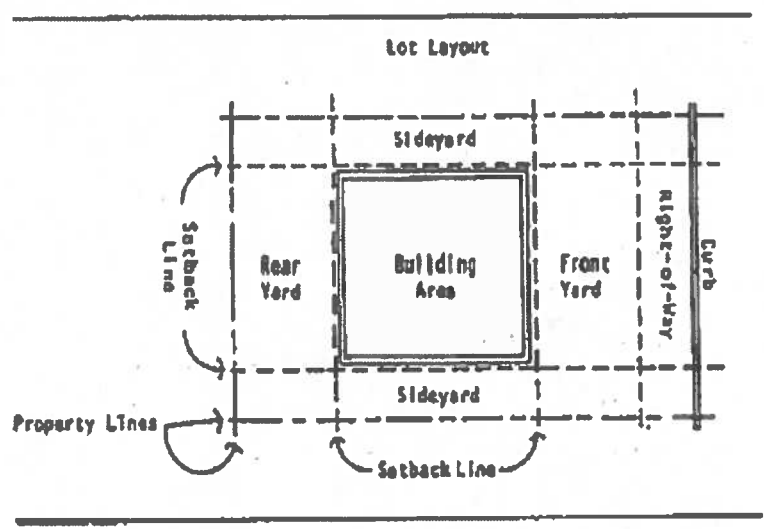
Body piercing shop. A facility in which body piercing is performed.

Buffer area. An area of land together with specified planting and/or structures thereon, which may be required between land uses of different intensities to eliminate or minimize conflicts between the uses.

Building. Any structure built for the support, shelter or enclosure of persons, animals, chattels or movable property of any kind. When separated by dividing walls without openings, each portion of a structure so separated will be deemed a separate structure.

- (a) **Accessory building.** A building customarily incidental and subordinate to the primary building located on the same lot.
- (b) **Building site.** A single parcel of land occupied or intended to be occupied by a building or structure.
- (c) **Main use building.** A building in which the primary activity associated with the lot is conducted. In any residential district, any dwelling will be a primary building.

Building area. The portion of the lot remaining after the required yards have been provided.



Building coverage. The percentage of the lot area covered by the building exclusive of all overhanging roofs.

Building line. A line established, in general, parallel to the front street line. No building or structure may be permitted in the area between the building line and the street right-of-way line.

Building materials and lumber yard. A business which stocks building materials, such as fencing, wire, bricks, cement and lumber, for use in building construction and landscaping.

Business. Includes retail, commercial, personal services, excavation, manufacturing and industrial operations and uses.

Business office. A room or group of rooms where the general administration and affairs of a business and the like are carried on, but where no actual transactions are conducted.

Cabinet shop. A building and/or premises used for the design and construction of cabinets, shelves and similar structures for subsequent sales, installation and use in homes, businesses and offices.

Carport. A permanent roofed structure open on at least 2 sides, designed for the parking and shelter of private passenger vehicles.

Carwash. A building, or portion thereof, where automobiles or other motor vehicles are automatically or manually washed regularly as a business.

Cellar. A building story with more than 1/2 of its height below the average level of the adjoining ground. A cellar shall not be counted as a story in computing building height.

Cemetery. Land used or intended to be used for the burial of the dead humans, including crematories, mausoleums and mortuaries.

Certificate of occupancy. An official certificate issued by the city which indicates conformance with or an approved conditional waiver from the zoning regulations and which authorizes the legal use of the premises for which it is issued.

Child care center or facility. A facility that provides care or supervision for children who are not related by blood, marriage or adoption to the owner or operator of the facility for less than 24 hours a day for more than 12 children under the age of 14, whether or not the facility is operated for profit or charges for the services it offers.

Child care institution providing basic child care. A child care facility which provides care for more than 12 children for more than a 24-hour period. Basic child care does not include a 24-hour-a-day specialized program such as that offered by an emergency shelter, therapeutic camp, residential treatment center, halfway house, or institution serving mentally retarded children.

Child day care home. A facility, sometimes referred to as a registered family home, that regularly provides care in the caretaker's own residence for not more than 6 children under the age of 14 years, excluding the caretaker's own children. When more than 6 children are kept in the home, it shall be considered as either a group day care home or child care center.

Church or rectory. A place of worship and religious training of recognized religions including the on-site housing of ministers, rabbis, priests and nuns.

Clinic. A group of offices for one or more physicians, surgeons, opticians or dentists to treat patients who do not remain overnight.

Community center. A building used primarily for the social or recreational activities serving the city, neighborhood or apartment complex.

Conditional use. A use allowed in a zoning district only if a special use permit is granted by the city council.

Condominium. See definition of townhouse.

Contractor yard. A building and/or premises for the storage of materials, tools, products and vehicles used in the conduct of a construction business related to heating and air conditioning service, building construction, electrical service, landscaping service, plumbing service, utility service and the like.

Convalescent center. Any building or structure used for or customarily occupied by persons recovering from illness or suffering from infirmities of age. Must meet all state qualifications for this type of facility. This definition does not include any facility that is used for the rehabilitation of persons from drug, alcohol or similar type substance addictions.

Country club (private). An area of land containing either a golf course or tennis courts, or both, and a clubhouse and which is available to members only. Country clubs may contain adjunct facilities such as

private club, dining room, swimming pool, and other similar recreational or service facilities.

Courtyard. An open, unoccupied space on the same lot with a building and bounded on 3 or more sides by the building; or the open space provided for access to a dwelling group.

Detached. Fully separated from any other building, or joined to another building by structural members not constituting an enclosed or covered space.

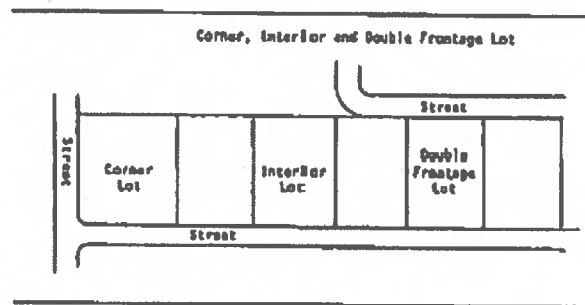
Display. The exhibition of vehicles, trailers, boats, goods, wares or merchandise for sale, rental or lease.

Distribution center, large. A building or group of buildings with cumulative storage space of over 5,000 square feet in area which is used for the storage of merchandise, goods and wares which are intended to be distributed to other retail or wholesale establishments.

Distribution center, small. A building or group of buildings with cumulative storage space not to exceed 5,000 square feet in area which is used for the storage of merchandise, goods and wares which are intended to be distributed to other retail or wholesale establishments.

District. A section or sections of the city, for which regulations governing the use of buildings and premises, the height of buildings, the size of yards and the intensity of use are uniform.

Double frontage. A lot with double frontage is a lot having lot lines formed by the intersection of 2 streets, whether public or private, and where the interior angle of the intersection is less than 135 degrees. A lot fronting on a curved street shall also be considered a corner lot if the central angle of the curve is less than 135 degrees.



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

Drug and alcohol rehabilitation center. A facility used for the treatment or care of patients suffering from drug or alcohol addiction who may or may not remain overnight.

Dry cleaning or laundry. 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).

Dwelling or dwelling unit. A building or portion of a building which is arranged, occupied or intended to be occupied as living quarters and includes facilities for food preparation and sleeping.

Dwelling, multifamily. A building containing 3 or more dwelling units which is designed for or occupied as a home or residence for 3 or more families living independently of each other and maintaining separate cooking facilities.

Dwelling, single-family. A detached building which is designed for or occupied as a home or residence by not more than one family.

Dwelling, townhouse or row house. Three or more dwelling units attached at the side or sides, each unit of which has a separate outdoor entrance and is designed to be occupied and may be owned by one family.

Dwelling, two-family. A detached building containing 2 dwelling units, commonly referred to as a duplex, and which is designed for or occupied as a home or residence by not more than 2 families.

Dwelling, two- to four-family. A building having accommodations for and occupied exclusively by not more than 4 families.

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.

Electrical sales and service. An establishment selling electrical supplies and parts and/or providing the servicing and installation of electrical equipment and fixtures.

Family. One or more persons living together as a single housekeeping unit, in which not more than 5 individuals are unrelated by blood, marriage or adoption, but not including a group occupying a hotel, motel, boarding house, club, dormitory, or fraternity or sorority house.

Farm. An area of 2 acres or more which is used for the growing of farm products such as vegetables and grain, as well as the raising thereon of the usual farm poultry and farm animals such as horses, dairy cattle, sheep and swine.

Feed store. A commercial establishment which sells animal feed; feeding troughs; animal cages, pens and gates; fencing materials; pesticides; seeds; and other gardening, farming and ranching supplies. The sale of baby chicks, rabbits, guinea pigs and other similar small or domesticated animals may be permitted only with a specific use permit and in accordance with all ordinances.

Fence. See definition of screening (device).

Filling station or service station. Refer to definition of automobile service station.

Fine arts. Music, painting, sculpture and including drawing, etchings, ceramics, inlays, needlework, knitting, weaving and craftwork involving leather, wood, metal and glass.

Flea market. A collection of 2 or more stalls, booths, tables or other similar arrangements, used by individual vendors, for the display and sale of various items of new or used personal property.

Floodplain. The area outside of the floodway which may be inundated with floodwater with an average frequency of occurrence in the order of once in 100 years, normally referred to as the intermediate regional flood by the U.S. Corps of Engineers.

Floodway. The channel of a stream and those portions of the floodplain adjoining the channel that are required to carry and discharge floodwaters.

Floor area. The area of a building, including the walls thereof, but excluding all porches, open breezeways and garages.

Foster group home. A child care facility which provides care for 7 to 12 children for 24 hours a day.

Freight terminal, motor. A property or building in which freight is brought by common carriers during and is stored for interstate or intrastate shipment by motor truck, including the necessary warehouse space for storage of transitory freight.

Frontage. All the property on one side of a street between 2 intersecting streets (crossing or terminating), measured along the line of the street, or if the street is dead-ended, then all the property abutting on one side between an intersecting street and the dead-end of the street.

Game hall. A for profit business located in a building or place that contains six or more: amusement redemption machines; or electronic, electromechanical, or mechanical contrivances that, for consideration, afford a player the opportunity to obtain a prize or thing of value, the wared of which is determined solely or partially by change, regardless of whether the contrivance is designed, made, or adopted solely for bona fide amusement purposes.

Garage apartment. A dwelling unit for one family attached to a private garage.

Garage, auto repair. A building or portion of a building used for the general repair and/or painting of motor vehicles.

Garage, parking. A building or portion of a building used for the parking and storage of motor vehicles, other than a private garage or an auto repair garage, in which any sale of gasoline, oil, and accessories is only incidental to the storage of the vehicles.

Garage, private. An accessory building or portion of a main building on the same lot and intended to be used for the parking and storage of private passenger motor vehicles, boats or other vehicles.

Garage sale. Occasional sales at retail by residential owners or occupants conducted in the garage, patio, driveway or yard of the residential premises occupied by the person holding the sale, for the purpose of disposing surplus personal property accumulated incidentally in the regular course of residential occupancy.

Government office. Any building or facility either owned or leased for use by local, state or federal governments and in which the affairs of the governmental body are carried on.

Grade. When used as a reference point in measuring height of building, the grade shall be the average elevation of the finished ground at the exterior walls of the main building.

Gross floor area. The total area of all floors as measured to the outside walls, excluding open porches, breezeways, balconies and terraces. In computing the gross floor area of residential uses, garages and carports shall be excluded.

Group day care home. A facility that regularly provides care in the caretaker's own residence for 7 to 12 children under the age of 14 years, excluding the caretaker's own children.

Group home. A residential facility licensed by the Texas Department of Human Resources to house up to 6 handicapped and/or mentally retarded persons and 2 supervisors.

Halfway house. A residential facility providing shelter, supervision and residential rehabilitative services for persons who have been inmates of any county, state or federal correctional institution and released and require a group setting to facilitate the transition to a functional member of society.

Heating/air conditioning (AC) sales and service. An establishment selling heating and air conditioning units, supplies and parts and/or providing the servicing and installation of heating and air conditioning equipment.

Heavy equipment sales. A business offering for sale, and including the servicing and repair of equipment as construction graders, earth movers, backhoes, cement mixer trucks, dirt moving trucks and the like.

Height (of building). The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or the highest ridge board, for gable, hip and gambrel roofs.

Historic district. A geographically defined area which possesses significant concentration, linkage or continuity of buildings, structures, sites, areas or land, which in turn are united by architectural, historical, archaeological or cultural importance or significance and which the city council determines shall be protected, enhanced and preserved.

Historic landmark. Any building, structure, site, district, area or land of architectural, historical, archaeological or cultural importance or significance, which the city council determines shall be protected, enhanced and preserved.

Hobby. The engagement of a person in an activity such as music, painting, sculpturing, drawing, etching, ceramics, needlework, knitting, weaving, craftwork involving leather, wood, metal and glass and the like in his or her spare-time activity within his or her premises. No person shall be engaged in a hobby as a business. This activity shall be carried on within an enclosed or screened area and shall not involve any activity that requires open storage. No activity which is obnoxious or offensive by reason of vibration, electrical interference, glare, noise, odor, dust, smoke or fumes shall be permitted.

Home occupation. Any occupation or activity listed in section 14.02.103 which is clearly incidental and secondary to the residential use of the premises and which is carried on wholly within a main building or accessory building by a member of a family residing on the premises and which does not change the character thereof. However, this use will not be obnoxious or offensive due to vibration, smoke, dust, odor, heat, glare, noise or which increases traffic.

Hospital. An institution in which sick or injured persons are given medical or surgical treatment. Persons may or may not remain overnight. Must meet all state qualifications and be licensed by the state. This definition does not include any facility that is used for the rehabilitation of persons from drug, alcohol or similar type substance addictions.

Hotel or motel. A building or arrangement of buildings designed for and occupied as a temporary abiding place by transient guests who are lodged with or without meals for compensation.

House trailer. A vehicle without automotive power designed for human habitation and for carrying persons and property upon its own structure and for being drawn by a motor vehicle.

Industrial park. A parcel of land which has been planned and/or coordinated for a variety of industrial and related activities and business uses. This development may be on one parcel or may be subdivided. The project is either owned, controlled or managed by a single entity and has its own master plan and/or covenants, conditions and restrictions.

Industrialized building. A commercial or industrial structure that is constructed on one or more modules or constructed using one or more modular components built at a location other than the permanent site, and that is designed to be used as a commercial building when the modules or modular components are transported to the permanent commercial or industrial site and are erected or installed on a permanent foundation system. The term includes the plumbing, heating, air conditioning and electrical systems. The term does not include any commercial structure that is in excess of 2 stories or 35 feet in height as measured from the finished grade elevation at the building entrance.

Industrial housing. A residential structure that is designed for the use and occupancy of one or more families, that is constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent residential site, and that is designed to be used as a permanent residential structure when the modules or modular components are transported to the permanent residential site and are erected or installed on a permanent foundation system. The modules must be originally designed specifically for residential use. The term includes the plumbing, heating, air conditioning and electrical systems. The term does not include any residential structure that is in excess of 2 stories or 35 feet in height as measured from the finished grade elevation at the building entrance to the peak of the roof. The term shall not mean not apply to housing constructed of sectional or panelized

systems no utilizing modular components; or any ready-built home which is constructed so that the entire living area is contained in a single unit or section at a temporary location for the purpose of selling it and moving it to another location.

Junk. Copper, brass, iron, steel, rope, rags, batteries, paper, rubber, tires, pipe, plastic, debris, trash, rubbish, waste, metal and ferrous or nonferrous materials which are old, scrapped, discarded, secondhand or otherwise used.

Junkyard. Any lot or tract of land upon which junk is kept, stored, bought, sold, recycled or otherwise placed.

Kennel. Any place or premises where 4 or more dogs, cats or other domestic animals at least 4 months of age are raised, trained, boarded or kept with or without charge, except for veterinary clinics, animal hospitals and animal shelters.

Kindergarten or nursery school. Any facility, whether known or incorporated under such descriptive title or name as "child play school," "child development center," "early childhood center" and the like, where 6 or more children are left for care, training or education during the day or portion of the day, and a fee is charged for this service.

Landscaping. Living plant material, including but not limited to grass, turf, trees, shrubs, natural land forms, water forms, planters, and other landscape features, including walks and plaza areas consisting of enhanced paving, which are a function of the building and not the streetscape.

Laundry. A building or place where clothes and linens are washed and thoroughly dried and pressed by the use of washing, drying and ironing machines for fee basis and shall include the terms "cleaners" and "dry cleaners."

Leather goods, retail. A commercial establishment which sells leather materials and supplies or leather goods.

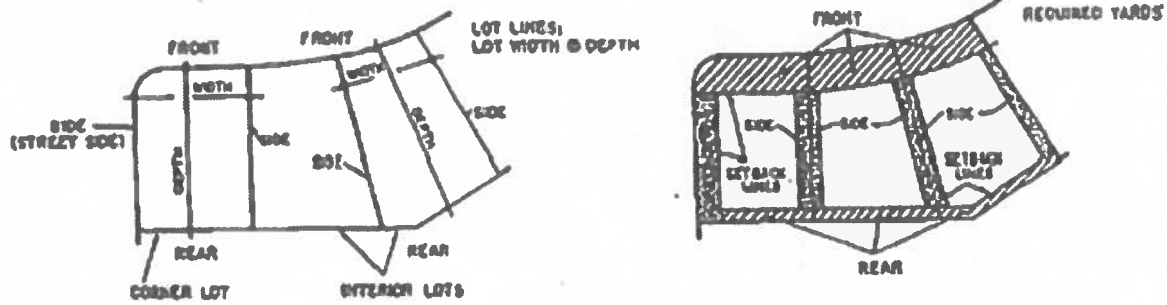
Licensed massage therapy. A health care service performed by someone currently licensed by the Texas Department of Licensing and Regulation to perform massage therapy. Massage therapy means the manipulation of soft tissue by hand or through a mechanical or electrical apparatus for the purpose of body massage. The term includes effleurage (stroking), petrissage (kneading), tapotement (percussion), compression, vibration, friction, nerve strokes, and Swedish gymnastics. Massage therapy may include the use of oil, lubricant, salt glows, heat lamps, hot and cold packs, or tub, shower, jacuzzi, sauna, steam or cabinet baths. Massage therapy is a health service when the massage is for therapeutic purposes, and a licensed massage therapist may receive referrals from a physician to administer massage therapy.

Living area. Includes that portion of the dwelling unit which is used or designed for occupancy but does not include carports, garages and open porches, breezeways, balconies and terraces.

Loading space. A space within the main building or on the same lot therewith, providing for the standing, loading or unloading of trucks, and having a minimum dimension of 12 feet by 35 feet and a vertical clearance of 14 feet.

Lodging house/rooming house. A building or place where lodging is provided (or which is equipped to provide lodging regularly) by pre-arrangement for definite periods, for compensation, for 3 or more persons, in contradistinction to hotels open to transients.

Lot. A parcel of land occupied or intended to be occupied by a main building and its accessory buildings, or by a group of buildings and their accessory buildings, and having frontage on a dedicated street.



- (a) Lot, corner. A lot abutting on 2 intersecting streets.
- (b) Lot depth. The average depth from the front line of the lot to the rear line of the lot.
- (c) Lot, interior. A lot other than a corner lot.
- (d) Lot width. The width measured at a distance back from the front line equal to the minimum depth required for a front yard.

Lot coverage. The percentage of the total area of a lot occupied by the first story or ground floor of all buildings located on the lot.

Lot of record. A lot which is part of a subdivision, the plat of which has been recorded in the office of the county clerk, or a parcel of land, the deed for which was recorded in the office of the county clerk prior to passage of this article.

Main building. A building in which is conducted the principal use of the lot on which it is situated.

Manufactured home. A structure that was constructed or after June 15, 1976 and is transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length, or, when erected on-site, is 320 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.

Manufactured home lot. That part of a parcel of land in a manufactured home park which has been reserved for the placement of one manufactured home unit.

Manufactured home park. A parcel of land which is owned by an individual, a firm, trust, partnership, public or private association or corporation, and has been developed for rental of lots to tenants with mobile homes.

Masonry or masonry units. That form of solid construction composed of stone, brick, concrete, gypsum, hollow clay tile or other similar building units or materials or combination of these materials, which must be laid up unit by unit and set in mortar.

Massage establishment. Any building, room, place or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician, osteopath, chiropractor or a registered nurse or a doctor, whether with or without the use of mechanical, therapeutic or bathing devices, and shall include Turkish bathhouses. This term shall not include duly licensed beauty parlors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operate only under the physician's direction.

Mini-warehouse. A building or group of buildings in a controlled access compound that contains individual, compartmentalized and controlled access stalls or lockers of varying sizes not to exceed

5,000 square feet for the storage of merchandise, goods and wares.

Motel. See definition of hotel.

Motor vehicle. Every kind of motor-driven or propelled vehicle, whether required or not required to be registered or licensed under the laws of the state, including trailers, house trailers and semi-trailers, and shall also include motorcycles, dirt bikes or other off-road/all-terrain vehicles.

Museum. A depository for collecting and displaying objects having scientific, historical or artistic value.

Neighborhood convenience center. Centers which carry convenience goods, such as groceries, drugs, hardware and some variety items, and also may include some service stores. The neighborhood convenience center may contain one or two small apparel or shoe stores, but it is clearly dominated by convenience goods, which are items of daily consumption and very frequent purchase, sometimes called "spot necessity" items. This neighborhood serving store group is within convenient walking distance of families served (within convenient driving range in low-density areas), with due consideration for pedestrian access and amenity of surrounding areas.

Nightclub or dance hall. An establishment operated as a place of entertainment, characterized by any of the following as a principal use of the establishment:

- (a) Live, recorded or televised entertainment, including but not limited to performances by magicians, musicians or comedians;
- (b) Dancing; or
- (c) Any combination of (1) and (2) above.

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. The use of a building or land that does not conform to these zoning regulations and which lawfully existed at the time these zoning regulations became effective.

Nudity or a state of nudity. Less than completely and opaquely covered:

- (a) Human genitals, pubic region or pubic hair;
- (b) Female breast or breasts below a point immediately above the top of the areola;
- (c) Human buttock; or
- (d) Any combination of the above.

Nursing home. See definition of convalescent center.

Orchard. An area of one acre or more which is used for the growing of fruit trees.

Park or playground (public). An open recreation facility or park owned and operated by a public agency such as the city or the school district and available to the general public for neighborhood use.

Parking lot. An unenclosed, all-weather surface area used exclusively for the temporary parking and/or storage of motor vehicles.

Parking space. An area measuring at least 9 feet wide by 18 feet in length, surfaced with an all-weather surface, enclosed or unenclosed, together with an all-weather surfaced driveway connecting the parking

Print shop. An establishment utilizing letter press, duplicating equipment, rotary presses or linotype equipment to produce in printed form orders for its clients or customers.

Private club. Facilities where food, beverages (including alcoholic beverages), entertainment or meeting space are provided to members only.

Professional office. A room or group of rooms occupied by a physician, optometrist, psychologist, chiropractor, dentist, attorney, engineer, surveyor, architect, accountant, planner, management consultant or any other similar vocation. Veterinary clinics are specifically excluded from this definition.

Ranch. An area of 2 acres or more which is used for the keeping or raising of farm animals and livestock including but not limited to horses, mules, cows, cattle and swine.

Recreational vehicle. A vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for temporary dwelling recreational or sporting purposes. The term "recreational vehicle" shall include but not be limited to travel trailers, pickup campers, camping trailers, motor coach homes, converted trucks and buses, and boats and boat trailers.

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 camper vehicles, recreational vehicles, tents or trailers.

- (a) **Recreational.** More than 50% of tenants on-site for 2 weeks or less.
- (b) **Residential.** More than 50% of tenants on-site for 2 weeks or more.

Recycling collection facility. A facility designed to collect, sort and package, by either manual or mechanical processes, recyclable items for transport to a processing plant.

Rental store. An establishment which offers an array of items such as appliances, furniture, stereo equipment, televisions and the like at a stated price for a fixed interval of time under a lease or rental agreement.

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

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

Resort. Any tract of land used to provide recreation and entertainment especially, but not exclusively, to tourists or vacationers, and generally but not necessarily provides overnight accommodations for their guests in the form of hotels, motels, cabins, cottages, bunk houses, tents, RV parks, RV rentals and the like.

Restaurant. Any eating or drinking establishment where the preparation and serving of food is the primary business of the establishment including cafes, bistros, cafeterias and other fast food and drive-in food establishments.

Retirement center. Any multi-unit facility which limits its tenants to retired or semi-retired persons, age 55 years or older, in good health and able to care for themselves.

Salvage. Shall mean and necessarily include:

- (a) Any discarded, abandoned, junked, wrecked, dismantled, worn-out or ruined motor vehicles (including automobiles, trucks, tractor-trailers and buses), motor vehicle parts, boats, travel trailers, trailers, cranes, machinery or equipment, machinery or equipment parts and/or recreational vehicles; and/or
- (b) Any junk.

Salvage yard. Shall mean and necessarily include a salvage yard, automotive wrecking yard and automotive graveyard; shall mean any lot or tract of land upon which 3 or more discarded, abandoned, junked, wrecked, dismantled, worn-out or ruined motor vehicles (including autos, trucks, tractor-trailers and buses), motor vehicle parts, boats, travel trailers, trailers and/or recreational vehicles are either:

- (a) Kept, stored, bought, sold, recycled or otherwise placed; or
- (b) Disassembled, dismantled, stripped, scrapped, recycled or cut up.

Sanatorium. An establishment that provides therapy combined with a regimen (as of diet, exercise, stress management and behavioral guidance) for treatment or rehabilitation. This definition does not include any facility that is used for the rehabilitation of persons from drug, alcohol or similar type substance addictions.

School. A place having a curriculum for the purpose of giving instruction, training or education in a service, art, trade or for general knowledge.

Screening (device). Any of the following:

- (a) Any solid fence or wall constructed of metal, brick, masonry or concrete, the vertical surface of which shall be without gaps, except openings for access;
- (b) Any dense, screening shrubs providing a visual barrier, for which the material shall be maintained in a healthy growing condition; or
- (c) Landscaped earth berms may, when appropriate in scale, be considered and used as a screening element in lieu of a fence, wall, hedge or other dense planting material.

Screening shrubs, large. Shrubs with an installed minimum height of 3 feet as identified below, or any other shrubs which, when mature, shall reach a minimum height of 6 feet, provide a dense visual barrier, be drought-resistant and possess compact root systems posing minimum danger to integrity of public utilities. The large screening shrubs included on the following list are recommended to be planted to screen incompatible land uses, parking facilities and dumpsters by forming a visual barrier.

Common Name	Botanical Name
Photinia	Photinia serrulata
Fraser's Photinia	Photinia fraseri
Burford Holly	Ilex cornuta 'Burfordii'
Chinese Holly	Ilex cornuta 'Rotunda'
Waxmyrtle	Myrica cerifera
Yaupon Holly	Ilex vomitoria
Nellie R. Stevens Holly	Ilex cornuta

Screening shrubs, small. Shrubs with an installed minimum height of 2 feet as hereinafter identified, or any other shrubs which, when mature, shall reach a minimum height of 2 feet and provide a dense visual barrier. The small screening shrubs included on the following list are recommended to be planted to screen parking lots, playgrounds, ballfields, swimming pools and tennis courts by forming a visual barrier.

Common Name	Botanical Name
Compact Nandina	Nandina compacta
Dwarf Abelia	Abelia 'Edward Goucher' Abelia prostrata
Dwarf Burford Holly	Ilex cornuta 'Burfordii Nana'
Dwarf Yaupon Holly	Ilex vomitoria 'Nana'

Seat. As used in determining parking requirements for this article, sitting space as needed or which is designed to be used for one person to sit down and occupy.

Secondhand store. An establishment specializing in the sale of previously used materials, goods and merchandise of less than 20 years of age and of that material, goods and merchandise over 20 years of age which do not derive a value as a result of their age.

Servant's or caretaker's quarters. A secondary dwelling unit located on a lot with a main residential structure and used as living quarters for persons employed on the premises and not for rent or use as a separate domicile by persons other than those employed on the premises or their immediate family.

Service station. A business establishment where gasoline, oil, grease, batteries, tires and motor vehicle accessories may be supplied and dispensed at retail, and the servicing of vehicles occurs, but not including the major overhaul of automobiles, body work or repair of heavy trucks and equipment. A service station is sometimes referred to as a gas station, filling station or fuel service station.

Setback. The required minimum distance between any structure and any property line of the lot on which it is located. Setbacks shall be measured perpendicular to lot lines. The terms "setback" and "required yard" shall mean the same and can be interchanged.

Sexually oriented business. A love parlor, nude modeling studio, adult bookstore, adult movie theater, adult video arcade, adult video store, adult motel or other commercial enterprise, the primary business of which is the offering of a service or the selling, renting or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customer.

Shipping containers for residential use. Shipping containers or other modules repurposed for residential use which are anchored upon a permanent foundation and comply with all the pertinent requirements of the City's building codes.

Shopping center or mall. A planned and coordinated grouping of retail business and service uses on a single site or a combination of sites, where special attention is given to on-site vehicular circulation, parking and building design and orientation.

Short-term rental accommodations. The rental of all or part of a residential property to a person who is not a permanent resident. A permanent resident is someone who has the right to use or possess all or part of a residential property for at least 30 consecutive days, so long as there is no interruption of payment for the period. (from Texas Tax Code Sections 156.001(b) and 156.101)

Sign. An outdoor device or structure which directs attention to a business, commodity, service, announcement, direction or entertainment conducted, sold or offered to the public.

Site development plan. A drawing showing the provisions for a proposed project, including information that enables the drawing to serve as a plat, together with information pertaining to all covenants relating to land use, location and bulk of structures, intensity of use or density of development, private streets, ways and parking facilities, common open space and public facilities, and all other reasonable information required by the planning and zoning commission as a part of the review process.

Small animal clinic. An office or group of offices for one or more veterinarians engaged in treating diseases or injuries to small domestic animals. Structures are to be soundproof and no outside facilities are permitted.

Smoke shop (vape shop) and tobacco store. Any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia; provided, however, that any grocery store, supermarket, convenience store or similar retail use that only sells conventional cigars, cigarettes or tobacco as an ancillary sale shall not be defined as a "smoke shop and tobacco store" and shall not be subject to the restrictions in this chapter.

Special use permit. A use that may be allowed if it meets certain specified requirements or conditions and meets the approval of the city council.

Specified anatomical areas. Human genitals, pubic regions, buttocks and female breast below a point immediately above the top of the areola.

Specified sexual activities. Includes the fondling or other erotic touching of human genitals; sexual acts including intercourse, copulation, sodomy or masturbation; or excretory functions as part of or in connection with any sexual act or fondling or other erotic touching of human genitals.

Stable, private. An accessory building used by the residents of the premises for sheltering and quartering of horses owned by the occupants and for which no fee is charged for stabling the horses.

Stable, public. A lot or tract of land used for the sheltering and quartering of horses for which a fee or charge is made for the stabling of the horses.

Stone screenings. Washed stone 1/2 inch or 1-1/2 inches in size.

Story. That portion of a building, other than a basement, included between the surface of a floor and the surface of a floor next above it, or if there is no floor above it, then the portion of the building between the surface of a floor and the ceiling or roof above it.

Story, half. The topmost story under a gable, hip or gambrel roof, the wall plates of which on at least 2 opposite exterior walls are not more than 4 feet above the floor of the story, except that any partial story used for residence purposes shall be deemed a full story.

Street. A public or private thoroughfare or road which affords the principal means of access to abutting property.

Structural alteration. Any change, addition or modification in construction in the supporting members of a building, such as exterior walls, bearing walls, beams, columns, foundations, girders, floor joists, roof joists, rafters or trusses.

Structure. Anything constructed or erected, having location on or under the ground or attached to something having location on or under the ground.

Swimming pool, private. A recreational facility used for swimming which is used by the owners, employees or residents of the property and their guests.

Swimming pool, public. A recreational facility used for swimming which is open to the public, for which a membership is required or a fee or charge is made for the use of the facility.

Tack store. A commercial establishment which sells horse equipment such as saddles, bridles, blankets, riding accoutrements and the like.

Tattoo. The practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment. The term includes the application of permanent cosmetics.

Tattoo shop. An establishment or facility in which tattooing is performed.

Television satellite dish. An earth-based station shaped like a dish which is used for the reception of satellite signals for television programs.

Tennis court, private. A concrete or clay court which is used for the playing of tennis by the owners, employees or residents of the property and their guests.

Tennis court, public. A concrete or clay court which is used for the playing of tennis by the general public and for which membership is required or a fee or charge is made for the use of the facility.

Tobacco. Any preparation of the nicotine-rich leaves of the tobacco plant, which are cured by a process of drying and fermentation for use in smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body.

Tobacco paraphernalia. Any paraphernalia, equipment, device, or instrument that is primarily designed or manufactured for the smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body of tobacco, tobacco products, or other controlled substances. Items or devices classified as tobacco paraphernalia include but are not limited to the following: pipes, punctured metal bowls, bongs, water bongs, electric pipes, e-cigarettes, e-cigarette juice, buzz bombs, vaporizers, hookahs, and devices for holding burning material. Lighters and matches shall be excluded from the definition of tobacco paraphernalia.

Tobacco product. Any product in leaf, flake, plug, liquid, or any other form, containing nicotine derived from the tobacco plant, or otherwise derived, which is intended to enable human consumption of the tobacco or nicotine in the product, whether smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. For the purposes of this chapter, the term "tobacco product" excludes any product that has been specifically approved by the United States Food and Drug Administration (FDA) for sale as a tobacco/smoking cessation product or for other medical purposes, where such product is marketed and sold solely for such an approved purpose.

Tool and equipment rental. An establishment which offers an array of tools, equipment and machinery such as cranes, backhoes, trucks, tractors and the like, at a stated price for a fixed interval of time under a lease or rental agreement.

Townhouse. A single-family dwelling constructed as part of a series of dwellings, all of which are either attached to the adjacent dwelling or dwellings by party or common walls or are located immediately adjacent thereto with no visible separation between walls or roofs. This definition shall also include the term "condominium."

Trailer camp or park. An area designed, arranged or used for the parking or storing of one or more recreational vehicles, travel trailers, motor homes, motor coaches, pickup campers, and camping trailers

which are occupied or intended for occupancy as temporary living quarters by individuals or families.

Truck. A self-propelled mechanical vehicle designed for use on streets and highways for the conveyance of goods and people and having a GVWR in excess of one ton.

Turf. The following list of turfs and any other turfs which can be demonstrated to the building official to be drought-resistant.

Common Name	Botanical Name
Bermuda Grass	Cynodon dactylon
Bermuda Grass hybrids	
St. Augustine	Stenotaphrum secundatum
Buffalo Grass	Buchloe dactyloides
Fescue and combinations	Festuca arundinacea

Underground shelter. A concrete structure designed for the protection of humans from tornadoes or from nuclear blast, heat or fallout, the main portion of which is underground.

Use. The purpose for which land or a building or structure thereon is designed, arranged, intended or maintained, or for which it is or may be used or occupied.

Use, accessory. A subordinate use on the same lot with the principal use and incidental and accessory thereto.

Used auto sales lot. A lot or portion thereof to be used only for the purchase, trade, display and sale of automobiles that are in condition to be driven on or off the lot, under their own power. Used car lots shall not be used for the storage of wrecked automobiles, the dismantling of automobiles or the storage of automobile parts.

Variance. An adjustment in the application of the specific regulations of this article to a particular parcel of property which, because of special conditions or circumstances peculiar to the particular parcel, is necessary to prevent the property from being deprived of rights and privileges enjoyed by other parcels in the same vicinity and zoning district.

Veterinary clinic. An establishment for the care and medical veterinary practice on or for domestic household animals, conducted completely within an enclosed structure. This term shall also include "animal clinic."

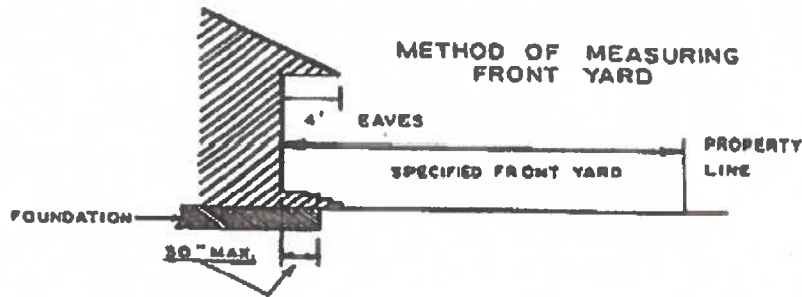
Veterinary hospital. An establishment for the care and medical veterinary practice on or for large animals and household domestic animals and which animals may be boarded during treatment in outside pens, runs or stables. This term shall also include "animal hospital."

Warehouse. A building or group of buildings used for the storage of merchandise, goods and wares.

Washateria. A building or place where clothes and linens are washed and thoroughly dried on a self-service basis by the use of washing, drying and ironing machines, and shall include the term "self-cleaning laundry."

Yard. An open space, other than a court, on the same lot with a building and which is not obstructed from ground level to the sky except for roof overhangs, fences, trees and shrubs.

Yard, front. A yard extending across the full width of a lot and having a depth equal to the shortest distance between the front line of the lot and the nearest portion of the main building, including an enclosed or covered porch; provided that the front yard depth shall be measured from the future street line for a street on which a lot fronts, when the line is shown on the official map or is otherwise established.



Yard, rear. A yard extending across the full width of a lot and having a depth equal to the shortest distance between the rear line of the lot and the main building.

Yard, side. A yard between the side line of the lot and the main building extending from the front yard to the rear yard and having a width equal to the shortest distance between the side line and the main building.

(Ordinance 240 adopted 3/15/94; Ordinance 301 adopted 9/8/98; 2007 Code, sec. 155.05; Ordinance 567, sec. 1, adopted 10/12/15; Ordinance 568, sec. 1, adopted 10/12/15; Ordinance 17.04.10B adopted 4/10/17; Ordinance 18.10.08A, sec. 1, adopted 10/8/18; Ordinance 2020.02.10A, sec. 2, adopted 2/10/20)

HISTORY

Amended by Ord. [2021.05.11A](#) on 5/11/2021

Amended by Ord. [2021.05.25C](#) on 5/25/2021

Amended by Ord. [2021.06.08D](#) on 6/8/2021

Amended by Ord. [2021.08.10D](#) on 8/10/2021