

**ORDINANCE NO. 2895**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS, AMENDING APPENDIX 2, ZONING ORDINANCE OF THE CITY OF TERRELL, SECTION 15, EXECUTIVE ESTATE RESIDENTIAL-64 (EE-64) DISTRICT, SECTION 17, SINGLE-FAMILY RESIDENTIAL-10 (SF-10) DISTRICT, SECTION 18, SINGLE-FAMILY RESIDENTIAL-7.5 (SF-7.5) DISTRICT, SINGLEFAMILY RESIDENTIAL-6 (SF-6) DISTRICT, SECTION 20, TOWNHOUSE RESIDENTIAL (TH) DISTRICT – PATIO HOMES (Zero-Lot-Line), SINGLE-FAMILY ATTACHED HOMES (Townhomes), and TWO-FAMILY HOMES (Duplexes); SECTION 21, MULTI-FAMILY RESIDENTIAL (MF) DISTRICT (APARTMENTS), SECTION 22, TEXAS HERITAGE (TX) DISTRICT, SECTION 30, HEAVY COMMERCIAL (VC) DISTRICT, SECTION 30A, RESEARCH AND TECHNOLOGY PARK (RT) DISTRICT, SECTION 32, USE REGULATIONS 1A RESIDENTIAL ZONING DISTRICTS AND 1B, NON-RESIDENTIAL ZONING DISTRICTS (Charts), AND SECTION 44 DEFINITIONS; COPIES OF WHICH ARE ATTACHED HERETO AS EXHIBITS “A” THROUGH “L” AND MADE A PART HEREOF FOR ALL PURPOSES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS on the 20th day of December, 2021, the Planning and Zoning Commission conducted a public hearing and approved the amendment of Appendix 2, Zoning Ordinance of the City of Terrell, Section 15, Executive Estate Residential-64 (EE-64) District, Section 17, Single-Family Residential-10 (SF-10) District, Section 18, Single-Family Residential-7.5 (SF-7.5) District, Single Family Residential-6 (SF-6) District, Section 20, Townhouse Residential (TH) District – Patio Homes (Zero-Lot-Line), Single Family Attached Homes (Townhomes), and Two-Family Homes (Duplexes); Section 21, Multi-Family Residential (MF) District (Apartments), Section 22, Texas Heritage (TX) District, Section 30, Heavy Commercial (VC) District, Section 30A, Research and Technology Park (RT) District, Section 32, Use Regulations 1A Residential Zoning Districts and 1B, Non-Residential Zoning Districts (Charts), and Section 44 Definitions; copies of which are attached hereto as Exhibits “A”, through “L”. And made a part hereof for all purposes.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS:**

**ARTICLE I.**

THAT Appendix 2, Zoning Ordinance of the City of Terrell is hereby amended as follows: Section 15, Executive Estate Residential-64 (EE-64) District, Section 17, Single-Family Residential-10 (SF-10) District, Section 18, Single-Family Residential-7.5 (SF-7.5) District, Single Family Residential-6 (SF-6) District, Section 20, Townhouse Residential (TH) District – Patio Homes (Zero-Lot-Line), Single Family Attached Homes (Townhomes), and Two-Family Homes (Duplexes); Section 21, Multi-Family Residential (MF) District (Apartments), Section 22, Texas Heritage (TX) District, Section 30, Heavy Commercial (VC) District, Section 30A, Research and Technology Park (RT) District, Section 32, Use Regulations 1A Residential Zoning Districts and

1B, Non-Residential Zoning Districts (Charts), and Section 44 Definitions; copies of which are attached hereto as Exhibits "A", through "L". And made a part hereof for all purposes.

## **ARTICLE II.**

All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

## **ARTICLE III.**

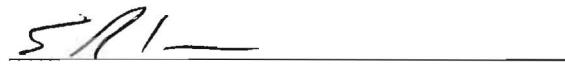
It is hereby declared to be the intention of the City Council of the City of Terrell, Texas that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections.

## **ARTICLE IV.**

All other provisions of Appendix 2 not expressly modified by this Ordinance shall remain in full force and effect. ARTICLE V. This Ordinance shall take effect immediately after its passage and the publication of the caption as the law in such cases provides.

PASSED AND APPROVED on this the 8<sup>th</sup> day of February, 2022.

PASSED AND ADOPTED on this the 15<sup>th</sup> day of February, 2022.



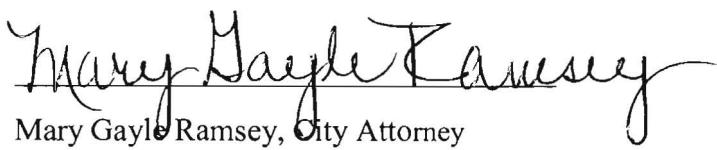
E. Rick Carmona, Mayor

ATTEST:



Dawn Steil, City Secretary

Approved as to Form:



Mary Gayle Ramsey, City Attorney

**TABLE 13-1 SUMMARY OF ZONING DISTRICT REGULATIONS**  
**City of Terrell, Texas**

This is a chart for general comparison purposes only and is incomplete. For complete requirements see the body of the Zoning Ordinance.

District	Minimum Lot Area	Minimum Dwelling Unit Size	Minimum Lot Width	Minimum Lot Depth	Minimum Front Yard	Minimum Rear Yard*	Minimum Side Yard*	Max. Height of Building	Maximum Impervious Cover
<b>AG</b>	5 acres	2,000 Sq. Ft.	250 Ft.	250 Ft.	60 Ft.	50 Ft.	25 Ft.	3 stories/ 45 Ft.	30% (first acre)
<b>TX</b>	3 acre	<del>1800-2,000 Sq. Ft.</del>	200 Ft.	250 Ft.	40 Ft.	50 Ft.	25 Ft.	3 stories/ 45 Ft.	30% (first acre)
<b>EE-32</b>	32,000 Sq. Ft.	2,600 Sq. Ft.	150 Ft.	150 Ft.	40 Ft.	35 Ft.	15 Ft.	2.5 stories/ 36 Ft.	50%
<b>EE-64</b>	<del>64,000 Sq. Ft.</del>	<del>2,600 Sq. Ft.</del>	<del>150 Ft.</del>	<del>150 Ft.</del>	<del>40 Ft.</del>	<del>35 Ft.</del>	<del>15 Ft.</del>	<del>2.5 stories/ 36 Ft.</del>	<del>50%</del>
<b>SF-16</b>	16,000 Sq. Ft.	2,000 Sq. Ft.	100 Ft.	125 Ft.	30 Ft.	25 Ft.	10 Ft.	2.5 stories/ 36 Ft.	60%
<b>SF-10</b>	10,000 Sq. Ft.	<del>1800-2,000 Sq. Ft.</del>	80 Ft.	125 Ft.	30 Ft.	25 Ft.	8 Ft.	2.5 stories/ 36 Ft.	60%
<b>SF-7.5</b>	7,500 Sq. Ft.	<del>1500-2,000 Sq. Ft.</del>	<del>70 Ft.-75 Ft.</del>	100 Ft.	25 Ft.	25 Ft.	7 Ft.	2.5 stories/ 36 Ft.	60%
<b>SF-6</b>	6,000 Sq. Ft.	<del>1200-2,000 Sq. Ft.</del>	<del>60 Ft.-65 Ft.</del>	100 Ft.	25 Ft.	25 Ft.	6 Ft.	2.5 stories/ 36 Ft.	60%
<b>TH-12</b>	3,500 sf per unit	<del>4200-2,000 Sq. Ft.</del>	35 Ft. 60 Ft. if corner lot	100 Ft.	15 Ft.	15 Ft.	PH - 0-10' SFA - 5' 2F - 5'	2.5 stories/ 36 Ft.	60% Max. - 8 D.U./acre
<b>MF</b>	1 acre	550sf-Effic'y. 600sf-1 B.R. 800sf-2 B.R. 1,000sf-3 B.R.	100 Ft.	100 Ft.	Variable	15 Ft.	15 Ft.	2.5 stories/ 36 Ft. or 5 stories/75 Ft.	75% Max.
<b>MH</b>	Min.-5 Ac Max.-15 Ac 4,500 Sq. Ft. Per Lot	1,200 Sq. Ft.	45 Ft.	100 Ft.	25 Ft./ 15 Ft.	10 Ft./ 20 Ft. between Districts	10Ft./ 20 Ft. between units	2.5 stories/ 36 Ft.	60%
<b>O</b>	6,000 Sq. Ft.	N/A	60 Ft.	100 Ft.	25 Ft.	15 Ft.	15 Ft.	4 stories/ 50 Ft.	80%
<b>NS</b>	7,500 Sq. Ft.	N/A	75 Ft.	100 Ft.	25 Ft.	15 Ft.	15 Ft.	2 stories/ 35 Ft.	80%
<b>R</b>	10,000 Sq. Ft.	N/A	100 Ft.	100 Ft.	25 Ft.	15 Ft.	15 Ft.	2 stories/ 35 Ft.	80%
<b>CBD</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4 stories/ 50 Ft.	100%
<b>HC***</b>	10,000 Sq. Ft.	N/A	100 Ft.	100 Ft.	20 Ft.**	10 Ft.	10 Ft.	5 stories/ 75 Ft.	90%
<b>C</b>	10,000 Sq. Ft.	N/A	100 Ft.	100 Ft.	25 Ft.	15 Ft.	15 Ft.	2 stories/ 35 Ft.	90%
<b>VC</b>	<del>40,000</del>	<del>N/A</del>	<del>200 Ft.</del>	<del>200 Ft.</del>	<del>50 Ft.</del>	<del>50 Ft.</del>	<del>50 Ft.</del>	<del>35 Ft.</del>	<del>70%</del>
<b>LI</b>	10,000 Sq. Ft.	N/A	100 Ft.	100 Ft.	25 Ft.	10 Ft.	10 Ft.	120 Ft.	90%
<b>RT</b>	<del>6,000 Sq. Ft.</del>	<del>N/A</del>	<del>60 Ft.</del>	<del>100 Ft.</del>	<del>30 Ft.</del>	<del>20 Ft.</del>	<del>20% of lot</del>	<del>4 stories/50 Ft. or 24 stories/258 Ft. with SUP</del>	<del>80%</del>

\* Note: See text of the Ordinance for additional or supplemental requirements. Additional setback distance for side and rear yards is required for corner lots, when adjacent to a street, or adjacent to a residential district, etc.

\*\* HC setback is for a 20 feet wide landscape buffer adjacent to access roads see Section 28 for other setback requirements.

\*\*\* Except in regards to setbacks from residential properties there are no height limits for structures in the HC District within 700 feet of highway R.O.W., otherwise 6 stories/75 ft. See Section 28.

## SECTION 15 EXECUTIVE ESTATE RESIDENTIAL-64 (EE-64) DISTRICT

### 15.1 GENERAL PURPOSE AND DESCRIPTION:

The Executive Estate Residential-64 (EE-64) District is intended to provide for development of primarily high quality, low-density detached, single-family residences on lots of not less than 64,000 square feet in size, churches, schools and public parks in logical neighborhood units. The EE-64 District includes desirable architectural, land design and streetscape design elements and amenities in order to maximize aesthetic appeal, access to open space and promote efficient vehicular and pedestrian traffic and utility delivery in areas designated by the Comprehensive Plan for high quality, low density residential areas to preserve the rural character and economic stability of the community. Areas zoned for the EE-64 District shall have, or shall make provision for, City of Terrell water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved streets with logical and efficient vehicular circulation patterns that discourage non-local traffic; they shall be properly buffered from non-residential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.

### 15.2 PERMITTED USES:

- A. Those uses listed for the EE-64 District in Section 32 - Use Charts as "P", "S" or "T" are authorized uses permitted by right, by specific use permit (which must be approved utilizing procedures set forth in Section 31B) or by temporary use permit (which must be approved utilizing procedures set forth in Section 38.10).

### 15.3 HEIGHT REGULATIONS:

#### A. Maximum Height:

1. Two and one-half (2.5) stories, and not to exceed thirty-six feet (36'), for the main building/house.
2. One story for other accessory buildings, including detached garage, garden shed, gazebo, etc.
3. Other requirements (see Section 38).

### 15.4 AREA REGULATIONS:

#### A. Size of Lots:

1. **Minimum Lot Area** – Sixty four thousand (64,000) square feet
2. **Minimum Lot Width** – One hundred fifty feet (150')
3. **Minimum Lot Depth** - One hundred fifty feet (150')

#### B. Size of Yards:

1. **Minimum Front Yard** – Forty feet (40')
2. **Minimum Side Yard** – Fifteen feet (15') for interior side yard; twenty five feet (25') for a non-key corner lot; forty feet (40') for a key corner lot on a street.
3. **Minimum Rear Yard** – Thirty five feet (35') for the main building and any accessory building(s). (See Section 35 for exceptions.)

#### C. Parking Regulations:

1. **Single-Family Dwelling Unit** – A minimum of three (3) enclosed parking spaces located behind the front building line on the same lot as the main structure. A minimum twelve feet (12') wide paved driveway shall be installed from the street or alley right-of-way line to the garage door with a minimum length of twenty five feet (25') from any right-of-way, property line or alley on detached garages.

2. No garage door shall face towards the front property line but shall be rear or side loaded only unless the lot configuration renders this infeasible in which case the garage face shall be located a minimum of four feet (4') behind the front facade of the house.
3. **Other** - See Section 33, Off-Street Parking and Loading Regulations.

1. **Minimum Floor Area per Dwelling Unit** – Two thousand Six Hundred (2,600) square feet of air-conditioned floor area.
2. **Minimum Exterior Construction Standards** – A minimum of two different types of masonry materials (minimum ratio between two materials is 90% primary material with 10% accent) shall be used in combination on the front façade otherwise regulations in accordance with Section 37 apply.

3. **Required Architectural Features:**
  1. Minimum roof pitch 8:12 or greater.
  2. Minimum covered porch size shall be 33% of front façade width or a minimum width of twelve (12') feet whichever is greater with a minimum depth of eight (8') feet. No portion of the garage shall extend into the front yard beyond the porch support columns.
  3. In new subdivisions the same floor plan and elevation shall not be duplicated for five lots on the same side of the street or for three (3) lots on the opposite side of the street. (Mirror image floor plans are considered duplicates for the purpose of lot spacing)
  4. Chimney must be enclosed in materials matching the surrounding or adjacent façade.
  5. Roof design must include dormers or combination hip and gable.
  6. Roof materials shall be architectural grade overlap asphalt shingles, slate, or tile.
  7. All front exterior facades must contain at least one window per story.
4. **Required Streetscape Amenities:**
  1. A minimum four (4') feet wide sidewalk shall be required to be located adjacent to the right-of-way (front property line) in a private utility/public access easement a minimum of ten (10') feet from the edge of pavement. The sidewalk may meander back and forth across the front property line provided that no portion of the sidewalk is located within seven (7') feet of the edge of pavement. Infill development shall place the required sidewalk in the right-of-way.
  2. A minimum of one (1) street tree shall be planted for every fifty (50') feet of street frontage in accordance with Section 34.6.
  3. A minimum of two (2) large shade trees shall be planted at the time of construction in the front yard (care should be exercised in the placement of large shade trees so as not to obscure the view of the front entryway of the house). Two small ornamental trees may be substituted for one large shade tree (see "Recommended Plant List" in Section 34).
  4. Mailboxes shall be constructed of masonry materials which match the main residential structure and located at the edge of pavement in such a way so as not to obscure the vision of drivers exiting driveways into the street. Addresses shall be placed in a visible location on both the house and on the mailbox in accordance with the Building Code.
  5. Decorative street lighting shall be provided along residential streets throughout all new residential developments, providing low illumination ("Dark Sky" compliant – see Section 40) with solar controls on decorative poles with a maximum spacing of four hundred (400') feet between lights placed on alternating sides of the street in accordance with the current Street Lighting Policy administered by the City Engineer. Light poles shall be located within the five (5') feet landscape zone only (see Section 34 for details).
  6. Street layout and design for new subdivisions should include the following elements:
    - a. A minimum of twenty-five percent (25%) of the street lengths within the subdivision, excluding major thoroughfares and collectors, should be curvilinear in design. Computation of percentage shall utilize the centerline lengths of all residential streets in the subdivision.

- b. Curvilinear design means an offset from the straight section centerline of the street of not less than three (3°) degrees and not greater than twenty three (23°) degrees and shall offset a minimum distance of thirty (30') feet measured perpendicular to the initial tangent line of the curve.

5. **Maximum Impervious Surface Coverage** – Fifty percent (50%).

**15.5 SPECIAL REQUIREMENTS:**

- A. Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- B. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of three (3) or more acres.
- C. Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, garden materials, farm equipment, etc., which may only be stored in the side or rear yards and which shall be screened from view of public streets and neighboring properties).
- D. Single-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the door face of the garage or carport to the side property line for maneuvering. The minimum setback from any garage door to a street or alley right-of-way line shall also be twenty-five feet (25').
- E. Carports or other detached accessory structures shall not project beyond the front façade of the house and shall be required to match the exterior materials and finish of the main structure if located in the side yard and is visible from the street.
- F. Swimming pools - See Section 42.
- G. Non-chlorinated ponds must be aerated by a fountain or other aeration device to prevent insect vector breeding or other nuisances associated with stagnant water.
- H. A Site Plan shall be required for developments in which the proposed subdivision will include 1) a private amenity or facility comprised of one (1) or more buildings (such as a private recreation/swimming facility, clubhouse, etc.), 2) a golf course, and/or 3) a gated (restricted access) entrance into the subdivision. In these instances, Site Plan submission and approval will be required for these elements (a Site Plan showing the entirety of the proposed subdivision is not required). Site Plan submission and approval shall be in accordance with Section 31.B.4, but shall not require a public hearing as required by Section 31.B.4.E.
- I. Any nonresidential land use which may be permitted in this district shall conform to the “NS”- Neighborhood Service district standards.
- J. **Other Regulations** - As established in the Development Standards, Sections 33 – 44.

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## SECTION 17 SINGLE-FAMILY RESIDENTIAL-10 (SF-10) DISTRICT

### 17.1 GENERAL PURPOSE AND DESCRIPTION:

The Single-Family Residential-10 (SF-10) District is intended to provide for development of primarily low-density detached, single-family residences on lots of not less than 10,000 square feet in size, churches, schools and public parks in logical neighborhood units. Areas zoned for the SF-10 District shall have, or shall make provision for, City of Terrell water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved streets with logical and efficient vehicular circulation patterns that discourage non-local traffic; they shall be properly buffered from non-residential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.

### 17.2 PERMITTED USES:

- A. Those uses listed for the SF-10 district in Section 32 - Use Charts as "P", "S" or "T" are authorized uses permitted by right, by specific use permit (which must be approved utilizing procedures set forth in Section 31B) or by temporary use permit (which must be approved utilizing procedures set forth in Section 38.10).

### 17.3 HEIGHT REGULATIONS:

- A. **Maximum Height:**
  1. Two and one-half (2.5) stories, and not to exceed thirty-six feet (36'), for the main building/house.
  2. One story with a maximum height of 14 ½ feet, measured at the highest point of the roof, for accessory buildings, including, but not limited to a detached garage, garden shed, gazebo, etc.
  3. Other requirements (see Section 38).

### 17.4 AREA REGULATIONS:

- A. **Size of Lots:**
  1. **Minimum Lot Area** - Ten thousand (10,000) square feet
  2. **Minimum Lot Width** – Eighty feet (80')
  3. **Minimum Lot Depth** - One hundred twenty-five feet (125')
- B. **Size of Yards:**
  1. **Minimum Front Yard** – Thirty feet (30')
  2. **Minimum Side Yard** – Eight feet (8') for interior side yard; fifteen feet (15') for a non-key corner lot on a street; thirty feet (30') for a key corner lot on a street.
  3. **Minimum Rear Yard** – Twenty-five feet (25') for the main building and any accessory building(s). (See Section 35 for exceptions.)
- C. **Parking Regulations:**
  1. **Single-Family Dwelling Unit** – A minimum of two (2) enclosed parking spaces located behind the front building line on the same lot as the main structure. A minimum twelve feet (12') wide paved driveway shall be installed from the street or alley right-of-way line to the garage door with a minimum length of twenty five feet (25') from any right-of-way, property line or alley on detached garages.
  2. No garage door shall face towards the front property line but shall be rear or side loaded only unless the lot configuration renders this infeasible in which case the garage face shall be located a minimum of four feet (4') behind the front facade of the house.
  3. **Other** - See Section 33, Off-Street Parking and Loading Regulations

**D. Minimum Floor Area per Dwelling Unit** – ~~One thousand and eight hundred (1,800) Two thousand (2,000)~~ square feet of air-conditioned floor area.

**A. Minimum Exterior Construction Standards** – See Section 37.

**B. Required Architectural Features:**

1. Minimum roof pitch 6:12 or greater.
2. Minimum covered porch size shall be 33% of front façade width or a minimum width of twelve (12') feet with a minimum depth of eight (8') feet. No portion of the garage shall extend into the front yard beyond the porch support columns.
3. In new subdivisions the same floor plan and elevation shall not be duplicated for five lots on the same side of the street or for three (3) lots on the opposite side of the street. (Mirror image floor plans are considered duplicates for the purpose of lot spacing)
4. Chimney must be enclosed in materials matching the surrounding or adjacent façade.
5. Roof design must include dormers or combination hip and gable.
6. Roof materials shall be architectural grade overlap asphalt shingles, slate, or tile.
7. All front exterior facades must contain at least one window per story.

**C. Required Streetscape Amenities:**

1. A minimum four (4') feet wide sidewalk shall be required to be located adjacent to the right-of-way (front property line) in a private utility/public access easement a minimum of ten (10') feet from the edge of pavement. The sidewalk may meander back and forth across the front property line provided that no portion of the sidewalk is located within seven (7') feet of the edge of pavement. Infill development shall place the required sidewalk in the right-of-way.
2. A minimum of one (1) street tree shall be planted for every fifty (50') feet of street frontage in accordance with Section 34.6.
3. A minimum of two (2) large shade trees shall be planted at the time of construction in the front yard (care should be exercised in the placement of large shade trees so as not to obscure the view of the front entryway of the house). Two small ornamental trees may be substituted for one large shade tree (see “Recommended Plant List” in Section 34).
4. Mailboxes shall be constructed of masonry materials which match the main residential structure and located at the edge of pavement in such a way so as not to obscure the vision of drivers exiting driveways into the street. Addresses shall be placed in a visible location on both the house and on the mailbox in accordance with the Building Code.
5. Decorative street lighting shall be provided along residential streets throughout all new residential developments, providing low illumination (“Dark Sky” compliant – see Section 40) with solar controls on decorative poles with a maximum spacing of four hundred (400') feet between lights placed on alternating sides of the street in accordance with the current Street Lighting Policy administered by the City Engineer. Light poles shall be located within the five (5') feet landscape zone only (see Section 34 for details).
6. Street layout and design for new subdivisions should include the following elements:
  - a. A minimum of twenty-five percent (25%) of the street lengths within the subdivision, excluding major thoroughfares and collectors, should be curvilinear in design. Computation of percentage shall utilize the centerline lengths of all residential streets in the subdivision.
  - b. Curvilinear design means an offset from the straight section centerline of the street of not less than three (3°) degrees and not greater than twenty three (23°) degrees and shall offset a minimum distance of thirty (30') feet measured perpendicular to the initial tangent line of the curve.

**H. Maximum Impervious Surface Coverage** – Sixty percent (60%).

## 17.5 SPECIAL REQUIREMENTS:

- A. Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- B. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of three (3) or more acres.
- C. Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, garden materials, etc., which may only be stored in the side or rear yards and which shall be screened from view of public streets and neighboring properties).
- D. Single-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the door face of the garage or carport to the side property line for maneuvering. The minimum setback from any garage door to a street or alley right-of-way line shall also be twenty-five feet (25').
- E. Carports or other detached accessory structures shall not project beyond the front façade of the house and shall be required to match the exterior materials and finish of the main structure if located in the side yard and is visible from the street.
- F. Swimming pools - See Section No. 42.
- G. A Site Plan shall be required for single-family (detached) or two-family residential developments in which the proposed subdivision will include 1) a private amenity or facility comprised of one (1) or more buildings (such as a private recreation/swimming facility, clubhouse, etc.), 2) a golf course, and/or 3) a gated (restricted access) entrance into the subdivision. In these instances, Site Plan submission and approval will be required for these elements (a Site Plan showing the entirety of the proposed subdivision is not required). Site Plan submission and approval shall be in accordance with Section 31.B.4, but shall not require a public hearing as required by Section 31.B.4.E.
- H. Any nonresidential land use which may be permitted in this district shall conform to the “NS”- Neighborhood Service district standards.
- I. **Other Regulations** - As established in the Development Standards, Sections 33 – 44.

## SECTION 18 SINGLE-FAMILY RESIDENTIAL-7.5 (SF-7.5) DISTRICT

### 18.1 GENERAL PURPOSE AND DESCRIPTION:

The Single-Family Residential-7.5 (SF-7.5) District is intended to provide for development of primarily detached, single-family residences on smaller and more compact lots of not less than 7,500 square feet in size, churches, schools and public parks in logical neighborhood units. Areas zoned for the SF-7.5 District shall have, or shall make provision for, City of Terrell water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved streets with logical and efficient vehicular circulation patterns that discourage non-local traffic; they shall be properly buffered from non-residential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.

### 18.2 PERMITTED USES:

- A. Those uses listed for the SF-7.5 district in Section 32 - Use Charts as "P", "S" or "T" are authorized uses permitted by right, by specific use permit (which must be approved utilizing procedures set forth in Section 31B) or by temporary use permit (which must be approved utilizing procedures set forth in Section 38.10).

### 18.3 HEIGHT REGULATIONS:

#### A. Maximum Height:

1. Two and one-half (2.5) stories, and not to exceed thirty-six feet (36'), for the main building/house.
2. One story with a maximum height of 14  $\frac{1}{2}$  feet, measured at the highest point of the roof, for accessory buildings, including, but not limited to a detached garage, garden shed, gazebo, etc.
3. Other requirements (see Section 38).

### 18.4 AREA REGULATIONS:

#### A. Size of Lots:

1. **Minimum Lot Area** – Seven thousand and five hundred (7,500) square feet
2. **Minimum Lot Width** – ~~Seventy Seventy-five~~ feet (~~70'-75'~~)
3. **Minimum Lot Depth** - One hundred feet (100')

#### B. Size of Yards:

1. **Minimum Front Yard** – Twenty-five feet (25')
2. **Minimum Side Yard** – Seven feet (7') for interior side yard; ten feet (10') for a non-key corner lot on a street; twenty-five feet (25') for a key corner lot on a street.
3. **Minimum Rear Yard** – Twenty five feet (25') for the main building and any accessory building(s); twenty-five feet (25') for rear entry garage. (See Section 35 for exceptions.)

#### C. Parking Regulations:

1. **Single-Family Dwelling Unit** – A minimum of two (2) enclosed parking spaces located behind the front building line on the same lot as the main structure. A minimum twelve feet (12') wide paved driveway shall be installed from the street or alley right-of-way line to the garage door with a minimum length of twenty five feet (25') from any right-of-way, property line or alley on detached garages.
2. No garage door shall face towards the front property line but shall be rear or side loaded only unless the lot configuration renders this infeasible in which case the garage face shall be located a minimum of four feet (4') behind the front facade of the house.
3. **Other** - See Section 33, Off-Street Parking and Loading Regulations

**D. Minimum Floor Area per Dwelling Unit** – One thousand five hundred (1,500) Two thousand (2,000) square feet of air-conditioned floor area.

**E. Minimum Exterior Construction Standards** – See Section 37.

**F. Required Architectural Features:**

1. Minimum roof pitch 6:12 or greater.
2. Minimum covered porch size shall be 33% of front façade width or a minimum width of twelve (12') feet with a minimum depth of eight (8') feet. No portion of the garage shall extend into the front yard beyond the porch support columns.
3. The same floor plan and elevation shall not be duplicated for five lots on the same side of the street or for three (3) lots on the opposite side of the street. (Mirror image floor plans are considered duplicates for the purpose of lot spacing)
4. Chimney must be enclosed in materials matching the surrounding or adjacent façade.
5. Roof design must include dormers or combination hip and gable.
6. Roof materials shall be architectural grade overlap asphalt shingles, slate, or tile.
7. All front exterior facades must contain at least one window per story.

**G. Required Streetscape Amenities:**

1. A minimum four (4') feet wide sidewalk shall be required to be located adjacent to the right-of-way (front property line) in a private utility/public access easement a minimum of ten (10') feet from the edge of pavement. The sidewalk may meander back and forth across the front property line provided that no portion of the sidewalk is located within seven (7') feet of the edge of pavement. Infill development shall place the required sidewalk in the right-of-way.
2. A minimum of one (1) street tree shall be planted for every fifty (50') feet of street frontage in accordance with Section 34.6.
3. A minimum of two (2) large shade trees shall be planted at the time of construction in the front yard (care should be exercised in the placement of large shade trees so as not to obscure the view of the front entryway of the house). Two small ornamental trees may be substituted for one large shade tree (see “Recommended Plant List” in Section 34).
4. Mailboxes shall be constructed of masonry materials which match the main residential structure and located at the edge of pavement in such a way so as not to obscure the vision of drivers exiting driveways into the street. Addresses shall be placed in a visible location on both the house and on the mailbox in accordance with the Building Code.
5. Decorative street lighting shall be provided along residential streets throughout all new residential developments, providing low illumination (“Dark Sky” compliant – see Section 40) with solar controls on decorative poles with a maximum spacing of four hundred (400') feet between lights placed on alternating sides of the street in accordance with the current Street Lighting Policy administered by the City Engineer. Light poles shall be located within the five (5') feet landscape zone only (see Section 34 for details).
6. Street layout and design for new subdivisions should include the following elements:
  - a. A minimum of twenty-five percent (25%) of the street lengths within the subdivision, excluding major thoroughfares and collectors, should be curvilinear in design. Computation of percentage shall utilize the centerline lengths of all residential streets in the subdivision.
  - b. Curvilinear design means an offset from the straight section centerline of the street of not less than three (3°) degrees and not greater than twenty three (23°) degrees and shall offset a minimum distance of thirty (30') feet measured perpendicular to the initial tangent line of the curve.

**H. Maximum Impervious Surface Coverage** – Sixty percent (60%).

## 18.5 SPECIAL REQUIREMENTS:

- A. Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- B. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of three (3) or more acres.
- C. Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, garden materials, etc., which may only be stored in the side or rear yards and which shall be screened from view of public streets and neighboring properties).
- D. Single-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the door face of the garage or carport to the side property line for maneuvering. The minimum setback from any garage door to a street or alley right-of-way line shall also be twenty-five feet (25').
- E. Carports or other detached accessory structures shall not project beyond the front façade of the house and shall be required to match the exterior materials and finish of the main structure if located in the side yard and is visible from the street.
- F. Swimming pools – See Section 42.
- G. A Site Plan shall be required for single-family (detached) or two-family residential developments in which the proposed subdivision will include 1) a private amenity or facility comprised of one (1) or more buildings (such as a private recreation/swimming facility, clubhouse, etc.), 2) a golf course, and/or 3) a gated (restricted access) entrance into the subdivision. In these instances, Site Plan submission and approval will be required for these elements (a Site Plan showing the entirety of the proposed subdivision is not required). Site Plan submission and approval shall be in accordance with Section 31.B.4, but shall not require a public hearing as required by Section 31.B.4.E.
- H. Any nonresidential land use which may be permitted in this district shall conform to the “NS”- Neighborhood Service district standards.
- I. **Other Regulations** - As established in the Development Standards, Sections 33 – 44.

## SECTION 19 SINGLE-FAMILY RESIDENTIAL-6 (SF-6) DISTRICT

### 19.1 GENERAL PURPOSE AND DESCRIPTION:

The Single-Family Residential-6 (SF-6) District is intended to provide for development of primarily detached, single-family residences on small, compact lots of not less than 6,000 square feet in size in logical neighborhood units. Areas zoned for the SF-6 District shall have, or shall make provision for, City of Terrell water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved streets with logical and efficient vehicular circulation patterns that discourage non-local traffic; they shall be properly buffered from non-residential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.

### 19.2 PERMITTED USES:

- A. Those uses listed for the SF-6 district in Section 32 - Use Charts as "P", "S" or "T" are authorized uses permitted by right, by specific use permit (which must be approved utilizing procedures set forth in Section 31B) or by temporary use permit (which must be approved utilizing procedures set forth in Section 38.10).

### 19.3 HEIGHT REGULATIONS:

- A. **Maximum Height:**
  1. Two and one-half (2.5) stories, and not to exceed thirty-six feet (36'), for the main building/house.
  2. One story with a maximum height of 14 ½ feet, measured at the highest point of the roof, for accessory buildings, including, but not limited to a detached garage, garden shed, gazebo, etc.
  3. Other requirements (see Section 38).

### 19.4 AREA REGULATIONS:

- A. **Size of Lots:**
  1. **Minimum Lot Area** - Six thousand (6,000) square feet
  2. **Minimum Lot Width** – Sixty-five feet (~~60'65'~~)
  3. **Minimum Lot Depth** - One hundred feet (100')
- B. **Size of Yards:**
  1. **Minimum Front Yard** – Twenty-five feet (25')
  2. **Minimum Side Yard** – Six feet (6') for interior side yard; ten feet (10') for a non-key corner lot on a street; twenty-five feet (25') for a key corner lot on a street.
  3. **Minimum Rear Yard** – Twenty five feet (25') for the main building and any accessory building(s); twenty-five feet (25') for rear entry garage. (See Section 35 for exceptions.)
- C. **Parking Regulations:**
  1. **New development** - A minimum of two (2) enclosed parking spaces located behind the front building line on the same lot as the main structure. A minimum twelve feet (12') wide paved driveway shall be installed from the street or alley right-of-way line to the garage door with a minimum length of twenty five feet (25') from any right-of-way, property line or alley on detached garages. No garage door shall face towards the front property line but shall be rear or side loaded only unless the lot configuration renders this infeasible in which case the garage face shall be located a minimum of two feet (2') behind the front facade of the house.
  2. **Infill redevelopment** - (platted prior to May, 2008) – A minimum of two (2) spaces one of which shall be enclosed or covered (carport) with a paved driveway having a minimum length of twenty feet (20') as measured from the street or alley right-of-way line to the

garage door or support posts. The garage or carport shall be located a minimum of two feet (2') behind the front facade of the house.

3. **Other** - See Section 33, Off-Street Parking and Loading Regulations

D. **Minimum Floor Area per Dwelling Unit** - ~~One thousand two hundred (1,200)~~ Two thousand (2,000) square feet of air-conditioned floor area.

E. **Minimum Exterior Construction Standards** – See Section 37.

F. **Required Architectural Features:**

1. Minimum roof pitch 6:12 or greater.
2. Minimum covered porch size shall be 33% of front façade width or a minimum width of twelve (12') feet with a minimum depth of eight (8') feet. No portion of the garage shall extend into the front yard beyond the porch support columns.
3. The same floor plan and elevation shall not be duplicated for five lots on the same side of the street or for three (3) lots on the opposite side of the street. (Mirror image floor plans are considered duplicates for the purpose of lot spacing)
4. Chimney must be enclosed in materials matching the surrounding or adjacent façade.
5. Roof design must include dormers or combination hip and gable.
6. Roof materials shall be architectural grade overlap asphalt shingles, slate, or tile.
  - a. All front exterior facades must contain at least one window per story.

G. **Required Streetscape Amenities:**

1. A minimum four (4') feet wide sidewalk shall be required to be located adjacent to the right-of-way (front property line) in a private utility/public access easement a minimum of ten (10') feet from the edge of pavement. (sidewalk may meander back and forth across the front property line provided that no portion of the sidewalk is located within seven (7') feet of the edge of pavement)
2. A minimum of one (1) street tree shall be planted for every fifty (50') feet of street frontage in accordance with Section 34.6.
3. A minimum of two (2) large shade trees shall be planted at the time of construction in the front yard (care should be exercised in the placement of large shade trees so as not to obscure the view of the front entryway of the house). Two small ornamental trees may be substituted for one large shade tree (see “Recommended Plant List” in Section 34).
4. Mailboxes shall be constructed of masonry materials which match the main residential structure and located at the edge of pavement in such a way so as not to obscure the vision of drivers exiting driveways into the street. Addresses shall be placed in a visible location on both the house and on the mailbox in accordance with the Building Code.
5. Decorative street lighting shall be provided along residential streets throughout all residential developments, providing low illumination (“Dark Sky” compliant – see Section 40) with solar controls on decorative poles with a maximum spacing of four hundred (400') feet between lights placed on alternating sides of the street in accordance with the current Street Lighting Policy administered by the City Engineer. Light poles shall be located within the five (5') feet landscape zone only (see Section 34 for details).
6. Street layout and design should include the following elements:
  - i. A minimum of twenty-five percent (25%) of the street lengths within the subdivision, excluding major thoroughfares and collectors, should be curvilinear in design. Computation of percentage shall utilize the centerline lengths of all residential streets in the subdivision.
  - ii. Curvilinear design means an offset from the straight section centerline of the street of not less than three (3°) degrees and not greater than twenty three (23°) degrees and shall offset a minimum distance of thirty (30') feet measured perpendicular to the initial tangent line of the curve.

H. **Maximum Impervious Surface Coverage** – Sixty percent (60%).

**19.5 SPECIAL REQUIREMENTS:**

- A. Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- B. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of three (3) or more acres.
- C. Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, garden materials, etc., which may only be stored in the side or rear yards and which shall be screened from view of public streets and neighboring properties).
- D. Single-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the door face of the garage or carport to the side property line for maneuvering. The minimum setback from any garage door to a street or alley right-of-way line shall also be twenty-five feet (25').
- E. Carports or other detached accessory structures shall not project beyond the front façade of the house and shall be required to match the exterior materials and finish of the main structure if located in the side yard and is visible from the street.
- F. Swimming pools Section 42.
- G. A Site Plan shall be required for single-family (detached) or two-family residential developments in which the proposed subdivision will include 1) a private amenity or facility comprised of one (1) or more buildings (such as a private recreation/swimming facility, clubhouse, etc.), 2) a golf course, and/or 3) a gated (restricted access) entrance into the subdivision. In these instances, Site Plan submission and approval will be required for these elements (a Site Plan showing the entirety of the proposed subdivision is not required). Site Plan submission and approval shall be in accordance with Section 31.B.4, but shall not require a public hearing as required by Section 31.B.4.E.
- H. Any nonresidential land use which may be permitted in this district shall conform to the “NS”- Neighborhood Service district standards.
- I. **Other Regulations** - As established in the Development Standards, Sections 33 – 44.

## SECTION 20

## TOWNHOUSE RESIDENTIAL (TH) DISTRICT – PATIO HOMES (Zero-Lot-Line), SINGLE-FAMILY ATTACHED (Townhomes), and TWO-FAMILY (Duplexes)

### 20.1 GENERAL PURPOSE AND DESCRIPTION:

The Townhouse Residential (TH) District is designed to provide for flexible development of primarily attached single-family residences or zero-lot-line homes in order to preserve **non-floodplain areas of** open space or natural areas on more compact lots (clustering) that produce environmentally and pedestrian friendly communities that are based on “Smart Growth” principles. Townhome developments shall be arranged in a clustered lot pattern with either a common usable open space system that is an integral part of the development or having large yards resembling single-family detached neighborhoods.

### 20.2 PERMITTED USES:

- A. 1. Those uses specified in Section 32 (Use Charts).
2. Single-family detached dwellings (must meet all **the lot** requirements of SF-6 zoning **and** **the building requirements of SF-7.5 zoning**).
3. Such uses as may be permitted under the provisions of Specific Use Permits, Section 31B.
4. Such uses as may be permitted under the provisions of Temporary Use Permits, Section 38.10.

### 20.3 HEIGHT REGULATIONS:

#### A. Maximum Height:

1. Two and one-half (2.5) stories, and not exceed thirty-six feet (36') for the main building/house.
2. One story with a maximum height of 14 ½ feet, measured at the highest point of the roof, for accessory buildings, including, but not limited to a detached garage, garden shed, gazebo, etc.
3. Other (see Section 35).

### 20.4 AREA REGULATIONS:

#### A. Size of Lots:

1. **Maximum Density** – eight (8) units per gross acre of land within **the non-floodplain area of the development**.
2. **Minimum Project Size (Floodplain excluded)** – Infill development **no minimum project size (see minimum lot size requirements below)** **four (4) acres**; new development **- five (5) four (4) acres**.
3. **Maximum Project Size** – **fifteen (15) eight (8) acres**.
4. **Minimum Lot Area** – 3,500 sq. ft. per dwelling unit  
6,000 sq. ft. if unit is on corner lot
5. **Minimum Lot Width** –Thirty-Five feet (35'); or sixty feet (60') if unit is on a corner lot
6. **Minimum Lot Depth** - One hundred feet (100')

#### B. Size of Yards:

1. **Minimum Front Yard** - Fifteen feet (15').
2. **Minimum Side Yard** – Patio Homes - One (1) side yard reduced to zero feet (0'); other side yard a minimum of ten feet (10') required with fifteen feet (15') required on corner lots adjacent to a street; and twenty feet (20') required on a corner lot adjacent to an arterial street; Townhomes and Duplexes – a side yard minimum of five (5') feet on exterior units to create a minimum separation of ten (10') feet between buildings, fifteen feet (15') on

corner lots adjacent to a street.

3. **Minimum Rear Yard** - Fifteen feet (15') for the main building; twenty-five feet (25') from a garage to an alley; ten feet (10') from a main building to an accessory building. Accessory buildings (other than garages) maybe placed three feet (3') from rear or side property line. (See Section 35 for additional accessory building requirements)
- C. **Maximum Lot Coverage:** Forty percent (40%) by main buildings; not to exceed sixty percent (60%) total impervious area including accessory buildings, driveways and parking areas.
- D. **Required Architectural Features:**
  1. Minimum roof pitch 6:12 or greater.
  2. ~~Buildings consisting of four (4) or fewer units (duplex, triplex, fourplex) shall have a minimum covered front porch size as follows:~~
    - a. ~~Units with paired entrances (common porch) — minimum porch width is fifteen (15') feet with a minimum depth of eight (8') feet.~~
    2. ~~Units with separated entrances Each front door entry to each individual household requires a porch with a minimum porch width is of twelve (12') feet with a minimum depth of eight (8') feet.~~
      - b. ~~Wrap around porches shall be a minimum of 96 sq. ft.~~
  3. Roof design must include dormers or combination of hip and gable.
  4. Buildings with five or more units shall have both vertical and horizontal articulation to reduce the apparent bulk and mass of the building with front facade projections or recesses and roof forms that visually break up the roof line.
  5. All front exterior facades must contain at least one window per story.



Desirable Front Facade and Roof Articulation



**Undesirable - Inadequate Front Facade and Roof Articulation**

**E. Minimum Exterior Construction Standards – See Section 37**

**F. Parking Regulations:**

1. **Each Dwelling Unit** - A minimum of two (2) parking spaces which must be enclosed and on the same lot as the main structure. All parking shall be accessed from the rear of the structure (rear loaded) unless physical lot constraints prevent rear loading-, in such case side load garages are acceptable.
2. ~~Homes within this district are allowed to have front loaded garages only if physical lot constraints prevent rear loading.~~ Side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty five feet (25') from the door face of the garage to the side property line for maneuvering. The minimum setback from any garage door to a property line, street or alley right-of-way line shall also be twenty five feet (25').
3. **Other** - (See Section 33, Off-Street Parking and Loading Requirements)

**G. Minimum Floor Area per Dwelling Unit – ~~Twelve hundred (1200)~~ Two thousand (2,000) square feet.**

**20.5 OPEN SPACE REQUIREMENTS:**

1. **Usable Open Space Requirements** - Except as provided below, any new townhouse subdivision shall provide useable open space (not flood plain) which equals or exceeds ten (10%) percent of the gross platted area, rights-of-way for collector and larger sized streets. Useable open space shall not be required for a development if it contains forty (40) or fewer lots or dwelling units, and if the property contiguous (i.e., abutting or separated only by a residential or collector size street) to the subdivision is either developed for use(s) other than patio homes or is restricted by zoning to not permit patio home development. Properties that are separated by thoroughfares larger than a collector street and/or by drainage/utility easements in excess of sixty feet (60') in width shall not be considered as contiguous. All developments with more than forty (40) dwelling units will provide useable open space at the rate of 500 square feet per unit with a minimum of 20,000 square feet.
2. **Specific Criteria for Usable Open Space** - Areas provided as usable open space shall meet the following criteria:
  1. All Townhome residential lots must be located within six hundred feet (600') of a usable open space area as measured along a street. The Planning and Zoning Commission may increase this distance to one thousand two hundred feet (1,200') if the shape of the subdivision is irregular or if existing trees/vegetation on the site can be preserved by increasing the distance.

2. Individual usable open space areas shall be at least twenty thousand (20,000) square feet in size. Useable open space must be a minimum of fifty feet (50') wide, and must have no slope greater than ten (10%) percent. At the time of site plan and/or subdivision plat approval, the Planning and Zoning Commission or City Council may give full or partial credit for open areas that exceed the 10% maximum slope if it is determined that such areas are environmentally or aesthetically significant and that their existence enhances the development and/or the surrounding area.
3. Pools, tennis courts, walkways, patios and similar outdoor amenities may be located within areas designated as useable open space. Areas occupied by enclosed buildings (except for gazebos and pavilions), driveways, parking lots, overhead electrical transmission lines, drainage channels and antennas may not be included in calculating useable open space.
4. Within useable open space areas, there shall be at least one (1) tree for every one thousand (1,000) square feet of space. New trees planted to meet this requirement shall be a minimum three-inch (3") caliper.
5. A useable open space area must have at least 250 feet of street frontage to ensure that the area is accessible to residents of the subdivision.
6. Useable open space areas must be easily viewed from adjacent streets and homes.

3. **Credit for Off-Site Open Space** - At the time of site plan and/or subdivision plat approval, the Planning and Zoning Commission or City Council may allow up to one-third (1/3) of the required open space to be credited for off-site dedicated open space (e.g., park land) that meets the development's needs in terms of adjacency, accessibility, usability, and design integration. The granting of any off-site credit for open space is a discretionary power of the Planning and Zoning Commission and/or City Council. The guidelines below may assist in considering if credit is appropriate:

1. **Adjacency** - Is at least fifteen (15%) percent of the townhouse district development's boundary adjacent to park land?
2. **Accessibility** - Are there defined pedestrian connections between the development and the park land?
3. **Usability** - Is the park land immediately adjacent to the development suitable for use by residents?
4. **Design Integration** - Does the design of the development provide a significant visual and pedestrian connection to the park land?

4. **Landscaped Areas** - Additional common open space and landscaped areas that do not qualify as usable open space may be provided, but shall not be counted toward the usable open space requirement.

## 20.6 SPECIAL REQUIREMENTS:

- A. On zero-lot-line Patio Homes a minimum six foot (6') wide maintenance easement shall be placed on the adjacent lot (i.e., the other side of the zero-lot-line) to enable the property owner to maintain that portion of his house which is on the zero-lot-line. Side yards and maintenance easements shall be shown on the subdivision plat. A minimum separation between patio homes of ten feet (10') shall be provided. Roof overhangs will be allowed to project into the maintenance easement a maximum of twenty-four (24") inches.
- B. **Maintenance Requirements for Common Areas** - A property owners association is required for continued maintenance of common land, open space and/or facilities.

- C. **Refuse Facilities** - Every single-family attached dwelling unit shall be located within two hundred feet (200') of a refuse facility, measured along the designated pedestrian and vehicular travel way. A refuse facility shall be a dumpster or other similar container designed for receiving garbage in bulk for more than one dwelling, and all refuse containers shall be maintained in accordance with local public health and sanitary regulations. Refuse containers shall be located no closer than thirty feet (30') to any adjacent single-family property, shall be located so as to provide safe and convenient pickup by refuse collection agencies, and shall be screened in accordance with Subsection 36.2(F) of this Ordinance.
- D. The elimination of a garage space by enclosing the garage with a stationary building wall shall be prohibited.
- E. A Site Plan shall be required for single-family (detached) or two-family residential developments in which the proposed subdivision will include 1) a private amenity or facility comprised of one (1) or more buildings (such as a private recreation/swimming facility, clubhouse, etc.), 2) a golf course, and/or 3) a gated (restricted access) entrance into the subdivision. In these instances, Site Plan submission and approval will be required for these elements (a Site Plan showing the entirety of the proposed subdivision is not required). Site Plan submission and approval shall be in accordance with Section 31.B.4, but shall not require a public hearing as required by Section 31.B.4.E.
- F. Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- G. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on three (3) or more acres.
- H. Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, gardening materials, etc., which may only be stored in the side or rear yards and which shall be screened from view of public streets and neighboring properties).
- I. Swimming pools shall be enclosed by a security fence not less than four feet (4') in height. All swimming pool security fences shall be constructed so as not to have openings, holes or gaps larger than two (2") inches in dimension, except for doors and gates. All doors and gates shall be equipped with self-closing, self-latching devices.
- J. Any nonresidential land use which may be permitted in this district shall conform to the "NS"- Neighborhood Service district standards.
- K. **Other Regulations** - As established in the Development Standards, Sections 33 through 44

## **SECTION 21            MULTI-FAMILY RESIDENTIAL (MF) DISTRICT (APARTMENTS)**

### **21.1 GENERAL PURPOSE AND DESCRIPTION:**

The Multi-Family Residential (MF) District is an attached mixed-use residential district intended to provide the highest residential density in close proximity to retail and employment centers. The principal permitted land uses shall include nonresidential uses on the street level with multiple-family dwellings above or live/work units on the street level with multi-family dwellings above. All Multi-family structures shall be located facing public street frontages with a minimum ten feet (10') wide landscape buffer and a maximum of two (2) rows of parking for the nonresidential uses located on the ground floor. Residential parking shall be located at the rear of the structures. This district shall be located adjacent to Neighborhood Services (NS), Retail (R), Central Business District (CBD), Highway Corridor (HC), Commercial (C), or Light Industrial (LI) Districts and serve as a buffer between non-residential development or heavy automobile traffic and medium- or low-density residential development as well as support for retail or employment centers. Live/work units are defined as ground floor units structurally designed to accommodate nonresidential uses with a home-based occupation, office or small scale low impact retail business (i.e. ADA accessibility built-in for example) which typically start out as residential dwelling units but can be also be used for permitted fulltime nonresidential uses. Lease contract shall not prohibit or eliminate allowed live-work or other nonresidential uses. Recreational, religious, health and educational uses normally located to service residential areas are also permitted in this district. Areas zoned for the MF District shall have, or shall make provision for, City of Terrell water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved drive aisles with logical and efficient vehicular circulation patterns.

### **21.2 PERMITTED USES:**

- A. Those uses listed for the MF district in Section 32 Use Charts as "P" or "T" are authorized uses permitted by right or by temporary use permit (which must be approved utilizing procedures set forth in Section 38.10). Permitted nonresidential uses in ground floor or street level units shall be based exclusively on the uses designated with a "P" in the Use Tables (Section 32.2) Charts 6, 7 and 8 under the Neighborhood Services (NS) District with the following exceptions which are not allowed: restaurants or food preparation of any kind. No Specific Use Permits (SUP) shall be allowed.
- B. Nonresidential business uses shall only be allowed to operate or be open for business between 8:00 a.m. to 8:00 p.m. daily.

### **21.3 HEIGHT REGULATIONS:**

#### **A. Maximum Height:**

1. Five (5) stories, and not to exceed seventy-five feet (75'), for the main building(s). Buildings exceeding three (3) stories in height shall observe a setback distance of seventy-five-feet from any single-family residential property line.
2. One story for other accessory buildings, including detached garages, carports, clubhouse, gazebo, mail kiosks, laundry rooms, etc.
3. Other requirements (see Section 38).

## 21.4 AREA REGULATIONS:

### A. Size of Lots:

1. **Minimum Lot Area** – The minimum lot (i.e., project) size shall be one (1) acre, maximum project size shall not exceed fifteen (15) acres (calculated on gross acreage).
2. **Minimum Lot Width** - One hundred feet (100')
3. **Minimum Lot Depth** - One hundred feet (100')

### B. Size of Yards:

1. **Front Yard** – Variable – minimum is based on ten feet (10') wide landscape buffer, one (1) row of parking with drive aisle, and ten feet (10') wide yard between parking and front façade of building. Maximum front yard is based on the same buffer requirements as above but with no more than two (2) rows of parking. Dimensions may vary slightly due to parking spaces being configured as parallel, angled or head-in. All areas adjacent to a street shall be deemed front yards. Street frontages that face a single-family residential or townhouse district may have residential units on the first floor in which case the front yard requirement shall be the same as the residential district (15–25 feet typically) in order to form a more compatible streetscape.
2. **Minimum Side and Rear Yard** - Fifteen feet (15'), unless adjacent to a single-family, duplex, patio home or single-family attached district then side and rear setbacks shall be according to the height of the multi-family building, as follows:
  - a. One-story building – twenty-five feet (25')
  - b. Two-story building – fifty feet (50')
  - c. Over two-story building – seventy-five feet (75')
3. **Building Separation:**
  - a. One-story buildings - Fifteen feet (15') for buildings without openings; twenty feet (20') for buildings with openings
  - b. Two-story buildings (or a two-story building adjacent to a one-story building) - Twenty feet (20') for buildings without openings; twenty-five feet (25') for buildings with openings
  - c. Over two-story buildings (or an over two-story building adjacent to a one- or two-story building) - Twenty-five feet (25') for buildings with or without openings
  - d. Between a main building and an accessory building – ten feet (10')

### C. Minimum Floor Area per Dwelling Unit:

1. Efficiency unit – Five hundred fifty (550) square feet per unit.
2. One-bedroom unit – Six hundred (600) square feet per unit.
3. Two- or more bedroom unit – Eight hundred (800) square feet for the first two (2) bedrooms, plus an additional two hundred (200) square feet for every bedroom over two (2) (e.g., three-bedroom unit must have 1,000 square feet, etc.).

### D. Maximum Impervious Surface Coverage – Seventy-five percent (75%) total impervious area including main buildings, accessory buildings, driveways and parking areas.

### E. Parking Regulations:

1. Two (2) spaces for each dwelling unit
2. One (1) space for each 300 square feet of nonresidential space on the ground floor.
3. The average number of parking spaces for the total development shall be no less than two (2) spaces per dwelling unit.
4. No parking space may be located closer than ten feet (10') from any building or closer than two feet (2') from any side or rear lot line.
5. All parking areas adjacent to public streets shall be screened by a minimum ten feet (10') wide landscape buffer. Screening may be in the form of live plant materials, berms, low masonry walls that match the exterior finish of main buildings, or any combination of the above. Sidewalks and signage may be located in the landscape buffer.

6. See Section 33, Off-Street Parking and Loading Requirements, for additional requirements.

F. **Sign Regulations:** One (1) single or multi-tenant monument business sign shall be permitted per three hundred feet (300') of street frontage with no more than twenty-five square feet per tenant or address. One (1) business sign may be wall mounted near the entrance not to exceed fifteen square feet in size. No business signs are permitted to be mounted above the first floor of any building.

1. All buildings containing residential units shall provide signage that clearly identifies the numbers (i.e., addresses) of the units within each building. Signage shall be visible from entrances into the complex and/or from vehicular drive aisles within the complex such that each individual unit is easy to locate by visitors, delivery persons, and/or emergency personnel.

G. **Minimum Exterior Construction Standards** – See Section 37.

21.5 **SPECIAL REQUIREMENTS:**

- A. **Landscape Area Requirements** – See Section 34 for landscaping requirements in addition to those listed above.
- B. **Refuse Facilities** - Every multi-family dwelling unit shall be located within two hundred feet (200') of a refuse facility, measured along the designated pedestrian travel way. A refuse facility shall be a dumpster or other similar container designed for receiving garbage in bulk for more than one dwelling, and all refuse containers shall be maintained in accordance with local public health and sanitary regulations. Refuse containers shall be located no closer than thirty feet (30') to any adjacent single-family property, shall be located so as to provide safe and convenient pickup by refuse collection agencies, and shall be screened in accordance with Subsection 36.2(F) of this Ordinance. (See Illustrations 36-1 and 36-2 for refuse container enclosure diagrams).
- C. **Screening Requirements** – See Section 36 for screening requirements.
- D. Single-family, duplex, patio home, or townhouse residential units constructed in this district shall conform to ~~SF-6 SF-7.5 or TH-12~~ district standards, respectively district standards.
- E. Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- F. Open storage is prohibited.
- G. All points on the exterior facades of all buildings shall be within the prescribed distance of a dedicated fire lane easement as measured by an unobstructed pathway, or route, for fire hoses, in accordance with the adopted International Fire Code, National Fire Protection Association Life Safety Code 101 (NFPA 101), or as determined by the Fire Marshal.
- H. A four-foot (4') wide paved walkway shall connect the front door of each ground floor unit to a parking area. The minimum width of any sidewalk adjacent to head-in parking spaces shall be six feet (6') to accommodate a two-foot (2') bumper overhang for vehicles.
- I. All front exterior facades must contain at least one window per story.
- J. Buildings shall not exceed two hundred feet (200') in length.

- K. Boats, campers, trailers and other recreational vehicles shall be prohibited unless oversize parking areas are provided. This parking area shall not be used to meet the minimum parking requirements and shall not be visible from a public street.
- L. All parking areas shall have appropriate lighting and shall be positioned such that no light adversely impacts adjacent residential areas.
- M. Permitted nonresidential uses in ground floor or street level units shall be based exclusively on the uses designated with a “P” in the Use Tables (Section 32.2) Charts 6, 7 and 8 under the Neighborhood Services (NS) District. No Specific Use Permits (SUP) shall be allowed.
- N. All buildings within a non-residential development shall be architecturally compatible with each other, in that they shall use similar exterior finish colors and materials to achieve an overall, visually compatible appearance when viewed from the road.
- O. Gated/secured entrances shall be in accordance with the design standards for gated/secured entrances on private streets (see the Subdivision Ordinance).
- P. Architectural requirements for apartments shall be required to follow Section 20 D of this ordinance.
- Q. **Other Regulations** - As established in the Development Standards, Sections 33 – 44.

## SECTION 22

## Texas Heritage (TX) DISTRICT

### 22.1 GENERAL PURPOSE AND DESCRIPTION

The Texas Heritage (TX) District is intended to provide for development of primarily high quality, but small scale home based agricultural and hobby ranch uses in combination with low density detached, single-family residences on lots of not less than three acres in size, in addition to churches, schools and public parks in logical neighborhood units. The TX District includes desirable agricultural and ranch elements, architectural, land design and streetscape design elements and amenities in order to maximize aesthetic appeal, access to open space and promote efficient vehicular and pedestrian traffic and utility delivery in areas designated by the Comprehensive Plan for agriculture or high quality, low density residential areas to preserve the rural character and economic stability of the community. Areas zoned for TX District shall have, or shall make provision for, City of Terrell water and sewer services. On-site sewer is an acceptable long-term solution when developed according to the standard herein. They shall be designed to adequately accommodate storm drainage; they shall have paved streets with logical and efficient vehicular circulation patterns that discourage non-local traffic; they shall be properly buffered from non-residential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.

### 22.2 PERMITTED USES:

- A. Those uses listed for the TX District in Section 32 - Use Charts as "P", "S" or "T" are authorized uses permitted by right, by specific use permit (which must be approved utilizing procedures set forth in Section 31B) or by temporary use permit (which must be approved utilizing procedures set forth in Section 38.10).

### 22.3 HEIGHT REGULATIONS:

#### A. Maximum Height:

1. Three stories, and not to exceed forty five feet (45'), for the main building/house.
2. Two and one-half (2.5) stories, and not to exceed thirty-six feet (36') for other accessory buildings, including detached garage, barn, garden shed, gazebo, etc.
3. Other requirements (see Section 38).

### 22.4 AREA REGULATIONS:

#### A. Size of Lots:

1. **Minimum Lot Area** – Three acres
2. **Minimum Lot Width** – Two hundred feet (200")
3. **Minimum Lot Depth** - Two hundred fifty feet (250')

#### B. Size of Yards:

1. **Minimum Front Yard** – Forty feet (40')
2. **Minimum Side Yard** – Twenty Five feet (25') for interior side yard; twenty five feet (25') for a non-key corner lot; forty feet (40') for a key corner lot on a street.
3. **Minimum Rear Yard** – Fifty feet (50') for the main building and any accessory building(s). (See Section 35 for exceptions.)

#### C. Parking Regulations:

1. **Single-Family Dwelling Unit** – A minimum of two (2) enclosed parking spaces located behind the front building line on the same lot as the main structure. A minimum twelve feet (12') wide paved driveway shall be installed from the street or alley right-of-way line to the garage door with a minimum length of twenty five feet (25') from any right-of-way,

property line or alley on detached garages. Any portion of the drive further than 50 ft. from the street may be rock or gravel with the exception that any portion of the driveway within 30 ft. of the primary residential garage entrance shall be paved.

2. No garage door shall face towards the front property line but shall be rear or side loaded only.
3. **Other** - See Section 33, Off-Street Parking and Loading Regulations.

D. **Minimum Floor Area per Dwelling Unit** – ~~Eighteen Hundred (1,800)~~ Two thousand (2,000) square feet of air-conditioned floor area.

E. **Minimum Exterior Construction Standards** – See Section 37.

F. **Required Architectural Features:**

1. Minimum roof pitch 8:12 or greater.
2. Minimum covered porch size shall be 33% of front façade width or a minimum width of twelve (12') feet whichever is greater with a minimum depth of eight (8') feet. No portion of the garage shall extend into the front yard beyond the porch support columns.
3. In new subdivisions the same floor plan and elevation shall not be duplicated for five lots on the same side of the street or for three (3) lots on the opposite side of the street. (Mirror image floor plans are considered duplicates for the purpose of lot spacing)
4. Roof design must include dormers or combination hip and gable.
5. Roof materials shall be architectural grade overlap asphalt shingles, slate, or tile.
6. All front exterior facades must contain at least one window per story.

G. **Required Streetscape Amenities:**

1. A minimum four (4') feet wide sidewalk shall be required to be located adjacent to the right-of-way (front property line) in a private utility/public access easement a minimum of ten (10') feet from the edge of pavement. The sidewalk may meander back and forth across the front property line provided that no portion of the sidewalk is located within seven (7') feet of the edge of pavement. Infill development shall place the required sidewalk in the right-of-way.
2. A minimum of one (1) street tree shall be planted for every fifty (50') feet of street frontage in accordance with Section 34.6.
3. A minimum of two (2) large shade trees shall be planted at the time of construction in the front yard (care should be exercised in the placement of large shade trees so as not to obscure the view of the front entryway of the house). Two small ornamental trees may be substituted for one large shade tree (see “Recommended Plant List” in Section 34).
4. Mailboxes shall be constructed of masonry materials which match the main residential structure and located at the edge of pavement in such a way so as not to obscure the vision of drivers exiting driveways into the street. Addresses shall be placed in a visible location on both the house and on the mailbox in accordance with the Building Code.
5. Decorative street lighting shall be provided along residential streets throughout all new residential developments, providing low illumination (“Dark Sky” compliant – see Section 40) with solar controls on decorative poles with a maximum spacing of four hundred (400') feet between lights placed on alternating sides of the street in accordance with the current Street Lighting Policy administered by the City Engineer. Light poles shall be located within the five (5') feet landscape zone only (see Section 34 for details).

H. Street layout and design for new subdivisions should include the following elements:

- a. A minimum of twenty-five percent (25%) of the street lengths within the subdivision, excluding major thoroughfares and collectors, should be curvilinear in design. Computation of percentage shall utilize the centerline lengths of all residential streets in the subdivision.
- b. Curvilinear design means an offset from the straight section centerline of the street of not less than three (3°) degrees and not greater than twenty three (23°) degrees and shall offset a minimum distance of thirty (30') feet measured perpendicular to the initial tangent line of the curve.

I. **Maximum Impervious Surface Coverage** – Twenty percent (20%) of the first three acres of the parcel. For acreage greater than the first three acres, no more than 5% of each additional full acre.

## 22.5 SPECIAL REQUIREMENTS:

- A. Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- B. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of three (3) or more acres.
- C. Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, garden materials, farm equipment, etc., which may only be stored in the side or rear yards and which shall be screened from view of public streets and neighboring properties).
- D. Single-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the door face of the garage or carport to the side property line for maneuvering. The minimum setback from any garage door to a street or alley right-of-way line shall also be twenty-five feet (25').
- E. Detached accessory structures shall not project beyond the front façade of the house and shall be required to match the exterior materials and finish of the main structure if located in the side yard and is visible from the street. A single livestock barn with a number of square feet not to exceed the air conditioned square feet of the primary residence may be constructed of non-masonry materials provided that no fewer than five trees no smaller than six feet in height from the Large Trees Portion of the Recommended Plant list are maintained around portions of the barn facing the front or side yard areas.
- F. Swimming pools - See Section 42.
- G. Non-chlorinated ponds must be aerated by a fountain or other aeration device to prevent insect vector breeding or other nuisances associated with stagnant water.
- H. A Site Plan shall be required for developments in which the proposed subdivision will include
  - 1) a private amenity or facility comprised of one (1) or more buildings (such as a private recreation/swimming facility, clubhouse, etc.), and/or 2) a community equine center. In these instances, Site Plan submission and approval will be required for these elements (a Site Plan showing the entirety of the proposed subdivision is not required). Site Plan submission and approval shall be in accordance with Section 31.B.4, but shall not require a public hearing as required by Section 31.B.4.E.
- I. Residential properties with paved circle drives accommodating no fewer than four guest or customer vehicles are authorized to engage in homebased retail sales of farm and ranch goods between 10 AM and 7 PM no more often than four days each week. Signage advertising such

homebased sales may not be lighted and may not exceed 2 ft. by 3 ft. and shall be at least 25 feet setback from any property line.

J. Special regulations regarding on-site sewer. Any element (tank, sprinkler, underground line) of an on-site sewer system shall be behind the front façade of the main residential structure and shall be setback from any property line or animal enclosure by 25 feet. Any sprinkler head connected to on-site sewer shall be setback from any property line or animal enclosure by 50 feet. Any home with on-site sewer shall be required to follow the monitoring and servicing requirements in effect for Kaufman County.

K. **Other Regulations** - As established in the Development Standards, Sections 33 – 44.

## **SECTION 30HEAVY COMMERCIAL (VC) DISTRICT**

### **30.1 GENERAL PURPOSE AND DESCRIPTION:**

Similar to LI, the Heavy Commercial Zone (VC) zone is for the conduct of light manufacturing, assembling and fabrication activities, and for warehousing, research and development, wholesaling and service operations that do not typically depend upon frequent customer or client visits. Such uses do require accessibility to major thoroughfares, major highways, and/or other means of transportation such as the railroad. As complimentary zone to Light Industrial, Heavy Commercial (VC) District is intended primarily to address the City's historical character with many commercial, retail, residential, office, and institutional uses directly adjacent to Light Industrial areas. VC is intended to provide a step down in noise level intensity from Light Industrial as well as providing for a step up in aesthetics by eliminating outside storage, and improving the City's difficulties with storm water management through a greater preservation of impermeable surface areas. As such, various VC dimension requirements vary from those found in LI while certain uses generating noise or heavy truck traffic levels in LI are not included in VC. This different balance as a zoning classification, less intense than Light Industrial but more industrial in nature than Commercial also makes it the appropriate classification for the certain retail businesses, institutions and services that require off-set from residential uses to prevent negative impacts on neighborhoods. VC is intended as an option for development or redevelopment consistent with areas in the Comprehensive Plan identified as IBP: Industrial Business Park.

### **30.2 PERMITTED USES:**

A. Those uses listed for the VC district in Section 32 - Use Charts as "P", "S" or "T" are authorized uses permitted by right, by specific use permit (which must be approved utilizing procedures set forth in Section 31B) or by temporary use permit (which must be approved utilizing procedures set forth in Section 38.10).

### **30.3 HEIGHT REGULATIONS:**

#### **A. Maximum Height:**

1. Thirty five feet (35') for the main building(s), fifteen feet (15') for accessory buildings which may not exceed one story. Note: height may be restricted if residential adjacency setback criteria listed below cannot be met.
2. Other (Section 38).

### **30.4 AREA REGULATIONS:**

#### **A. Size of Lot:**

1. **Minimum Lot Area** - Forty thousand (40,000) square feet
2. **Minimum Lot Width** – Two hundred feet (200')
3. **Minimum Lot Depth** – Two hundred feet (200')

#### **B. Size of Yards:**

1. **Minimum Front Yard** – Fifty (50'). All yards adjacent to a street shall be considered a front yard (see Section 38 for additional setback requirements)
2. **Minimum Side and Rear Yard** – Fifty feet (50') unless adjacent to a residentially zoned property (see below)
3. **Minimum Side or Rear Yard Adjacent to a Residential District** – Fifty feet (50') for one-story building, and an additional fifteen feet (15') for every story (or fraction thereof) above one-story in height.

- C. **Maximum Lot Coverage** – Fifty percent (50%) including main and accessory buildings; maximum seventy percent (70%) impervious coverage (including all buildings, parking areas, sidewalks, etc.)
- D. **Maximum Floor-Area-Ratio (FAR)** – Two to one (2:1).
- E. **Parking Requirements** - As established by Section 33, Off-Street Parking and Loading Requirements.
- F. **Minimum Exterior Construction Standards** – See Section 37.

#### 30.5 SPECIAL REQUIREMENTS:

- A. **Driveway Spacing** (i.e., distance between driveways, measured edge-to-edge):
  - 1. Arterial street – One driveway per two hundred (200) linear feet of frontage
  - 2. Collector street – One driveway per one hundred (100) linear feet of frontage
  - 3. Local street – One driveway per fifty (50) linear feet of frontage
- B. **Landscaping Requirements** – See Section 34.
- C. **Screening Requirements** – See Section 36.
- D. No outside storage is allowed.
- E. Recreational vehicles, travel trailers, motor homes or temporary buildings may not be used for on-site dwelling or permanent nonresidential purposes.
- F. **Other Regulations** - As established in the Development Standards, Sections 33 through 44.

## **SECTION 30A      Research and Technology Park (RT) DISTRICT**

### **30A.1 GENERAL PURPOSE AND DESCRIPTION**

The research & technology park (RT) district is intended to create a low-density employment center that provides locations for office, development, research and related laboratory facilities, higher quality and low impact manufacturing uses, and limited assembly and fabrication operations. Research & technology park districts should accommodate several users and/or uses in an organized campus environment.

#### **A. RELATIONSHIP TO COMPREHENSIVE PLAN AND PARK MASTER PLAN**

An economic development priority is "... diversifying the economic base of the city, increasing the quality of jobs, and enhancing Terrell as a destination for businesses, retail, entertainment, and living. The Terrell Comprehensive Plan also instructs the city to "support high quality investment in targeted industries," "facilitate new medical, technology, and higher education development in Terrell," "increase employment opportunities in professional, scientific, technical services, and energy technologies" as well as research and development facilities, and encourage other business and industry sectors. The Parks, Recreational, and Open Space Master Plan establishes a goal of system connectivity by creating a connected parks system via a comprehensive trail, bikeway, and sidewalk network. The plan also calls for leveraging existing and future park system amenities to attract residents, business, and visitors.

### **30A.2 PERMITTED USES**

A. Those uses listed for the RT district in section 32, use charts as "P", "S" or "T" are authorized uses permitted by right, by specific use permit (which must be approved utilizing procedures set forth in section 31B) or by temporary use permit (which must be approved utilizing procedures set forth in section 38.10).

Accessory building or use (non-residential)	
Ambulance service	
Aircraft parts & auxiliary parts manufacturing, excluding manufacture or assembly of fuselage sections	
Antenna and support structure	SUP
Artist, photography studio	
Artisan's workshop	
Athletic field, public	
Automatic teller machine (ATM)	
Automobile dealership	SUP
Bakery, doughnut, coffee shop, walk-in retail only	
Bank, savings & loan, credit union, other depository	
Bindery	
Biotechnology research and application	
Microbrewery*	
Brewpub**	
Business service	
Bus stop	
Caterer	
Cemetery, mausoleum	SUP
Clothing manufacturing	

College or university	SUP
Computer & peripheral equipment manufacturing	
Concrete batching plant	T
Conference or convention center	
Construction office	T
Copy or printing shop	
Dance, drama, music schools	
Data center	
Daycare center, accessory	SUP
Design transfer manufacturing & wholesale shops	
Dinner/live drama theater	
Distribution center	
Distillery, fewer than 6,000 gallons per year	
Driving range	
Dry goods	
Electric generating plant or substation	SUP
Electric transmission lines	
Electronic sales/service	
Equipment repair shop, indoor	
Exterminating service	
Fair, rodeo	T
Farmers market	SUP
Feed store, no outside sales or storage	
Fire station	
Food processing, indoor	
Funeral home, mortuary	
Furniture upholstering, repair	
Gasoline sales, self-service	SUP
Gasoline sales, full service	SUP
Gas transmission line	SUP
Golf course, nine-hole	SUP
Grocery store	
Gun club, skeet or target range	SUP
Gun range, indoor	
Gym or fitness center	
Gymnastics studio	
Health, fitness center	
Heliport or helipad	SUP
HVAC equipment manufacturing	
Hospital, acute care	
Hospital chronic care	
Hotel, motel, or inn	SUP
Jewelry manufacturing or assembly	
Kennels, indoor	
Laboratory, scientific research	
Library	
Light assembly and manufacturing, indoors	
Locksmith/security company	
Mailing service	
Manufacturing, light intensity	

Martial arts school/dance studio	
Medical appliance manufacturing or assembly	
Medical clinic, emergency	SUP
Medical laboratory	
Medical office	
Medical technology research and application	
Mental health research, assessment, treatment, and recovery	
Mobile food vendor park	SUP
Newspaper printing	
Nursery, plant	
Office, general business or professional	
Office, governmental	
Outside storage, more than 24 hours	SUP
Park, playground, community center	
Parking garage	
Personal services shop (tailor, shoe repair, et al)	
Pharmaceutical development and medicine manufacturing	
Pharmacy	
Philanthropic, non-profit	
Physical health research, treatment, surgery, & rehab.	
Police station	
Post office	
Printing/duplication or mailing center	
Private utility	SUP
Professional, scientific, technical services, and emerging technologies	
Public health center	
Radio or television studio, without tower	
Radio or television studio, with tower	SUP
Recreation facility, public	
Recreation facility, private	SUP
Religious use	
Research & development center	
Restaurant or cafeteria	
Retail, convenience store	
Retail, incidental	
School, career/vocational	
School private	SUP
School, public	SUP
Scientific research and development center or laboratory	
Service yard	SUP
Sewage treatment	SUP
Signage shop, indoors	
Small engine repair, indoor	
Stable, as a business	SUP
Stone/clay/glass manufactory	SUP
Storage, mini, indoor	
Swimming pool, public	

Telephone exchange, no office or storage	
Tinsmith, sheet metal shop	SUP
Trail, walking/running/biking	
Transit center, station	
Utility distribution, utility line	
Vehicle leasing	
Veterinarian, without outdoor kennel	
Warehouse	
Wastewater pumping station, public	
Wastewater requiring pretreatment, and/or permit from TCEQ, USACE	SUP
Water supply storage, ground or elevated, public	
Water treatment	
Wedding chapel, special events venue	
Wind turbines, electrical generation	SUP
Winery, up to 5,000 cases per year	
Wholesale center	

### 30A.3 HEIGHT REGULATIONS

#### A. Maximum Height:

1. Four stories, up to fifty feet for the main building(s) by right; twenty-four stories, up to 258 feet, with an SUP. One-story accessory buildings may be no higher than twenty-eight feet, interior clear height. Height may be further restricted if adjacency setback criteria listed below cannot be met.
2. Other (section 38, Supplemental regulations shall apply).

### 30A.4 AREA REGULATIONS

#### A. Size of Lots:

1. **Minimum Lot Area** - 6,000 square feet.
2. **Minimum Lot Width** - Sixty feet.
3. **Minimum Lot Depth** - One hundred feet.

#### B. Size of Yards:

1. **Minimum Front Yard** - Thirty feet (30'). All yards adjacent to a street shall be considered a front yard (see section 38 for additional setback requirements).
2. **Minimum Rear Yard**: Twenty feet (20') unless adjacent to a residentially zoned property (see below).
3. **Minimum Side Yard**: 20% of lot width.
4. **Minimum Setback**: three times the height up to eight stories, or 120 feet (120').
5. **Minimum Side or Rear Yard Adjacent to a Residential District**: Twenty-eight feet (28') for one-story buildings, and an additional twelve feet for every story (or fraction thereof) above one-story in height.

#### C. Maximum Lot Coverage:

Sixty percent including main and accessory buildings; maximum eighty percent including all impervious coverage (including all buildings, parking areas, sidewalks, and all other structures)

#### D. Maximum Floor-Area-Ratio (FAR):

2:1.

#### E. Parking Requirements:

As established by section 33, off-street parking, sidewalks, and loading requirements.

#### F. Minimum Exterior Construction and Design Requirements:

See section 37.

G. **Minimum District Size:** Twenty-five contiguous acres; however a TR planned development district may be allowed, following the required public hearing process, for five or more contiguous acres.

### 30A.5 SCREENING REQUIREMENTS.

#### A. Screening walls for loading areas

1. No loading spaces or areas shall be located within 100 feet of the boundary line of a residential district. Service/loading areas shall be screened from view at a height of eight feet at the residential zoning district line. This eight-foot wall must screen the entire loading dock or space from view from the residential zoning district. Screening materials shall utilize masonry materials similar to that of the building's façades, consistent with section 36. Service/loading areas shall be located at the side or rear of buildings. In lieu of a masonry wall, the planning & zoning commission may require a combination of wing walls extended from a building, screening walls, landscape berms, and/or plant materials to obscure the view of loading and trash collection areas.
2. The above screening elements shall be designed and located in conformance with applicable yard and setback requirements.
3. Screening must extend the entire length of the loading area.
  - a. Screening elements shall be a minimum of eight feet in height at installation. Berms may not exceed a 3:1 slope.
  - b. Retaining walls may be used on the interior side of the berm but shall not face adjacent streets or properties.
  - c. The height shall be measured from the top of the curb of adjacent streets or from the average grade of property lines with adjacent tracts of land.
  - d. The minimum height at installation may be increased to as high as twelve feet, depending on the average grade of the adjacent streets and properties.
4. See section 33 for all other requirements.

#### B. Screening wall materials

1. Any screening wall required by this section shall be constructed of the following materials:
  - a. Brick, stone, or split-face concrete masonry unit; or
  - b. Pre-cast concrete wall or poured-in-place concrete wall with a similar appearance as brick, stone, or split-face concrete masonry unit.
2. All construction materials shall be earth-tone masonry colors including white.
  - a. Where a masonry screening wall is constructed of split-face concrete masonry units or pre-cast concrete or poured-in-place concrete with a similar appearance as brick, the decorative or split-face side of the wall shall face the adjacent residential properties or street.
  - b. An unfinished Haydite block wall or a wall with non-earth-tone colors shall be prohibited.
  - c. Smooth-faced concrete masonry units shall not be permitted as a construction material for a screening fence.

#### C. Screening wall design

1. If masonry is used on the main building, then all masonry walls shall be constructed with the same masonry materials as the main building.
2. The screening wall shall be designed and constructed to prevent any drainage or erosion problems, as approved by the Terrell City Engineer.
3. A minimum five-foot wide screening fence maintenance easement shall be provided on all lots abutting the required screening along the full length of the required screening fence, unless separated by an alley.

4. Proposed screening elements shall be identified on a preliminary site plan. A detailed plan showing the angles of view and the specific placement of screening elements shall be submitted with the final comprehensive site plan.

**D. Mechanical equipment screening requirements**

1. General
  - a. All mechanical equipment, whether ground-mounted, roof-mounted, or otherwise attached to the building shall be screened from view.
  - b. Mechanical equipment areas shall be constructed, located, and screened to prevent interference with the peace, comfort, and repose of the occupants of any adjoining building or residence.
  - c. The location, construction, and screening of all mechanical equipment shall be shown on the approved site plan or design drawings.
2. Ground-mounted mechanical equipment, with the exception of an electricity delivery provider's distribution equipment (see section 36), shall be placed behind a screening wall or living screen (e.g., landscaping materials) equal to or greater than one foot above the height of the unit.
3. Roof-mounted mechanical Equipment
  - a. Roof-mounted mechanical equipment shall be screened from view with a parapet wall, mansard roof, or alternative architectural element.
  - b. The height of the screening element shall be equal to or greater than the height of the mechanical unit(s) provided that the element shall not extend more than six feet above the roof.
  - c. When the height of a mechanical unit exceeds the maximum permitted height of the screening feature, an additional roof setback for the unit shall be required at a ratio of two horizontal feet for each additional one foot of vertical height above the maximum six feet.
  - d. Screening for mechanical equipment shall apply to new building construction only.

**E. Other screening requirements:** section 36.

**30A.6 SPECIAL RESEARCH TECHNOLOGY PARK DISTRICT REQUIREMENTS.**

- A. Driveway spacing (i.e., distance between driveways, measured edge-to-edge):
  1. Arterial Street: One driveway per 200 linear feet of frontage.
  2. Collector Street: One driveway per 100 linear feet of frontage.
  3. Local Street: One driveway per 50 linear feet of frontage.
- B. *Landscaping requirements:* See section 34.
- C. Temporary open storage is limited to a maximum of ten percent of the total lot area, and shall not be located in front of (i.e., on the street side of) or on top of the building, and must be screened in accordance with the provisions of section 36 (i.e., cannot be visible from any public street or adjacent property). Temporary shall be defined as fifteen days; up to fifteen additional days, in five-day increments, may be granted administratively by the director of municipal development.
- D. Loading areas in RT districts are intended to provide for short-term pick-up and delivery only. Onsite storage of delivery vehicles, including trailers and shipping containers, is prohibited. No delivery vehicles shall be parked outside of the designated loading areas. Adequate space shall be provided to minimize vehicle idling.
- E. Recreational vehicles, travel trailers, motor homes or temporary buildings may not be used for on-site dwelling or permanent nonresidential purposes.
- F. Operations shall be fully enclosed with only temporary outside storage of goods or materials. Outside storage for more than twenty-four hours requires an SUP, and requirements; sections 36.2.D and 38.7 shall also apply.

- G. No noise, vibration, odor, smoke, and dust shall negatively impact adjacent properties, and all other requirements of section 39, Performance Standards, shall apply.
- H. Retail and service uses may not occupy more than 10% of the gross floor area of a building unless the building and the designated location and amount of such uses are part of an approved site plan for more than one building, and the amount of space for these uses does not exceed 10% of the combined floor area of all constructed buildings. The space for these uses may be redistributed within and among the buildings with the approval of a revised site plan. If a site plan includes multiple lots, all property owners must authorize the application. These uses may not be distributed among noncontiguous parcels of land. A freestanding (sole use and occupant) restaurant/cafeteria is permitted in an RT district as part of the 10% allowance described above if it has a minimum of 5,000 square feet of gross floor area and no drive-in window. For the purpose of interpreting this provision, "Gross Floor Area" means the total floor area of a building from the exterior face of a building or from the centerline of a wall separating two buildings, but shall exclude any space where the floor-to-ceiling height is less than six feet and all patios, balconies, and parking facilities.
- I. In order to accommodate future changes in use, approved site plans shall include adequate land area to increase parking to the minimum requirements for office development for 75% of the gross floor area of any building.
- J. Other regulations. As established in the development standards, sections 33 through 44.
- K. A site plan shall be required in conjunction with any application for RT zoning. Refer to subsection 31B.4.D for *procedures and submission* requirements for site plan approval.
- L. Where conflicts exist between zoning requirements in the application of zoning regulations, the more restrictive of the requirements shall apply.

#### **30A.7 ADDITIONAL RESEARCH & TECHNOLOGY PARK (RT) DISTRICT REQUIREMENTS.**

The RT district is a district by right and not a planned development overlay district; however, the following subsections within section 31A shall apply to the RT district. Specifically, a comprehensive site plan shall be submitted to city staff, which shall have authority for final review and approval, without the public hearing process as described in section 10. Detailed site plan requirements are stated in relevant sections of section 31B.

\*Microbrewery. A facility for the production and packaging of malt beverages of low alcohol content for distribution, retail, wholesale, on or off premises, with a capacity of not more than 15,000 barrels per year. The development may include other uses such as a standard restaurant, bar, and or live entertainment as otherwise permitted.

\*\*Brewpub. A restaurant that manufactures up to 5,000 barrels of fermented malt beverages per year on premises for either consumption on premises, or in hand-capped containers in quantities up to one-half barrel or 15.5 gallons sold directly to the consumer. Wholesaling shall be permitted only where authorized.

# 1A

## Residential Zoning Districts

### Legend

**P** – The land use is permitted by right in the zoning district indicated.

– The land use is prohibited in the zoning district indicated.

S – The land use may be approved as a specific use permit (SUP) in the zoning district indicated.

R – Use is restricted and is prohibited

E = Existing Residential Structure.

# 1A

## Residential Zoning Districts

### Legend

P – The land use is permitted by right in the zoning district indicated.

– The land use is prohibited in the zoning district indicated.

S – The land use may be approved as a specific use permit (SUP) in the zoning district indicated.

R – Use is restricted and is prohibited within 700 ft. of a major highway ROW in the HC District.

T – Temporary Use Permit required.

E – Existing Residential Structure.

ACCESSORY and TEMPORARY USES	Residential Zoning Districts										
	AG	EE-32	EE-64	SF-16	SF-10	SF-7.5	SF-6	TX	TH-12	MF	MH
Accessory Building/Structure (Residential)	P	P	P	P	P	P	P	P	P	P	P
Accessory Building/Structure (Non-residential)											
Accessory Dwelling (Garage Apartment)	P	P	P	S				P			
Batch Plant – Asphalt/Concrete – Temporary (only with permit)	T							T			
Caretaker's/Guard's Residence	P			S				P		P	P
Contractor's Temporary On-Site Construction Office (only with permit)	T			T	T	T	T	T	T	T	
Home Occupation	P	P	P	P	P	P	P	P	P	P	P
Itinerant Vendor/Vending (only w/ permit)	T							T			
Market (Public, Flea, Produce, etc.) – temp	T							T			
On-street Parking (subject to no parking Ordinances and/or street design standards)				P	P	P	P		P	P	
Private Party (Wedding) Rental Facility	S							T			
Recycling/Donation Bins or Receptacles											
Special Events, Carnivals or Festivals	T										
Temporary Classroom Structures (Churches and Schools)	T	T	T	T	T	T	T	T			
Temporary Outside Retail Display/Sales (No Overnight Display)											
INSTITUTIONAL USES											
Animal Cemetery	S										
Art Gallery or Museum											
Assisted Living Facility (7 or more Elderly/Senior or Disabled Persons)									S	P	S
Cemetery and/or Mausoleum	S										
Church/Temple/Place of Worship	P	P	P	P	P	P	P	P	P	P	P
Civic/Fraterna Organization											
Clinic ( Minor Emergency)											
College or University	S							S			
Community Home (6 or Less Elderly/Senior or Disabled Persons Licensed by the State)	P	P	P	P	P	P	P	P	P	P	P
Day Care Center (Child Care for 7 or More Unrelated Children)									P		

# 1A

## Residential Zoning Districts

### Legend

**P** – The land use is permitted by right in the zoning district indicated.

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S – The land use may be approved as a specific use permit (SUP) in the zoning district indicated.

R – Use is restricted and is prohibited

## F Existing Residential Structure

1A

Legend

**P** – The land use is permitted by right in the zoning district indicated.

– The land use is prohibited in the zoning district indicated.

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**R** – Use is restricted and is prohibited within 700 ft. of a major highway ROW in the HC District.

**T** – Temporary Use Permit required.

#### **E – Existing Residential Structure.**

## AMUSEMENT AND RECREATIONAL USES

## Residential Zoning Districts

1A

### Legend

**P** – The land use is permitted by right in the zoning district indicated.

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R – Use is restricted and is prohibited within 700 ft. of a major highway ROW in the HC District.

T – Temporary Use Permit required.

## PERSONAL AND SERVICE USES

## Residential Zoning Districts

1A

### Legend

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T – Temporary Use Permit required.

#### **E – Existing Residential Structure.**

## Residential Zoning Districts

## RETAIL USES

AG

E-32

SF-16

E-10

F-1.5

2

H-12

三

MH

Antique/Consignment Shop (No Outside Storage)					
Antique/Consignment Shop (With Outside Storage)					
Appliance (Major) Sales, Rental, Repair (With Outside Storage)					
Appliance (Minor) Sales, Rental, Repair (No Outside Storage)					
Bakery or Confectionery Shop (Retail)					
Convenience Store (with Gasoline Sales)					
Convenience Store (without Gasoline Sales)					
Garden Center/Nursery With No Outside Storage)					
Gravestone/Tombstone Sales					
General Merchandise (Dry Goods) – Stores Less Than 12,000 Sq. Ft.					
General Merchandise (Dry Goods) – Stores 12,000 Sq. Ft. or Larger					
Grocery/Food Store – Less Than 12,000 Sq. Ft.					
Grocery/Food Store – 12,000 Sq. Ft. or Larger					
Light Equipment Sales or Service (No Outside Storage)					
Light Equipment Sales or Service (With Outside Storage)					
Liquor Package Stores					
Market (Public, Flea, Produce, etc.) permanent					
Pawn Shop					
Pet Shop / Supplies / Grooming					
Pharmacy					
Restaurant (Without Drive-Thru Service)					
Restaurant (With Drive-Thru or Drive-In Service)					
Thrift Store (No Outside Storage or Display)					
Smoke Shop (E-cigarettes, smoking accessories, or paraphernalia)					
Alcoholic Beverage Retail Sales (See Chapter 5, Section 5.2 of the Code of Ordinances, as amended)					

# 1A

## Residential Zoning Districts

### Legend

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#### **E – Existing Residential Structure.**

## Residential Zoning Districts

## AUTOMOTIVE USES

AG EEE-32 EEE-64 SF-16 SF-10 SF-7.5 SF-6 TX TH-12 MF MH

Auto Auction/Storage					
Auto Dealership (Used Auto Sales as Accessory Use Only)					
Auto Dealership (Used Auto Sales)					
Auto Muffler Shop (With Outside Storage)					
Auto Paint and Body Shop (With Outside Storage)					
Auto Parts and Accessories Sales (Indoors Only – No Repair Bays)					
Auto Rental or Leasing					
Auto Repair (Major)					
Auto Repair (Minor)					
Auto Retail Sales/Repair (With Service Bays – No Outside Storage)					
Auto Wrecker Service (Limited to Ten Vehicles Stored Onsite)					
Auto Wrecking/Salvage Yard					
Boat (Marine) Dealership					
Car Wash (Self Service; Automated)					
Car Wash (Full Service; Detail Shop)					
Gasoline Service Station					
Motorcycle/All Terrain Dealership					
Public Garage / Parking Structure					
Quick Lube/Oil Change/Minor Inspection					
Recreational Vehicle Dealership (RV's, Campers, Travel Trailers, etc.)					
<b>TRANSPORTATION USES</b>					
Airport, Heliport or Landing Field					
Helistop or Helicopter Landing Pad					
Bus Station or Terminal					
Limousine / Taxi Service					
Motor Freight (Trucking) Company					
Moving and Storage Company (With Outside Storage)					
Railroad Yard					
Truck Sales, Service, Leasing or Rental					
Truck Stop and Fueling Station					

1A

# Residential Zoning Districts

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#### **E – Existing Residential Structure.**

## GOVERNMENTAL AND UTILITY USES

## Residential Zoning Districts

# 1A

## Residential Zoning Districts

### Legend

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T – Temporary Use Permit required.

#### **E – Existing Residential Structure.**

## **LIGHT INDUSTRIAL AND MANUFACTURING USES**

## Residential Zoning Districts

4

E-32

E-64

F-16

1

1

31

12

11

114

# 1B

## Non-Residential Zoning Districts

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E – Existing Residential Structure.

AGRICULTURAL USES	Non-Residential Zoning Districts										RT
	O	NS	R	CBD	HC	C	LI	DD	VC		
Bulk Grain and/or Feed Storage							P		P		
Farms, General (Crops)							P		P		
Farms, General (Livestock/Ranch)							P		P		
Greenhouse (Non-Retail/Hobby)							P		P		
Hay, Grain, and/or Feed Sales (Wholesale)							P		P		
Feed, Grain or Farm Supply Retail Store			P			P	P		P		
Kennels (Indoors)			S			P	P				
Kennels (Outdoors)						P	P				
Livestock Sales (wholesale)							S				
Orchard/Crop Propagation							P		P		
Plant Nursery (growing for commercial purposes but no retail sales on site)							P		P		
Stables (As A Business)							S		P		
Stables (Private, Accessory Use)							S		P		
Stables (Private, Principal Use)							S		P		
Veterinarian (Indoor Kennels)			P			P	P		P		
Veterinarian (Outdoor Kennels)						S	P				
RESIDENTIAL USES											
Bed and Breakfast Inn				S					S		
Four-Family Dwelling (Quadruplex)											
Independent Living Facility For Elderly/Seniors					R						
Live/Work Dwelling Units ( <b>First Floor Retail Required</b> )			S	P	S			P			
Manufactured Home (HUD CODE)											
Mobile Home (built prior to June 15, 1976)											
Multi-Family Residential											
Rooming/Boarding House											
Single-Family Detached Dwelling									E		
Single-Family Attached Dwelling (Townhouse)									E		
Three-Family Dwelling (Triplex)											
Two-Family Dwelling (Duplex)									E		
Zero Lot Line Single-Family Dwelling (Patio Home)									E		
Loft				P					P		

See Section 30.A For Permitted Uses

# 1B

## Non-Residential Zoning Districts

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E – Existing Residential Structure.

ACCESSORY and TEMPORARY USES	Non-Residential Zoning Districts										RT
	O	NS	R	CBD	HC	C	LI	DD	VC		
Accessory Building/Structure (Residential)											
Accessory Building/Structure (Non-residential)	P	P	P	S	P	P	P	S	P		
Accessory Dwelling (Garage Apartment)											
Batch Plant – Asphalt/Concrete – Temporary (only with permit)			T		T	T	T		T		
Caretaker's/Guard's Residence					P	P	P				
Contractor's Temporary On-Site Construction Office (only with permit)	T	T	T	T	T	T	T	T	T		
Home Occupation					P			P			
Itinerant Vendor/Vending (only w/ permit)							T				
Market (Public, Flea, Produce, etc.) – temp				T			T	T			
On-street Parking (subject to no parking Ordinances and/or street design standards)				P	P				S		
Overnight Shelter Day and Night Use											
Private Party (Wedding) Rental Facility				P		T	T	P	T		
Recycling/Donation Bins or Receptacles						S					
Special Events, Carnivals or Festivals		T	T	T	T	T	T	T	T		
Temporary Classroom Structures (Churches and Schools)	T	T	T		T	T	T				
Temporary Outside Retail Display/Sales (No Overnight Display)		P	P	P	P	P	P	P			

See Section 30.A For Permitted Uses

# 1B

## Non-Residential Zoning Districts

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INSTITUTIONAL USES	Non-Residential Zoning Districts										RT
	O	NS	R	CBD	HC	C	LI	DD	VC		
Animal Cemetery						S	S				
Art Gallery or Museum	P	P	P	P	P	P	P	P	P		
Assisted Living Facility (7 or more Elderly/Senior or Disabled Persons)	S	S	S								
Cemetery and/or Mausoleum			S			S	S				
Church/Temple/Place of Worship	P	P	P	P	P	P	P	P	P		
Civic/Fraterna Organization	P	P	P	P	R	P	P	P			
Clinic ( Minor Emergency)	P	P	P	P	P	P	P	P			
College or University			P	P	P	P	P	P			
Community Home (6 or Less Elderly/Senior or Disabled Persons Licensed by the State)											
Day Care Center (Child Care for 7 or More Unrelated Children)	S	P	P	S	S	P	S	S	S		
Family Home (Child Care for 6 or Less Unrelated Children)											
Hospital (Acute care / Chronic Care)	S	S	P		P	P	P		P		
Humane Society/Animal Pound							S				
Library (Public)	P	P	P	P	P	P	P	P	P		
Philanthropic, Charitable or Nonprofit Organization	P	P	P	P	P	P	P	P			
Psychiatric, Alcoholic or Narcotic Treatment/Care Facility				S		S	S	S			
Nursing/Convalescent Home or Hospice	S	S	S		R	P	S				
Orphanage						S					
Public Health Center	S	S	P			P	P				
Rectory/Parsonage	P	P	P		P	P	P				
Rehabilitation Care Facility (Halfway House)						S	S				
Retirement Home/Home for the Aged	S	S	S		S	P					
School, K through 12 (Private)	P	S	S	S	R	S	S	S	S		
School, K through 12 (Public)	P	P	P	P	P	P	P	P	P		
School, Vocational (Business/Commercial Trade)	S	S	S	S	S	P	P	S	P		
Homeless Center									S		
Shelter Day Use									S		
Shelter Over Night Use									S		

See Section 30.A For Permitted Uses

# 1B

## Non-Residential Zoning Districts

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### AMUSEMENT AND RECREATIONAL USES

### Non-Residential Zoning Districts

	O	NS	R	CBD	HC	C	LI	DD	VC	RT	
Amusement Devices/Arcade (Four or More Devices, Indoors only-Age Restricted Premises)		S	S	S		P	S	S			
Amusement, Commercial (Indoors)			P		P	P	P		P		
Amusement, Commercial (Outdoors)			S			P	P				
Athletic Field or Stadium (Public)	P	P	P		P	P	P		P		
Billiard / Pool Facility (Three or More Tables-Age Restricted Premises)			S			P	S				
Dance Hall								S			
Day Camp for Children							S	P			
Dinner/Live Drama Theatre		S	P	P	P	P	P	P			
Driving Range						S	P		P		
Fair/Rodeo Grounds or Exhibition Hall or Arena						S	S				
Golf Course or Country Club (Private)	S	S	S		S	S	S		S		
Golf Course (Public)	P	P	P		P	P	P		P		
Health Club (Physical Fitness; Indoors Only)	P	P	P	P	P	P	P	P	P		
Motion Picture Theater (Indoors)			P	P	P	P	P	P	P		
Motion Picture Theater (Outdoors)								S			
Park and/or Playground (Private)						S					
Park and/or Playground (Public/Municipal)	P	P	P	P	P	P	P	P	P		
Private Club (Restaurant Alcohol Sales)		S	S	S	S	S		S			
RV or Travel Trailer Park (Short-Term Stay)							S	S			
RV or Travel Trailer Park (Long-Term Stay)							S	S			
Swimming Pool (Private, Membership)	S	S									
Swimming Pool (Public)	P	P	P		P	P	P		P		
Tennis Court (Private/Lighted)											
Tennis Court (Private / Not Lighted)											
Video Rental / Sales (For All Audiences)	P	P	P	P	P	P	P	S	P		
Zoo (Public or Private)								S			
Indoor Gun Range Facility					S		P				
Outdoor Gun Range Facility							S				

See Section 30.A For Permitted Uses

# 1B

## Non-Residential Zoning Districts

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OFFICE AND PROFESSIONAL USES	Non-Residential Zoning Districts										RT	
	O	NS	R	CBD	HC	C	LI	DD	VC			
Depository Financial Institution (With Drive-Thru Service)	S		P	S	P	P	P	S	P			
Depository Financial Institution (Without Drive-Thru Service)	P	P	P	P	P	P	P	P	P			
Medical Office (Doctor, Dentist, Optician or Other Outpatient)	P	P	P	P	P	P	P	P	P			
Medical Laboratory	S		S		P	P	P		P			
Motion Picture Studio, Commercial Film				P	S	S	P	P	P			
Non-depository Financial Establishment			S									
Office (General Business or Professional)	P	P	P	P	P	P	P	P	P			
Radio or Television Broadcasting Studio (With Tower)					S	S	S		S			
Radio or Television Broadcasting Studio (Without Tower)	P	P	P	P	P	P	P	P	P			
Telemarketing Agency												
PERSONAL AND SERVICE USES												
Ambulance Service			S		P	P	P		P			
Artist/Photography Studio	P	P	P	P	P	P	P	P	P			
Automobile Driving School	S	S	P		S	P	P		P			
Automatic Teller Machines (ATM's)	P	P	P	P	P	P	P	P	P			
Bail Bond						S						
Barber/Beauty Shop	P	P	P	P	P	P	P	P	P			
Check Cashing Business, Payday Advanced/Loan Business and Car Title Loan Business						S						
Dance/Drama/Music Schools (Performing Arts Studio)	P	P	P	P	P	P	P	P	P			
Downtown Hotel / Lodge				S					S			
Electronic Sales/Service (Computers, Entertainment or Telephones)	S	P	P	P	P	P	P	P	P			
Exterminator Service (No outdoor sales or storage)						P	P		P			
Funeral Home			S		S	P	P		P			

See Section 30.A For Permitted Uses

# 1B

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PERSONAL AND SERVICE USES  (Continued)	Non-Residential Zoning Districts										RT	
	O	NS	R	CBD	HC	C	LI	DD	VC			
Hotel/Motel			S		P	P						
Martial Arts School / Dance Studio	P	P	P	P	P	P	P	P	P			
Laundromat (or Self-Service Washeteria)		S	S		R	P	P	S	P			
Laundry/Dry Cleaning (Drop Off/Pick Up)	P	P	P	P	R	P	P	P	P			
Locksmith	P	P	P	P	P	P	P	P	P			
Massage Establishment (as defined within this Ordinance)									S			
Mini-Warehouse/Self Storage			S		S	S	P		P			
Personal Service Shops (Tailor, Shoe Repair, Seamstress, etc.)	P	P	P	P	P	P	P	P	P			
Photocopy/Print Shop	P	P	P	P	P	P	P	P	P			
Security Systems Installation and Monitoring Company	P	S	P	S	R	P	P	S	P			
Sexually Oriented Business (Regulated by Additional City Codes, Ch. 5, Section 5.14)									P			
Tattoo Studio or Body Piercing									S			
Tool Rental (Indoor Storage only)			P		P	P	P		P			
Tool Rental (with Outdoor Storage- No Heavy Equipment)			S			P	P					
<b>RETAIL USES</b>												
Antique/Consignment Shop (No Outside Storage)		P	P	P	P	P	P	P	P			
Antique/Consignment Shop (With Outside Storage)						S	S					
Appliance (Major) Sales, Rental, Repair (With Outside Storage)						S	P					
Appliance (Minor) Sales, Rental, Repair (No Outside Storage)			P	P	P	P	P	P	P			
Bakery or Confectionery Shop (Retail)		P	P	P	P	P	P	P	P			
Convenience Store (with Gasoline Sales)		S	P		P	P	P					
Convenience Store (without Gasoline Sales)		P	P	S	P	P	P	S	P			
Garden Center/Nursery With No Outside Storage)		P	P		P	P	P			P		
Gravestone/Tombstone Sales			S			P	P		P			

See Section 30.A For Permitted Uses

1B

## Non-Residential Zoning Districts

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**T** – Temporary Use Permit required.

#### E – Existing Residential Structure.

See Section 30.A For Permitted Uses

# 1B

## Non-Residential Zoning Districts

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T – Temporary Use Permit required.

E – Existing Residential Structure.

AUTOMOTIVE USES	Non-Residential Zoning Districts										RT
	O	NS	R	CBD	HC	C	LI	DD	VC		
Auto Auction/Storage						S	P				
Auto Dealership (Used Auto Sales as Accessory Use Only)			S		S	P	P				
Auto Dealership (Used Auto Sales)			S			P	P				
Auto Muffler Shop (With Outside Storage)						P	P				
Auto Paint and Body Shop (With Outside Storage)						S	P				
Auto Parts and Accessories Sales (Indoors Only – No Repair Bays)	S	P	S	P	P	P	P	S	P		
Auto Rental or Leasing		S		P	P	P			P		
Auto Repair (Major)					S	P			P		
Auto Repair (Minor)					S	P	P		P		
Auto Retail Sales/Repair (With Service Bays – No Outside Storage)		P		S	P	P			P		
Auto Wrecker Service (Limited to Ten Vehicles Stored Onsite)					P	P					
Auto Wrecking/Salvage Yard							S				
Boat (Marine) Dealership		S		S	P	P			P		
Car Wash (Self Service; Automated)	S	S			P	P			P		
Car Wash (Full Service; Detail Shop)	S	P		S	P	P			P		
Gasoline Service Station	S	P		P	P	P			P		
Motorcycle/All Terrain Dealership		S			P	P			P		
Public Garage / Parking Structure		P	S	P	P	P	P	S	P		
Quick Lube/Oil Change/Minor Inspection	S	P		S	P	P			P		
Recreational Vehicle Dealership (RV's, Campers, Travel Trailers, etc.)					S	P			P		
TRANSPORTATION USES											
Airport, Heliport or Landing Field							S				
Helistop or Helicopter Landing Pad		S		S		S					
Bus Station or Terminal							P				
Limousine / Taxi Service					P	P					
Motor Freight (Trucking) Company							S				
Moving and Storage Company (With Outside Storage)							P				
Railroad Yard							S				
Truck Sales, Service, Leasing or Rental							S		S		
Truck Stop and Fueling Station							S				

See Section 30.A For Permitted Uses

# 1B

## Non-Residential Zoning Districts

### Legend

- P – The land use is permitted by right in the zoning district indicated.
- The land use is prohibited in the zoning district indicated.
- S – The land use may be approved as a specific use permit (SUP) in the zoning district indicated.
- R – Use is restricted and is prohibited within 700 ft. of a major highway ROW in the HC District.
- T – Temporary Use Permit required.
- E – Existing Residential Structure.

GOVERNMENTAL AND UTILITY USES	Non-Residential Zoning Districts									
	O	NS	R	CBD	HC	C	LI	DD	VC	RT
Antenna/Tower (Non-Commercial)	(See Section 38.5)									
Antenna/Tower (Commercial)	(See Section 38.5)									
Electrical Generating Plant						S	P			
Electrical Substation	S	S	S		S	S	P		P	
Electrical Transmission Line (Towers)	S	S	S		S	S	P		P	
Fire Station	P	P	P	P	P	P	P		P	
Franchised Private Utility (not listed)	P	P	P			P	P		P	
Gas Transmission Line (Regulating Station)	S	S	S		S	S	S		S	
Governmental Office Building (Municipal, County, State or Federal)	P	P	P	P	P	P	P		P	
Governmental Service Facility or Use (Municipal, County, State or Federal)	P	P	P	P	R	P	P		P	
Mailing Service (Private)	P	P	P	P	P	P	P		P	
Phone Exchange/Switching Station	S	S	S	S	S	S	S		S	
Police Station	P	P	P	P	P	P	P		P	
Post Office (Governmental)	P	P	P	P	P	P	P		P	
Propane Sales (Retail)						S	P		P	
Radio/Television Tower (Commercial – Stand Alone)	(See Section 38.5)									
Sewage Lift/Pumping Station	P	P	P	P	P	P	P		P	
Transfer Station (Refuse/Pick-up)						S	P		P	
Utility Distribution Line	P	P	P	P	P	P	P		P	
Water/Wastewater Treatment Plant (Public)	P	P	P	S	R	P	P		P	
Water Supply Facility (Public; includes Elevated Water Storage)	P	P	P	S	P	P	P		P	
Water Supply Facility (Private)	P	P	P	P	P	P	P		P	
Wind Turbine (Electrical Generation)							S			

See Section 30.A For Permitted Uses

# 1B

## Non-Residential Zoning Districts

P – The land use is permitted by right in the zoning district indicated.

– The land use is prohibited in the zoning district indicated.

S – The land use may be approved as a specific use permit (SUP) in the zoning district indicated.

R – Use is restricted and is prohibited within 700 ft. of a major highway ROW in the HC District.

T – Temporary Use Permit required.

E – Existing Residential Structure.

COMMERCIAL AND WHOLESALE USES	Non-Residential Zoning Districts									RT
	O	NS	R	CBD	HC	C	LI	DD	VC	
Bakery or Confectionery (Commercial/Wholesale)						P	P	S	P	
Book Bindery						P	P		P	
Cleaning Plant (Commercial/Wholesale)						S	P			
Contractor's Office/Shop, (No Outside Storage Including Vehicles)			S		R	P	P		P	
Contractor's Office/Shop (With Outside Storage)						S	P			
Contractor Supply Warehouse (Wholesale – No Outside Storage)			S		R	P	P		P	
Contractor Supply Warehouse (Wholesale – With Outside Storage)						S	P			
Heating & Air-conditioning Sales / Services			S			P	P		P	
Heavy Equipment Sales or Service						S	P			
Heavy Equipment Rental or Leasing						S	P			
Manufactured Home Sales (New)							S			
Manufactured Home Sales (Used)										
Office Showroom Warehouse			S		S	P	P		P	
Outside Storage of Equipment or Materials (More Than 24 Hours)			S			S	P			
Petroleum Distribution/Storage/Wholesale Facility							S	P		
Portable Building Sales						S	S			
Sign Shop (small scale, such as a storefront; includes sign and banner making for retail sale only)	S	P	S	P	P	P	P	S	P	
Taxidermist						P	P			
Welding Shop						P	P		P	
Wholesale Warehouse Distribution Center					R	P	P		P	

See Section 30.A For Permitted Uses

# 1B

## Non-Residential Zoning Districts

P – The land use is permitted by right in the zoning district indicated.

– The land use is prohibited in the zoning district indicated.

S – The land use may be approved as a specific use permit (SUP) in the zoning district indicated.

R – Use is restricted and is prohibited within 700 ft. of a major highway ROW in the HC District.

T – Temporary Use Permit required.

E – Existing Residential Structure.

LIGHT INDUSTRIAL AND MANUFACTURING USES	Non-Residential Zoning Districts										RT
	O	NS	R	CBD	HC	C	LI	DD	VC		
Animal Rendering Plant (Slaughterhouse)											
Assembly and Fabrication Processes (Inside Only)					R	P	P		P		
Batch Plant – Asphalt/Concrete (Permanent)							S				
Bottling Works							P	P		P	
Commercial Dairy Processing Plant							S	P		P	
Engine Repair/Motor Manufacturing Re-Manufacturing and/or Repair							S	P		P	
Food Processing (No Animal Slaughtering)							S	P		S	
Industrial Processes (Wholly Enclosed Within a Building)							S	S		S	
Industrial Processes(Not Wholly Enclosed Within a Building)							S				
Laboratory Equipment Manufacturing						R	S	P		S	
Machine Shop							P	P		P	
Maintenance & Repair service for Buildings		S		R	P	P			P		
Manufacturing, General (meeting performance standards in Section 39)						S	P			S	
Mineral Extraction (Including Gas, Oil, Coal)								S			
Paper Manufacturing, Converting or Finishing							S	P		S	
Research Lab (Non-Hazardous)			S			S	P			S	
Salvage, Reclamation or Recycling of Materials								S			
Sand/Gravel/Stone Extraction								S			
Sand/Gravel/Stone Sales (Storage)								S			
Sign Manufacturing						S	P				
Stone/Clay/Glass Manufacturing							P				
Wood or Steel Structural Fabrication							S				
Micro-Brewery (onsite mfg. & sales) (see Chapter 5, Section 5.2 of the Code of Ordinances as amended)				P	P				S	S	
Cottage Industry				S	S		P		P		

See Section 30.A For Permitted Uses

## SECTION 44 DEFINITIONS

44.1 For the purpose of these regulations, certain terms and words are to be used and interpreted as defined hereinafter. Words used in the present tense shall also include the future tense; words used in the masculine gender shall also include the feminine gender; words used in the singular number shall also include the plural number; and words in the plural number shall also include the singular number, except where the natural construction of the writing indicates otherwise. The word "shall" is mandatory and not directory. For any term or use not defined herein, Webster's Dictionary (latest edition) shall be used.

1. **ACCESSORY BUILDING (RESIDENTIAL)** - In a residential district, a subordinate building that is attached or detached and is used for a purpose that is customarily incidental to the main structure but not involving the conduct of a business (i.e., the building area must be significantly less than that of the main structure). Examples may include, but are not limited to, the following: a private garage for automobile storage, carport, tool shed, greenhouse as a hobby (no business), home workshop, children's playhouse, storage building, gazebo, patio cover, garden shelter, etc.
2. **ACCESSORY BUILDING (BUSINESS OR INDUSTRY)** - In the nonresidential districts, a subordinate building to the main building that does not exceed the height of the main building and does not exceed fifty percent (50%) of the floor area of the main building, and that is used for purposes accessory and incidental to the main use (see "Accessory Use").
3. **ACCESSORY USE** - A use that is customarily incidental, appropriate and subordinate to the principal use of land or building(s) and that is located upon the same lot therewith (i.e., the land/building area that is used for the accessory use must be significantly less than that used for the primary use, and/or the gross receipts/income that is derived from the accessory use must be significantly less than that derived from the primary use).
4. **AIRPORT OR LANDING FIELD** - A place where aircraft can land and take off that is usually equipped with hangars, facilities for aircraft refueling and repair, and various accommodations for passengers.
5. **ALLEY** - A minor right-of-way that is dedicated to public use and which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes, which may or may not be improved. No fences, storage or structures are allowed in alley rights-of-way.
6. **AMBULANCE SERVICE** - Provision of private (not operated by the City of Terrell) emergency transportation which may include mobile medical care, and which may include storage and maintenance of vehicles and boarding rooms for ambulance drivers.
7. **AMUSEMENT ARCADE (ALSO VIDEO ARCADE)** - Any building, room, place or establishment of any nature or kind, and by whatever name called, where more than ten percent (10%) of the public floor area is devoted to four (4) 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, pool tables or other similar amusement devices. However, the term "amusement device", as used herein, shall not include musical devices, billiard tables which are not coin-operated, machines that are designed exclusively for small children, and devices designed to train persons in athletic skills or golf, tennis, baseball, archery or other similar sports.
8. **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. Uses may include, but are not limited to, the following: bowling alley, ice skating rink, martial

arts club, racquetball/handball club, indoor tennis courts/club, indoor swimming pool or scuba diving facility, and other similar types of uses.

9. **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 and including, but not limited to, a golf driving range, archery range, miniature golf course, batting cages, go-cart tracks, amusement parks, and other similar types of uses.
10. **ANTENNA (AMATEUR/NON-COMMERCIAL)** - An antenna and antenna support structure used for the purpose of transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals for private or personal use and not for the purpose of operating a business and/or for financial gain. Antennas located in a residential district shall be limited to thirty-five (35') feet in height and shall be setback from all adjacent property lines a distance equal to its height. A satellite dish antenna not exceeding six feet (6') in diameter shall also be considered a non-commercial antenna.
11. **ANTENNA (COMMERCIAL)** - An antenna or antenna tower/support structure used for the purpose of transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals primarily for the purpose of operating a business and/or for financial gain (e.g., commercial broadcasting, cellular/wireless telecommunications, etc.). The antenna tower/support structure shall be setback from all adjacent property lines a distance equal to its height. A satellite dish antenna that exceeds six feet (6') in diameter shall also be considered as a commercial antenna. Antennas may be further restricted as to height and location by the Texas Historic Commission rules.
12. **ANTIQUE SHOP, SALES INDOORS** - A retail or wholesale establishment engaged in the selling of works of art, architectural antiques, furniture and/or other artifacts of an earlier period (i.e., over 50 years old) and that are in clean, operable and saleable condition (i.e., not junk), with all sales and storage occurring inside a building. An antique shop is differentiated from a "used merchandise store", a "resale shop" or a "consignment shop" in that it does not market common, contemporary used household goods, clothing or furnishings – rather, it deals primarily in vintage and nostalgia items (generally over 50 years old) and in antiquities (generally over 100 years old) from past eras.
13. **ART GALLERY OR MUSEUM** - An institution for the collection and/or display of bona fide objects of art or science, and which is typically sponsored by a public or quasi-public agency and generally open to the public. An art gallery/museum can include a small gift shop that sells items to visitors provided that such sales are clearly accessory to the primary use as a gallery/museum. An establishment that sells new art or science objects on the retail market shall be defined as a "retail store", and an establishment that sells used objects (or parts of objects) shall be defined as a "used merchandise store".
14. **ATHLETIC FIELD OR STADIUM (PUBLIC)** - An athletic field or stadium owned and operated by a public agency (e.g., City of Terrell, Terrell Independent School District, etc.) for the general public including a baseball field, soccer field, golf course, football field or stadium which may be lighted for nighttime play.
15. **ATHLETIC FIELD OR STADIUM (PRIVATE)** - An athletic field or stadium owned and operated by a private owner, agency or entity other than the City of Terrell or the Terrell Independent School District.
16. **ASSISTED LIVING FACILITY** - A facility which provides residence and care to seven (7) or more persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, abused, or neglected children; victims of domestic violence; convalescing from illness; or temporarily homeless due to fire, natural disaster, or financial setback together with supervisory personnel, who need limited assistance with daily living activities. A limited number of support services such as meals, laundry, housekeeping, transportation, social/recreational activities,

hairdressing, etc. may be provided or associated with the assisted living facility. Units may be attached or detached, single- or double-occupancy, and may include limited kitchen facilities. Full-time medical, nursing or professional care is not typically provided by the facility, but may be privately arranged for by individual residents on a part-time or temporary basis (e.g., visiting nurses, etc.), however, full-time supervisory staff may reside onsite or be present at all times.

## 17. AUTOMOTIVE RELATED DEFINITIONS:

- a. **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 and sport utility vehicles, vans and mini-vans, motor scooters and motorcycles.
- b. **AUTO FINANCE AND LEASING** -- Long-term leasing of automobiles, motorcycles, and light load vehicles but no outside storage.
- c. **AUTOMOTIVE GASOLINE OR MOTOR FUEL SERVICE STATION** - Any building, land area or other premises, or portion thereof, used or intended to be used for the retail dispensing or sales of automotive fuels, lubricants and automobile accessories, including those operations listed under "Automobile Repair, Minor". Vehicles which are inoperative or are being repaired may not remain parked outside these facilities for a period greater than forty-eight (48) hours.
- d. **AUTO RENTAL** – Short-term renting or leasing of automobiles, motorcycles and light load vehicles with outside storage.
- e. **AUTO PARTS AND ACCESSORY SALES (INDOORS)** - The use of any building or other premise for the primary inside display and sale of new or used parts for automobiles, panel trucks or vans, trailers, or recreation vehicles.
- f. **AUTO REPAIR GARAGE** - An establishment providing major or minor automobile repair services to all motor vehicles except heavy load vehicles.
- g. **AUTO 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; welding, vehicle steam cleaning; undercoating and rust proofing; those uses listed under "Automobile Repair, Minor"; and other similar uses.
- h. **AUTO REPAIR, MINOR** - Minor repair or replacement of parts, tires, tubes and batteries; diagnostic services; minor maintenance 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; installation of minor automobile accessories such as car alarms, radio and stereo equipment, window tinting, pin striping, cellular telephones and similar accessories; performing state inspections and making minor repairs necessary to pass said inspection; normal servicing of air-conditioning systems; and other similar minor services for motor vehicles except heavy load vehicles, but not including any operation named under "Automobile Repair, Major" or any other similar use.
- i. **AUTO 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.
- j. **AUTO SALES (USED)** - Retail sales, or offering for sale, used automobiles or light load vehicles.
- k. **AUTO STORAGE OR AUTO AUCTION** - The storage or impoundment, on a lot or

tract which is paved in accordance with parking lot paving requirements set forth in this ordinance, of operable automobiles for the purpose of holding such vehicles for sale, distribution and/or storage. This definition shall not include the storage of wrecked or inoperable vehicles (see "Wrecking Yard").

1. **CAR WASH** - Washing, waxing or cleaning of automobiles or light duty trucks.
  - a. **Attended Car Wash** - 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.
  - b. **Unattended Car Wash** - 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.
18. **BAIL BOND SERVICE** – A service arranged by an agent promising money or property to ensure that a person named in a legal action appears in court for the designated criminal proceeding at the date and time specified. (described by Ordinance 2653 as definition “287”).
19. **BAKERY OR CONFECTIONERY (RETAIL)** - A facility which is typically less than 2,000 square feet in size for the production and/or sale of baked goods for human consumption such as (but not limited to) pies, cakes, cookies, doughnuts, desserts, etc.
20. **BAKERY OR CONFECTIONERY (WHOLESALE OR COMMERCIAL)** - A manufacturing facility which is typically over 2,000 square feet in size for the production and distribution of baked goods and confectioneries to retail outlets.
21. **BARN** - A structure intended for the purpose of storing farming and ranching related equipment and/or housing livestock. (see Section 14 for setback requirements)
22. **BASEMENT (OR CELLAR)** - A portion of a building that is partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half of its height is above the average level of the adjoining ground or when subdivided and used for commercial or dwelling purposes by other than a janitor employed on the premises.
23. **BED AND BREAKFAST INN OR FACILITY** - a dwelling occupied as a permanent residence by an owner or renter which serves breakfast and provides or offers sleeping accommodations in not more than five (5) rooms for transient guests for compensation.
24. **BLOCK** - A piece or parcel of land entirely surrounded by public highways or streets, other than alleys. In cases where the platting is incomplete or disconnected, the Municipal Development Department shall determine the outline of the block. The term block also refers to part of the legal description of platted subdivisions which contain one or more lots of record.
25. **BOARDING OR ROOMING HOUSE** - A multi-family dwelling other than a hotel, where for compensation and by prearrangement for definite periods, lodging and/or meals are provided.

26. **BUILDING** - Any structure intended for shelter, occupancy, housing or enclosure for persons, animals or chattel. When separated by dividing walls without openings, each portion of such structure so separated shall be deemed a separate building.
27. **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 coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitched or hipped roof.
28. **BUILDING LINE** - A line parallel, or approximately parallel, to any lot line at a specific distance there from, marking the minimum distance from the lot line that a building may be erected (see Illustration 38-6).
29. **BUILDING, MAIN OR PRIMARY** - A building in which the principal use of the lot on which it is situated is conducted. In a residential district any separately addressed dwelling shall be deemed to be a main building on the lot on which it is situated.
30. **BUILDING OFFICIAL** - The inspector or administrative official charged with responsibility for issuing permits and enforcing the Building Codes of the City of Terrell.
31. **BUILDING SITE** - See "Lot" definition.
32. **BUS STATION OR TERMINAL** - Any premises for the transient housing and/or parking of motor-driven buses and the loading and unloading of passengers.
33. **CARETAKERS' OR GUARDS' RESIDENCE** - A residence located on a premises with a main residential or nonresidential use and occupied only by a caretaker or guard employed on the premises (e.g., residence for guard in a private street development, residence for a guard/manager/caretaker for a self-storage facility or a restricted access business park, etc.).
34. **CARNIVAL, CIRCUS, FESTIVAL, SPECIAL EVENTS OR TENT SERVICE (TEMPORARY)** - Outdoor or indoor private or public amusement provided on a temporary basis (subject to requirements and use restrictions for Special Event Permits issued by the Police Dept.).
35. **CARPORT** - A structure that is open on a minimum of two sides and designed or used to shelter vehicles. Also called "covered parking area."
36. **CAR TITLE LOAN BUSINESS** - Any establishment, entity, business, corporation, or person required to be registered with the Texas Secretary of State as a Credit Services Organization (CSO) under Chapter 393 of the Texas Finance Code that makes small or short term consumer loans that leverage the equity value of a motor vehicle, boat, or other recreational vehicle as collateral where the title to such vehicle is owned free and clear by the loan applicant and any existing liens on the car or vehicle cancel the application. (described by Ordinance 2658 as definition "290").
37. **CEMETERY OR MAUSOLEUM** - Land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.
38. **CEMETERY, ANIMAL** - Same as cemetery except only for the burial of pets or other animals.
39. **CERTIFICATE OF OCCUPANCY** - An official certificate issued by the City through the Municipal Development Department which indicates conformance with the zoning regulations and building codes and which authorizes legal use of the premises for which it is issued.

40. **CHECK CASHING BUSINESS** - Any establishment, entity, business, corporation, or person required to be registered with the Texas Secretary of State as a Credit Services Organization (CSO) under Chapter 393 of the Texas Finance Code that provides check cashing services for an amount of money equal to the face of the check or the amount specified in the written authorization for an electronic transfer of money, less any fee charges for the transaction; or an agreement not to cash a check, or execute an electronic transfer of money for a specified period of time in exchange for a cash advance for a fee; or the cashing of checks, warrants, drafts, money orders, or other commercial paper for compensation by any person or entity for a fee. (described by Ordinance 2658 as definition "288").
41. **CHILD CARE CENTER (OR DAY CARE CENTER OR CHILD NURSERY)** - A commercial institution or place designed for the care or training of seven (7) or more unrelated children under fourteen (14) years of age for less than 24 hours a day.
42. **CHURCH, RECTORY OR TEMPLE** - A building for regular assembly for religious worship which is used primarily and designed for such purpose and those accessory activities which are customarily associated therewith, and the place of residence for ministers, priests, nuns or rabbis on the premises (tax exempt as defined by State law). For the purposes of this ordinance, religious study and other similar activities which occur in a person's primary residence shall not apply to this definition.
43. **CITY COUNCIL** - The governing body of the City of Terrell, Texas.
44. **CITY OF TERRELL** - The City of Terrell, Texas; sometimes referred to as the "City".
45. **CIVIC/COMMUNITY CENTER (PUBLIC)**- A building or complex of buildings that may house municipal offices and services, and which may include cultural, recreational, athletic, food service, convention and/or entertainment facilities owned and/or operated by a municipality.
46. **CIVIC/COMMUNITY CENTER (PRIVATE)**- A building or complex of buildings that house cultural, recreational, athletic, food service and/or entertainment facilities privately owned and/or operated by a business, non-governmental agency or private nonprofit agency.
47. **COLLEGE OR UNIVERSITY** - An academic institution of higher learning accredited or recognized by the State and covering a program or series of programs of academic study.
48. **COMMERCIAL/WHOLESALE LAUNDRY (DRY CLEANING PLANT)** - An industrial facility where fabrics are cleaned with substantially no aqueous organic solvents on a commercial or wholesale basis exceeding 2,500 square feet of floor area.
49. **COMMUNITY HOME** - A place where not more than six (6) physically or mentally impaired or disabled persons are provided room and board, as well as supervised care and rehabilitation by not more than two (2) persons as licensed by the Texas Department of Mental Health and Mental Retardation (also see Chapter 123 of the Texas Human Resources Code).
50. **COMPREHENSIVE PLAN** - A regulatory document adopted by the City that consists of graphic and textual policies which govern the future development of the City and which consists of various components governing specific geographic areas and functions and services of the City which may include a Future Land Use Map, Thoroughfare Plan, Park Master Plan, Water and Sewer Plans, etc. State Law requires all zoning to be in accordance with the Comprehensive Plan.
51. **CONCRETE OR ASPHALT BATCHING PLANT (PERMANENT)** - A permanent manufacturing facility for the production of concrete or asphalt.

52. **CONCRETE OR ASPHALT BATCHING PLANT (TEMPORARY)** - A temporary manufacturing facility for the production of concrete or asphalt during construction of a project, and to be removed when the project is completed.
53. **CONSIGNMENT SHOP/RE-SALE SHOP (also THRIFT STORE)** - See "Used Merchandise Store".
54. **CONTINUING CARE RETIREMENT COMMUNITY** - A housing development designed to provide a full range of accommodations for older adults (55 years of age or older), including independent living, assisted living and skilled full-time nursing or medical care. Residents may move from one level to another as their needs change.
55. **CONTRACTOR'S SHOP WITH OUTSIDE STORAGE YARD** - A building, part of a building, or land area for the storage of materials, equipment, tools, products, and vehicles that are then transported off site for the performance of maintenance, repairs, installation, assembly or construction by various tradesmen.
56. **CONVENIENCE STORE WITH (OR WITHOUT) GASOLINE SALES** - Retail establishment selling food for off-premises consumption and a limited selection of groceries and sundries (and possibly gasoline, if pumps are provided). Does not include or offer any automobile repair services.
57. **COTTAGE INDUSTRY**. The handcrafting of specialty products crafted in a small-scale setting with custom elements in an individual or small batch production process with a direct to consumer retail sales front and access by consumers to the production process. This does not include businesses that require specialty environmental permits from State or Federal agencies. This does include limited machine applications to customize products. Must meet the requirements of Section 41.2.E.
58. **COUNTRY CLUB (PRIVATE)** - A land area and buildings which may include a golf course, clubhouse, dining room, swimming pool, tennis courts and similar recreational or service uses available only to members and their guests.
59. **COURTYARD** - An open, unobstructed space, bounded on more than two sides by the walls of a building. An inner court is entirely surrounded by the exterior walls of a building. An outer court has one side open to a street, alley, yard, or other permanent open space.
60. **COVERAGE** - The percentage of lot area covered by all buildings located thereon, including the area covered by all overhanging roofs, impervious coverage includes all paved surfaces in addition to the structures (see District regulations for coverage limits)
61. **DANCE HALL** - An establishment open to the general public for dancing (any sales of alcoholic beverages for on-premise consumption shall be subject to requirements and use restrictions for private clubs -- see definition for "Private Club" (also see Chapter 5, Section 9 of the City's Code of Ordinances).
62. **DAY CAMP FOR CHILDREN** - A facility arranged and conducted for the organized recreation and instruction of children including outdoor activities on a daytime basis.
63. **DENSITY** - The total number of residential dwelling units allowed upon a given tract of land usually expressed in total number of units per gross acre.
64. **DETACHED** - Having no physical connection above the top of the floor line of the first floor with any other building or structure.
65. **DRAINAGE** - Adequate provision for drainage shall be made to drain storm water into the City's man-made or natural drainage systems, in accordance to the City's and State's regulations pertaining to same.

66. **DRY CLEANING SHOP OR LAUNDRY** – A retail custom cleaning shop not exceeding 2,500 square feet of floor area which may include drive-up service but no self-service.
67. **DWELLING (ACCESSORY)** – A separate secondary residential structure located on the same lot as a single-family main/primary building but not attached to the main building, sometimes known as a mother-in-law's quarters. An accessory dwelling shall not be sold, rented, leased, let, or hired out separately from the main/primary residential structure and shall only be occupied by members of the same family occupying the main/primary residential building. (see "Family" definition)
68. **DWELLING (MULTI-FAMILY)** – A main/primary residential building or buildings in which three or more dwelling units are located on the same platted lot of record that is used, intended, or designed to be built, used, owned, rented, leased, let or hired out to be occupied for living purposes by a single family in each dwelling unit. (see "Family" definition)
69. **DWELLING (SINGLE-FAMILY)** – A main/primary residential building located on a separate platted lot of record that is used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied for living purposes by a single family. (see "Family" definition)
70. **DWELLING SIZE / AREA** - The total square footage of a dwelling unit, including only the livable (i.e., air-conditioned) space within the home (i.e., not the garage, accessory buildings, etc.).
71. **DWELLING UNIT** - A single unit (structure or portion thereof) providing complete independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking and sanitation. (see "Family" definition)
72. **EASEMENT** - A grant of one or more of the property rights by the property owner to and/or for the use by the public, a corporation or another person or entity.
73. **EDUCATIONAL FACILITIES** - Public and private primary, secondary and post-secondary educational facilities offering instruction in the branches of learning and study required to be taught by the Texas Education Agency; a professional licensing/certification agency or trade, or such federally funded educational programs for preschool children as the Head Start Program.
74. **ELECTRICAL SUBSTATION (HIGH VOLTAGE BULK POWER)** - A subsidiary station in which electric current is transformed.
75. **ENCLOSED BUILDING** - A structure which is floored, roofed and surrounded by outside walls, which contains no opening larger than 120 square feet in area normally open to the air and which contains no series of openings forming a divided opening larger than 120 square feet in area normally open to the air. Includes an enclosed garage.
76. **FAIRGROUNDS OR EXHIBITION AREA** - An area or space either outside or within a building for the display of topic-specific goods or information.
77. **FAMILY** - One or more persons related by blood, affinity (marriage), or adoption to the second degree of consanguinity; or a group not to exceed six (6) persons not all related by blood or marriage, adoption or guardianship, occupying a dwelling unit. The definition of the second degree of consanguinity for the purpose of defining a single family is spouse, siblings, parents, grandparents, children, or grandchildren in accordance with Chapter 573 of the Texas Government Code.
78. **FAMILY HOME (Child Care in Place of Residence)** - A facility that regularly provides care in the caretaker's own residence for not more than six (6) children under fourteen (14) years of age, excluding the caretaker's own children, and that provides care after school hours for not more than six (6) additional elementary school siblings of the other children given care. However, the number of children, including the caretaker's own, provided care at such facility shall not exceed

twelve (12) at any given time. No outside employment is allowed at the facility. This facility shall conform to Chapter 42 of the Human Resources Code of the State of Texas, as amended, and in accordance with such standards as may be promulgated by the Texas Department of Human Resources.

79. **FARM, RANCH, GARDEN, CROPS OR ORCHARD** - An area used for growing farm products, vegetables, fruits, trees, and grain and for the raising thereon of farm animals such as horses, cattle, and sheep. May also include the necessary accessory uses for raising, treating, and storing products raised on the premises, but does not include the commercial feeding of offal or garbage to swine or other animals. Also does not include any type of agriculture or husbandry specifically prohibited by ordinance or law.
80. **FEED AND GRAIN STORE** - An establishment for the selling of corn, grain and other food stuffs for animals and livestock, and including implements and goods related to agricultural processes, but not including farm machinery.

#### **81. FINANCIAL INSTITUTION RELATED DEFINITIONS:**

- a. **Depository Financial Institution** – means a Federal or State chartered depository financial institution such as a bank, savings and loan association, or credit union which conducts transactions regarding the custody, deposit, savings, loan, exchange and/or issue of money, the extension of credit, and/or facilitating the transmission of funds.
- b. **Non-depository Financial Establishment** – means any establishment, entity, business, corporation, or person required to be registered with the Secretary of State as a “Credit Service Organization” (CSO) under Chapter 393 of the Texas Finance Code, such as, check cashing businesses, payday advance/loan businesses, or car title loan businesses offering one or more of the following services as defined in this section:
  - i. *Check cashing business* – a CSO establishment that provides check cashing services for an amount of money equal to the face of the check or the amount specified in the written authorization for an electronic transfer of money, less any fee charged for the transaction; or an agreement not to cash a check or execute an electronic transfer of money for specified period of time in exchange for a cash advance for a fee; or the cashing of checks, warrants, drafts, money orders, or other commercial paper for compensation by any person or entity for a fee.
  - ii. *Payday advance/loan business* – a CSO establishment that makes payday cash advances, payroll cash advances, short term cash loans, instant loans, or other short term money loan services and/or similar services for a specified fee, usually secured by a postdated check or authorization to make an electronic debit against an existing financial account, where the check or debit is held for an agreed-upon term, or until a customer’s next payday, and then cashed unless the customer repays the loan to reclaim such person’s check. Such establishments may charge a flat fee or other service charge and/or a fee or interest rate based on the size of the loan amount. Loan extensions, pay back deadline extensions (often termed rollovers) may be granted subject to additional fees or charges.
  - iii. *Car title loan business* – a CSO establishment that makes small or short term consumer loans that leverage the equity value of a motor vehicle, boat, or other recreational vehicle as collateral where the title to such vehicle is owned free and clear by the loan applicant and any existing liens on the car or vehicle cancel the application. Failure to repay the loan or make interest payments to extend the loan allows the lender to take possession of the vehicle.

**Exceptions:** Convenience store, gasoline stations, super markets, grocery stores or other retail establishments where consumer retail sales constitute at least 75% of the gross revenue

generated on site. Pawn shops which are regulated under State Law are exempt from this definition.

82. **FLOOD PLAIN** - An area of land subject to inundation by a 100-year frequency flood as determined using standard engineering practices and generally as shown on the FIRM Flood Insurance Rate Map of the City of Terrell.
83. **FLOOR AREA** - The total gross square feet of floor space within the outside dimensions of a building including each floor level, but excluding carports, residential garages, and breezeways.
84. **FLOOR AREA RATIO (FAR)** - The floor area of a main building or buildings on a lot, divided by the lot area (see Illustration 38-5).
85. **FLORIST SHOP** - An establishment for the display and retail sale of flowers, small plants and accessories.
86. **FOOD PROCESSING** - A manufacturing or light industrial use that primarily deals with the processing and packaging of food (such as dairy or grain) products that are intended for human consumption, but which are not typically sold in volume to end users on the premises. Incidental retail sales of food products (e.g., bread and baked goods, dairy products such as cheese, etc.) created and packaged on the premises may be allowed as an accessory use.
87. **FOOD STORE** - A retail business establishment that displays and sells consumable goods that are not to be eaten on the premises. Prepared food may be sold only as a secondary or accessory use.
88. **FRANCHISED PRIVATE UTILITY (NOT LISTED)** - A utility such as one distributing heat, chilled water, closed circuit television or similar service and requiring a franchise to operate in the City of Terrell.
89. **FRATERNAL ORGANIZATION, LODGE, CIVIC CLUB, OR UNION** - An organized group having a restricted membership and specific purpose related to the welfare of the members such as Elks, Masons, Knights of Columbus, or a labor union.
90. **FRONT YARD** - See "Yard, Front".
91. **FUNERAL HOME OR MORTUARY** - A place for the storage of human bodies prior to their burial or cremation, or a building used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.
92. **GARAGE, PRIVATE** - An enclosed accessory building, or a part of a main building, used for storage of automobiles and used solely by the occupants and their guests. Also called "enclosed parking space." A garage must be a minimum of twenty-one feet (21') by twenty-one feet (21').
93. **GASOLINE SERVICE OR FILLING STATION** - See "Automotive Gasoline or Motor Fuel Service Station".
94. **GENERAL COMMERCIAL PLANT** - Establishments other than personal service shops for the treatment and/or processing of products as a service on a for-profit basis including, but not limited to, newspaper printing, laundry plant, or cleaning and dyeing plants.
95. **GENERAL MANUFACTURING** - See "Industrial, Manufacturing".
96. **GOLF COURSE** - An area of twenty (20) acres or more improved with trees, greens, fairways, hazards, and which may include clubhouses.

97. **GOVERNMENT BUILDING OR USE (CITY, COUNTY, STATE OR FEDERAL)** - Any building, land, area and/or facility (including maintenance/storage yards and shops) which is owned, leased, primarily used and/or occupied by any subdivision or agency of the following: Kaufman County, the State of Texas, the United States, or other public utility or agency. Any facility which is owned, leased, used and/or occupied by the City of Terrell is defined as "Municipal Facility or Use", including City Hall, Courts, Libraries, Fire Stations or Police Stations, etc.

98. **GROUP HOME** - A dwelling unit which provides residence and care to not more than six (6) persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, abused, or neglected children; victims of domestic violence; or rendered temporarily homeless due to fire, natural disaster or financial setbacks, living together with not more than two supervisory personnel as a single housekeeping unit. This definition is subject to Art. 4442c-4 (Personal Care Facility Licensing Act) V.A.C.S. (Tex.) and Art. 1011n (Community Homes for Disabled Persons Location Act) V.A.C.S. (Tex.) as they presently exist or may be amended in the future.

99. **GUN RANGE (OUTDOOR)** - A facility with all firing areas 300 feet from a property line so configured than no projectile may reach an area within 300 feet of a property line

100. **GUN RANGE (INDOOR)** - A facility with for practice and competition with firearms meeting the safety requirements of the National Shooting Sports Association.

101. **GYMNASTIC OR DANCE STUDIO** - A building or portion of a building used as a place of work for a gymnast or dancer or for instructional classes in gymnastics or dance.

102. **HEAVY LOAD VEHICLE** - A self-propelled vehicle having a manufacturer's recommended Gross Vehicle Weight (GVW) of greater than 16,000 pounds (including trailers), such as large recreational vehicles more than thirty-five feet (35') in length (originally manufactured as RVs, not converted), tractor-trailers, buses, vans, and other similar vehicles. The term "truck" shall be construed to mean "Heavy Load Vehicle" unless specifically stated otherwise.

103. **HEAVY MACHINERY SALES AND STORAGE** - A building or open area used for the display, sale, rental or storage of heavy machinery, tractors or similar machines, or a group of machines which function together as a unit.

104. **HELIPORT** - An area of land or water or a structural surface which is used, or intended for use, for the landing and taking off of helicopters, and any appurtenant areas which are used, or intended for use for heliport buildings and other heliport facilities.

105. **HELISTOP/HELIPAD** - The same as a heliport, except that no refueling, maintenance, repairs or storage of helicopters is permitted.

106. **HOMELESS CENTER** - Any facility that provides any one or more of the following supportive services for indigent or near indigent individuals and/or families with no regular, secure, independent residential address of their own. Supportive services include, but are not limited to: clothing; overnight lodging; provision of food, meals or beverages; financial advice or assistance; assistance in re-establishing various governmental documents and welfare, disability or other governmental benefits; assistance in obtaining permanent housing; medical counseling, treatment, and/or supervision; psychological counseling, treatment, and/or supervision; assistance in recuperating from the effects of, or refraining from, the use of drugs and/or alcohol; nutritional counseling; employment counseling; job training and placement; showers; clothes laundering, restrooms and other personal care services and child care. Facilities providing such support services on an occasional, temporary or intermittent basis as an accessory use to another primary use shall not be defined as homeless centers. However when such accessory use exceeds either 7

consecutive days or 14 total days in a calendar year, then the facility shall be required to obtain zoning approval and a certificate of occupancy for a homeless center specifically identifying the supportive uses to be provided, the staff or volunteer ratio, the skill/ training level of staff, the operating hours and days and the numbers of clients to be served.

**107. HOME OCCUPATION** - An occupation carried on in a dwelling unit, or in an accessory building to a dwelling unit, by a resident of the premises, which occupation is clearly incidental and secondary to the use of the premises for residential purposes (see Section 41).

**108. HOSPITAL (ACUTE CARE)** - An institution where sick or injured patients are given medical and/or surgical treatment intended to restore them to health and an active life, and which is licensed by the State of Texas.

**109. HOSPITAL (CHRONIC CARE)** - An institution where those persons suffering from illness, injury, deformity and/or deficiencies pertaining to age are given care and treatment on a prolonged or permanent basis and which is licensed by the State of Texas.

**110. HOTEL** – A building or group of buildings designed for and occupied as a temporary dwelling place (stays of 14 days or less unless contracted with an employer). Access to guestrooms shall be restricted exclusively to interior corridors, that shall be accessed via the main lobby of the building or entryways individually equipped with some form of security- controlled access system. Customary hotel services such as linen, maid service, telephone, and other guest amenities are provided and may also contain various personal services shops. A full-service hotel shall also include the six design elements below.

- Minimum room count of 100 rooms, 4 stories
- The average size of each guestroom shall have a minimum area of 280 square feet.
- A limited service restaurant which provides service to guests and /or the general public.
- On site staff required 24 hours a day, seven days a week.
- A minimum of 2000 square feet of meeting or conference room space.
- Swimming pool with a minimum area of 1,000 square feet.

**111. DOWNTOWN HOTEL/LODGE:** Shall mean an establishment located in the CBD zone for the lodging and entertaining of travelers limited to a maximum of twenty rooms, with a minimum floor area of 280 square feet per room. Access to guestrooms shall be restricted exclusively to interior corridors that shall be accessed via the main lobby of the building or entryways individually equipped with some form of security- controlled access system. The building must be designed to have special architectural features that demonstrate adherence to the Historic Architectural Style Guide on file in the office of the Municipal Development Department or the website of the City of Terrell, Texas.

**112. HOTEL, EXTENDED STAY** – A building or group of buildings designed for and occupied as a temporary dwelling place (stays ranging from 6- 28 days unless contracted with an employer). Access to guestrooms shall be restricted exclusively to interior corridors, that shall be accessed via the main lobby of the building or entryways individually equipped with some form of security- controlled access system. Customary hotel services such as linen, maid service, telephone, and other guest amenities are provided and may also contain various personal services shops. A full-service extended hotel shall also include the six design elements below.

- Minimum room count of 60 rooms, 3 stories
- The average size of each guestroom shall have a minimum area of 280 square feet.
- A limited- service restaurant and/or kitchenettes for at least 50% of the rooms.
- On site staff required 24 hours a day, seven days a week.
- Full-service laundry room onsite for guest only.

- Swimming pool with a minimum area of 1,000 square feet.

113. **LOFTS:** Dwelling unit consisting of single room or series of rooms, which is attached but secondary to a main structure that is used for retail use; and is located above the first floor of the structure. A loft cannot exceed the square footage of the non-residential portion.

114. **INCIDENTAL OR ACCESSORY RETAIL AND SERVICE USES** - Any use different from the primary use but which complements and/or supplements the primary use (for example, a sundries shop that serves tenants of an office building or hospital). Incidental shall mean an area which constitutes not more than twenty percent (20%) of the building or space occupied by the primary use.

115. **INDUSTRIAL, MANUFACTURING** - Establishments engaged in the manufacturing 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. Manufacturing production is usually carried on for the wholesale market, rather than for direct sale to the domestic consumer. Heavy industrial manufacturing or processing (smoke-stack industries) that produce explosion hazards, hazardous by-products or emissions are prohibited within the corporate city limits.

116. **INSTITUTION FOR ALCOHOLIC, NARCOTIC OR PSYCHIATRIC PATIENTS** - An institution offering out-patient treatment to alcoholic, narcotic or psychiatric patients.

117. **ITINERANT VENDORS / VENDING** - A person or operation that offers merchandise, art or food items, produce, publications and/or services from a temporary (i.e., not permanent) stand, cart, trailer, truck or other type of vehicle that is placed or parked on a piece of property for any period of time (as differentiated from a "peddler" or "solicitor" who is mobile and who goes from place to place to sell goods or services). (Also see Chapter 5, Section 5-6 of the City Code of Ordinances).

118. **KENNELS (INDOOR PENS)** - An establishment with indoor pens in which more than four (4) dogs or domesticated animals are housed, groomed, bred, boarded, trained and/or sold for commercial purposes.

119. **KENNELS (OUTDOOR PENS)** - An establishment with outdoor pens in which more than four (4) dogs or domesticated animals are housed, groomed, bred, boarded, trained and/or sold for commercial purposes.

120. **KINDERGARTEN SCHOOL (PRIVATE)** - An establishment where more than three (3) children over the age of five (5) are housed for care and/or educational training during the day or portion thereof.

121. **KIOSK** - A small, free-standing, one-story accessory structure having a maximum floor area of one hundred fifty (150) square feet and used for retail purposes, such as automatic teller machines or the posting of temporary information and/or posters, notices and announcements. If a kiosk is to be occupied, it shall have a minimum floor area of fifty (50) square feet.

122. **KITCHEN, RESIDENTIAL** - Generally, that portion of a residential dwelling that is devoted to the preparation and/or cooking of food for the purpose of consumption by residents of the dwelling. A kitchen, as referred to within this Ordinance, generally indicates the presence of complete cooking facilities (i.e., stove, oven, refrigerator, and/or microwave oven) as differentiated from a "kitchenette" which provides very limited cooking facilities (i.e., single-burner hot plate, under-counter refrigerator, microwave oven only, etc.).

123. **LABORATORY EQUIPMENT MANUFACTURING** - A facility that makes or produces equipment or products used for research or testing.

124. **LABORATORY, SCIENTIFIC OR RESEARCH** - An establishment that engages in research, testing or evaluation of materials or products, but not medical-related (see "Medical Facilities -- Medical Laboratory").

125. **LANDSCAPING** - Material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees or palms, and non-living durable materials that are commonly used in landscaping such as, but not limited to, rocks, pebbles, sand, walls or fences, but excluding paving.

126. **LAUNDROMAT (OR SELF-SERVE WASHATERIA)** - A facility where patrons wash, dry and/or dry clean clothing and other fabrics in coin operated machines that are operated by the patron.

127. **LIGHT LOAD VEHICLE** - A self-propelled vehicle having a manufacturer's recommended gross vehicle weight (GVW) not greater than 16,000 pounds and having no more than two axles, such as pick-up trucks, sport utility vehicles, vans and mini-vans, recreational vehicles (less than thirty-five [35] feet in length), campers and other similar vehicles but not including automobiles and motorcycles.

128. **LIGHT MANUFACTURING OR INDUSTRIAL USE** - Manufacturing of finished products or parts, predominantly from previously prepared materials, including fabrication, assembly, and packaging of such products, and incidental storage, sales and distribution of such products, but excluding basic industrial processing.

129. **LIVE/WORK UNITS** - Street level units that are permitted in certain non-residential districts which are initially intended for residential uses but designed to accommodate a later transition into small business entities such as professional offices, etc. without major structural renovations being required. They may also be defined as small ground floor retail, office, or service uses with the proprietors, owners or employees living in residential units above the ground floor in which public access is typically from the street frontages and private access to the residential units are from the rear of the buildings. Outside of the Multi-Family (MF-22) zoning district, live/work units are intended to be an accessory use only and shall be limited to no more than twenty percent (20%) of the total floor space in a mixed use application. (see also Mixed Use Residential)

130. **LOADING SPACE** - An off-street space or berth used for the delivery and loading/unloading of vehicles.

131. **LOCAL UTILITY LINE** - The facilities provided by a municipality or a franchised utility company for distribution or collection of gas, water, surface drainage water, sewage, electric power or telephone service, including pad- and pole-mounted transformers.

132. **LOT** - A platted (as specified in Chapter 212 of the Texas Local Government Code) parcel of land that is owned by a single entity and is intended to be used, developed or built upon as a unit, which has access to a public street. Portions of a lot may not be sold or subdivided without prior approval of a plat by the city. A lot number is part of the legal description assigned to every parcel or tract of land that has been legally subdivided and platted. (See Illustrations 38-6, 38-7, and 38-8)

133. **LOT AREA** - The total area, measured on a horizontal plane, included within lot lines.

134. **LOT, CORNER** - A lot which has at least two adjacent sides abutting for their full lengths upon a street, provided that the interior angle at the intersection of such two sides is less than one hundred thirty-five degrees (135°). (See Illustration 38-1).

135. **LOT DEPTH** - The mean horizontal distance between the front and rear lot lines. (See Illustration 38-7).

136. **LOT, DOUBLE FRONTAGE** - A lot having frontage upon two (2) non-intersecting streets, as distinguished from a corner lot.

137. **LOT, FLAG** - A lot having access to a street by means of a narrow strip of land generally having a width at the rear of the lot that is much greater than its frontage, but not less than thirty (30) feet. flag, or panhandle, lots are typically discouraged.

138. **LOT, INTERIOR** - A lot other than a corner lot.

139. **LOT FRONTAGE** - That dimension of a lot or portion of a lot abutting onto a street, excluding the side dimension of a corner lot.

140. **LOT, KEY** - A corner lot whose exterior side is adjacent to the front yard of another lot, a front yard setback shall be observed for both street frontages.

141. **LOT LINE, FRONT** - The property line connecting the foremost points of the side lot lines running parallel with and abutting the street right-of-way line. (See Illustration 38-6). For a lot which has a boundary line which does not abut the front street line such as a flag lot that is not a rear lot line, and lies along the same general directional orientation as the front and rear lot lines, said line shall be considered a front lot line in establishing minimum setback lines. (See Illustration 38-3).

142. **LOT LINES OR PROPERTY LINES** - The lines bounding a lot as defined herein.

143. **LOT LINE, REAR** - The lot line farthest from and most parallel to the front lot line. For triangular lots, the point opposite the front lot line shall be considered the rear lot line and have a value of zero. (See Illustration 38-8).

144. **LOT LINE, SIDE** - Any lot line not the front or rear lot line.

145. **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 of Kaufman County.

146. **LOT WIDTH** - The horizontal distance measured between side lot lines parallel to the front lot line, and measured from the point on the building line which is closest to the front lot line. (See Illustration 38-6).

147. **MAIN/PRIMARY BUILDING** - The building or buildings on a lot which are occupied by the primary use.

148. **MANUFACTURED HOME DISPLAY OR SALES (NEW)** - The offering for sale, storage, or display of new manufactured housing units (e.g., HUD-Code homes, industrialized homes) on a parcel of land, but excluding the use of such facilities as dwellings either on a temporary or permanent basis.

149. **MANUFACTURED HOME DISPLAY OR SALES (USED)** - The offering for sale, storage, or display of previously owned (i.e., used), movable manufactured housing units (e.g., mobile homes/trailers, HUD-Code homes, industrialized homes) on a parcel of land, but excluding the use of such facilities as dwellings either on a temporary or permanent basis.

150. **MANUFACTURED HOME PARK/SUBDIVISION** - A parcel of land not less than five (5) acres nor greater than fifteen (15) acres which is designed, improved, or intended to be used for permanent occupancy by HUD-code manufactured homes or Modular homes on individually platted lots. Facility 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.

**151. MANUFACTURED HOUSING** - Any one of three types of prefabricated housing products which are typically manufactured/assembled at a location other than the end user's permanent site, and which are regulated by the Texas Manufactured Housing Standards Act (Article 5221f and 5221f-1, V.A.C.S.). For the purpose of this Ordinance, there are three types of manufactured homes:

- a. **Mobile Home** - A structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred and twenty (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. No new or used "mobile homes" shall be moved into the city and placed on any lot for any purpose.
- b. **HUD-Code Manufactured Home** - A structure, constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development (HUD) pursuant to the requirements of the Texas Manufactured Housing Standards Act (V.A.C.S. Art. 5221f), transportable in one or more sections, which, in the traveling mode, is twelve (12) feet or more in body width and forty (40) feet or more in body length, or, when erected on site, is a minimum of twelve hundred (1,200) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with a permanent foundation (HUD 7584) when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems. The term does not include a recreational vehicle, as that term is defined herein and by 24 C.F.R., Section 8282.8(g).
- c. **Industrialized Home (also called Modular Prefabricated Structure or Modular Home)** - 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 term includes the plumbing, heating, air-conditioning, and electrical systems. The term does not include any residential structure that is in excess of three (3) stories or forty-nine (49) 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 nor apply to: (a) housing constructed of sectional or panelized systems not utilizing modular components; or (b) 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. The term does not include mobile homes or HUD-Code manufactured homes as defined in the Texas Manufactured Housing Standards Act (Article 5221f, V.A.C.S.). Industrialized homes must meet all applicable local codes and zoning regulations that pertain to construction of traditional site constructed ("stick built") homes.

**152. MASONRY CONSTRUCTION – (See Section 37)**

**153. MEDICAL FACILITIES:**

- a. **Medical Clinic or Office** - A facility or group of offices for one or more physicians for the examination and treatment of ill and afflicted human outpatients provided that patients are not kept overnight except under emergency conditions.
- b. **Dental Office or Doctors Office** - Same as medical clinic.
- c. **Hospital (Acute Care/Chronic Care)** - 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 services facilities, and staff offices which are an integral part of the facilities.

- d. **Massage Establishment** - Any place of business in which massage therapy is practiced by a massage therapist, as defined in the Texas State Occupations Code Chapter 455 and licensed in accordance with State Law. "Massage therapy", as a health care service, means the manipulation of soft tissue for therapeutic purposes. The term includes, but is not limited to, effleurage (stroking), petrissage (kneading), tapotement (percussion), compression, vibration, friction, nerve strokes, and Swedish gymnastics, either by hand or with mechanical or electrical apparatus for the purpose of body massage. Massage therapy may include the use of oil, salt glows, heat lamps, hot and cold packs, tub, shower or cabinet baths. Equivalent terms for "massage therapy" are massage, therapeutic massage. Massage and "therapeutic" do not include diagnosis, the treatment of illness or disease, or any service or procedure for which a license to practice medicine, chiropractic, physical therapy, or podiatry is required by law.
- e. **Public Health Center** - A facility primarily utilized by a health unit for providing public health services including related facilities such as laboratories, clinics and administrative offices operated in connection therewith.
- f. **Sanitarium** - An institution providing health facilities for inpatient medical treatment or treatment and recuperation making use of natural therapeutic agents.
- g. **Surgical Out-Patient Facility** - An establishment offering any type of surgical procedures and related care which, in the opinion of the attending physician, can be performed safely without requiring inpatient overnight hospital care and exclusive of such surgical and related care as licensed physicians ordinarily may elect to perform in their private offices.
- h. **Medical Laboratory** - An indoor establishment that includes laboratories and/or experimental equipment for medical testing, prototype design and development, and product testing.

154. **MINI-WAREHOUSE/SELF STORAGE FACILITY** - Small individual storage units for rent or lease, restricted solely to the storage of items. The conduct of sales, business or any other activity within the individual storage units, other than storage, shall be prohibited.

155. **MIXED USE RESIDENTIAL** – Dwelling units located in a non-residential district such as the Central Business District which are typically located above the ground level of a building or if located on ground floor are not on the street frontage and do not take up more than 50% of the first floor. (see Live/Work Units)

156. **MODEL HOME** - A dwelling in a developing subdivision, located on a legal lot of record, that is limited to temporary use as a sales office for the subdivision and to provide an example of the dwellings which have been built or which are proposed to be built within the same subdivision.

157. **MOTEL OR HOTEL** - A facility offering temporary lodging accommodations or guest rooms on a daily rate to the general public (for stays of generally fourteen (14) days or less) and providing additional services, such as restaurants, meeting rooms, housekeeping service and recreational facilities. A guest room shall be defined as a room designed for the overnight lodging of hotel guests for an established rate or fee.

158. **MOTEL OR HOTEL, EXTENDED STAY** - A facility offering temporary lodging accommodations or guest rooms on a daily rate to the general public (for stays of generally longer than 14 days) and providing additional services, such as restaurants, meeting rooms, housekeeping service and recreational facilities. A guest room shall be defined as a room designed for the overnight lodging of hotel guests for an established rate or fee.

159. **MOTORCYCLE** - A usually two-wheeled, self-propelled vehicle having one or two saddles or seats, and which may have a sidecar attached. For purposes of this Ordinance, motorbikes, all-

terrain vehicles (ATVs), motor scooters, mopeds and similar vehicles are classified as motorcycles.

160. **MOTORCYCLE SALES AND REPAIR** - The display, sale and/or servicing, including repair work, of motorcycles.
161. **MOTOR FREIGHT COMPANY** - A company using trucks or other heavy load vehicles to transport goods, equipment and similar products. Includes companies that move residential or commercial belongings.
162. **MOTOR VEHICLE** - Any vehicle designed to carry one or more persons which is propelled or drawn by mechanical power, such as automobiles, vans, trucks, motorcycles and buses.
163. **MULTIPLE-FAMILY DWELLING** - Three or more dwelling units on a single lot designed to be occupied by three or more families living independently of one another, exclusive of hotels or motels. Includes three-family units (triplex) and four-family units (quadruplex), as well as traditional apartments.
164. **MUNICIPAL FACILITY OR USE** - Any area, land, building, structure and/or facility (including a park, plaza, swimming pool, tennis court, maintenance building, etc.) which is owned, used, leased or operated by the City of Terrell, Texas.
165. **NONCONFORMING USE/STRUCTURE** - A building, structure, or use of land lawfully occupied as of the effective date of this Ordinance or amendments thereto, but which does not conform to the use regulations of the district in which it is situated.
166. **NON-PROFIT ACTIVITY BY CHURCH** - An activity such as, but not limited to, a rummage sale, bake sale, fundraising event, charitable function, etc. that is clearly in furtherance of the religious institution's tax-exempt (i.e., non-profit) purpose. An activity that is intended to generate money for profit for the institution does not qualify as a non-profit activity by a church.
167. **NURSERY/GARDEN SHOP (RETAIL)** - A facility which is engaged in the selling of flowers, ornamental plants, shrubs, trees, seeds, garden and lawn supplies, and other materials used in planting and landscaping, but not including cultivation and propagation activities outside a building.
168. **NURSERY** - An facility (wholesale or retail), that may include buildings and/or greenhouses or open spaces, for the propagation, production and growth of plants, shrubs, trees, for display and/or sale of plants, shrubs, trees and other materials used in indoor or outdoor planting.
169. **NURSING, CONVALESCENT OR REST HOME** - See "Skilled Nursing Facility".
170. **OCCUPANCY** - The use or intended use of the land or buildings by proprietors or tenants.
171. **OFFICES, PROFESSIONAL AND GENERAL BUSINESS** - A room or group of rooms used for the provision of executive, management and/or administrative services. Typical uses include administrative offices and services including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, and business offices of public utilities, organizations and associations, but excluding medical offices.
172. **OFFICE CENTER** - A building or complex of buildings used primarily for conducting the affairs of a business, profession, service, industry, government or similar entity, that may include ancillary services for office workers such as a coffee shop, newspaper stand, sundries shop, hair/nail salon, etc.

173. **OFFICE SHOWROOM/WAREHOUSE** - A retail/wholesale establishment which combines a storage and warehousing area which is not accessible to the general public with retail and wholesale sales areas, sales offices, and display areas that is accessible to the general public for products sold and distributed from the storage and warehousing areas.

174. **OUTSIDE DISPLAY** – See “Temporary Outside Retail Sales”.

175. **OUTSIDE STORAGE** (also “Open Storage”)- The permanent and/or continuous keeping, displaying or storing, outside a building, of any goods, materials, merchandise or equipment on a lot or tract for more than twenty-four (24) hours (i.e., overnight).

176. **OVERNIGHT SHELTER DAY USE - A temporary non-residential facility that provides intermittent safe shelter and incidental services for homeless persons and/or families; for day use only.**

177. **OVERNIGHT SHELTER NIGHT USE - A temporary residential facility that provides overnight accommodations and incidental services for homeless persons and/or families on a short-term basis. Includes 35-60 SF per bed, bathroom, kitchen, and on-site staff. Not for day use.**

178.

179. **PAINT SHOP** - A commercial establishment where painting services are performed (but not automotive-related painting services, which would be included under "Automobile Repair, Major").

180. **PARCEL** - Any unplatted tract of land, or any portion of an unplatted tract of land (also see "Tract").

181. **PARK OR PLAYGROUND (PRIVATE)** - See "Private Recreation Facility".

182. **PARK OR PLAYGROUND (PUBLIC)** - See "Public Recreation".

183. **PARKING LOT** - An off-street (i.e., not on a public street or alley), ground level area, paved in accordance with City of Terrell parking lot standards, for the short- or long-term storage of motor vehicles.

184. **PARKING LOT OR STRUCTURE, COMMERCIAL (AUTO)** - An area or structure devoted to the parking or storage of automobiles for a fee which may include, in the case of a parking structure only, a facility for servicing automobiles provided that such facility is an internal function for use only by automobiles occupying the structure and that such facility creates no special problems of ingress or egress.

185. **PARKING SPACE** - An off-street (i.e., not on a public street or alley) area, paved in accordance with City of Terrell parking lot standards, that is used for parking a vehicle, and that is accessed from a paved driveway which connects the parking space with a public street. Required parking spaces may not be used for outside storage, displays or accessory structures. Offsite parking that is used to satisfy the minimum parking standards must have written permission of the property owner and must be within two hundred feet (200') of the site it is serving. Each use in a combined or shared parking lot, such as a shopping center, must each meet the minimum standards for its own parking requirement (i.e. a parking space cannot be counted towards the requirement for separate uses)

186. **PATIO HOME (ZERO-LOT-LINE DWELLING)** - A single-family dwelling on a separately platted lot which is designed such that one side yard is reduced to zero feet in order to maximize the width and usability of the other side yard, and which permits the construction of a detached single-family dwelling with one side (i.e., wall) of such dwelling placed on the side property line. (See Section 20).

187. **PAWN SHOP** - An establishment where money is loaned on the security of personal property pledged in the keeping of the owners (pawnbroker). Retail sales of primarily used (i.e., pre-owned) items is also allowed, provided that the sale of such items complies with local, State and Federal regulations.

188. **PAYDAY ADVANCE/LOAN BUSINESS** - Any establishment, entity, business, corporation, or person required to be registered with the Texas Secretary of State as a Credit Services Organization (CSO) under Chapter 393 of the Texas Finance Code that makes payday cash advances, payroll cash advances, short term cash loans, instant loans, or other short term money loan services and/or similar services for a specified fee, usually secured by a postdated check or authorization to make an electronic debit against an existing financial account, where the check or debt is held for an agreed-upon term, or until a customer's next payday, and then cashed unless the customer repays the loan to reclaim such person's check. Such establishments may charge a flat fee or other service charge and/or a fee or interest rate based on the size of the loan amount. (Described by Ordinance 2658 as definition "289").

189. **PERSONAL SERVICE SHOP OR CUSTOM PERSONAL SERVICES** - Establishments primarily engaged in providing services generally involving the care of the person or his apparel and including (but not limited to) barber/beauty shops, dressmaking, shoe shining and repair, nail salon, tailor or seamstress services, and other similar types of uses (no outside storage) that are not otherwise defined specifically herein.

190. **PET SHOP AND ANIMAL GROOMING** - A retail establishment offering small animals, fish and/or birds for sale as pets, where such creatures are housed within the building, and which may include the grooming of dogs, cats and similar animals.

191. **PETROLEUM DISTRIBUTION/STORAGE/WHOLESALE FACILITY** - A facility for the long-term storage and distribution of petroleum that may also involve wholesale sales, but not retail sales, of petroleum and petroleum-based products. No manufacturing or refining of petroleum or petroleum-based products occurs on the premises, only storage and/or distribution functions.

192. **PLANNED DEVELOPMENT DISTRICT** - Planned associations of uses developed as integral land use units, such as industrial parks or industrial districts, offices, commercial or service centers, shopping centers, residential developments of multiple or mixed housing, including attached single-family dwellings or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or by a combination of owners.

193. **PLANNING AND ZONING COMMISSION** - A board which is appointed by the City Council as an advisory body, and which is authorized to recommend changes in the zoning of property and other planning functions as delegated by the City Council. Also referred to as the "Commission."

194. **PLAT** - A plan showing the subdivision of land, creating building lots or tracts, showing all essential dimensions and other information in compliance with the subdivision standards of the City of Terrell, and which is approved by the City of Terrell and recorded in the plat records of Kaufman County.

195. **PLATTED LOT** - See "Lot" and "Lot of Record".

196. **PLAYFIELD OR STADIUM (PUBLIC)** - An athletic field or stadium owned and operated by a public agency (e.g., City of Terrell, the School District, etc.) for the general public including a baseball field, soccer field, golf course, football field or stadium which may be lighted for nighttime play.

197. **PLAYFIELD OR STADIUM (PRIVATE)** - An athletic field or stadium owned and operated by an agency other than the City of Terrell or the School District.

198. **PORCH DEFINITION** - A porch is an outdoor covered area, generally on the front façade of the house that provides an area for sitting, for outdoor dining, for interacting with neighbors and for providing shade from heat and protection from rain so that the persons dwelling in the structure can easily step outside and enjoy a private area to view the surrounding streetscape. Unless otherwise allowed by the Municipal Development Director, the minimum depth of a porch is 5 feet (5'). A porch is different from an entry alcove or an architectural overhang feature because it provides a safety/security function for those in the dwelling unit. In order to perform a security function and provide this view of the surrounding street, all or most of the porch shall be outside the main support walls of the building. No portion of an entry alcove shall count as part of the total square footage calculation of a porch. However, a porch should always include access from the front door to the sidewalk or street. As such every part of the porch beyond the main support walls may by right enter the front yard, setback or side yard.

199. **PORTABLE BUILDING SALES** - An establishment which displays and sells structures capable of being carried and transported to another location, but not including manufactured homes. Such display is wholly or partially out of doors.

200. **PREMISES** - Land together with any buildings or structures situated thereon, same as "LOT".

201. **PRIMARY USE** - The principal or predominant use of any lot or building.

202. **PRIVATE ACCESS** - Access to a property, other than from a dedicated street, which is approved by the City of Terrell.

203. **PRIVATE CLUB** - An establishment providing social and/or dining facilities which may provide alcoholic beverage service, to an association of persons, and otherwise falling within the definition of, and permitted under the provisions of, that portion of Title 3, Chapter 32, Vernon's Texas Codes Annotated, Alcoholic Beverage Code, as the same may be hereafter amended, and as it pertains to the operation of private clubs. (Also see Chapter 5, Section 2 of the City's Code of Ordinances.)

204. **PRIVATE PARTY RENTAL FACILITY** - A facility that is leased or rented on a temporary basis for private parties. (requires a Temporary Use Permit – see Section 38.10)

205. **PRIVATE RECREATION FACILITY OR PRIVATE PARK** - A recreation facility, park or playground which is not owned by a public agency such as the City or School District, and which is operated for the exclusive use of private residents or neighborhood groups and their guests and not for use by the general public.

206. **PRODUCE STAND** - A seasonal use for which the primary purpose and design is to sell fruit, nuts, vegetables and similar foods, typically from a non-permanent structure. No cooking or on-premises consumption of produce occurs on the site. All seasonal sales vendors must have a valid operating permit issued by the City.

207. **PROFESSIONAL SERVICE** - Work performed which is commonly identified as a profession, and which may be licensed by the State of Texas.

208. **PROPANE SALES** - Retail sales of gaseous substances commonly used for household purposes such as propane and/or butane; does not include the storage, sale or distribution of other types of combustible substances or alternative fuels such as containerized natural gas, liquid propane, etc.

209. **PUBLIC RECREATION** - Publicly owned and operated parks, recreation areas, playgrounds, swimming pools and open spaces that are available for use by the general public without membership or affiliation. This land use shall include special event type uses such as rodeos,

concerts, festivals and other special events requiring special event permits, as set forth in the City of Terrell's Code of Ordinances.

210. **PUBLIC VIEW** - Public view means areas that can be seen from any public street.
211. **REAR YARD** - See "Yard, Rear".
212. **RECREATION/COMMUNITY CENTER** - A public or private facility designed and equipped for the conduct of sports, special events, leisure time activities, and other customary and usual recreational activities.
213. **RECREATIONAL VEHICLE (RV)** - A self-propelled (i.e., motorized), mobile living unit which is typically used for temporary human occupancy away from the users' permanent place of residence. An RV may also be utilized as a permanent place of residence within districts that allow them to be used as such. (See also "Heavy Load Vehicle").
214. **RECREATIONAL VEHICLE/CAMPER SALES AND LEASING** - An establishment that sells, leases and/or rents new and/or used recreational vehicles, travel trailers, campers, boats/watercraft, and similar types of vehicles.
215. **RECREATIONAL VEHICLE (RV) PARK** - An area or commercial campground for users of recreational vehicles, travel trailers, and similar vehicles to reside, park, rent or lease on a temporary basis.
216. **RECYCLING/DONATION BINS OR RECEPTACLES** - A small uninhabited structure (120 square feet maximum) or temporary container (e.g., bin, box, receptacle, "igloo" or dumpster-type container) which provides a self-service location for the depositing of donated materials, non-liquid recyclable materials such as aluminum cans (e.g., "can banks"), glass bottles, magazines/newspapers, metal or plastic containers, etc. Recyclables are picked up periodically from the site. This definition does not include large trailers, containers owned and operated by the business tenant or owner, or manned collection centers.
217. **REHABILITATION CARE FACILITY/INSTITUTION** - A facility which provides residence and care to seven (7) or more persons regardless of legal relationship who have demonstrated a tendency towards alcoholism, drug abuse, mental illness, or antisocial or criminal conduct living together with not more than two (2) supervisory personnel as a single housekeeping unit.
218. **RESIDENCE** - Same as a dwelling unit; also, when used with district, an area of residential regulations.
219. **RESIDENCE HOTELS** - A multi-unit, extended stay lodging facility consisting of efficiency units and/or suites with complete kitchen facilities and which is suitable for long-term occupancy. Customary hotel services such as linens and housekeeping, telephones, and upkeep of furniture shall be provided. Meeting rooms, club house, and recreational facilities intended for the use of residents and their guests are permitted. This definition shall not include other dwelling units as defined by this Ordinance.
220. **RESIDENTIAL DISTRICT** - District where the primary purpose is residential use.
221. **RESTAURANT OR CAFETERIA (WITH DRIVE-THROUGH OR DRIVE-IN SERVICE)** - An eating establishment where vehicular traffic is primary to their business which may have indoor dining facilities as well as drive-in service where customers consume food in their vehicle including drive-through windows for pickup of food for off premise consumption.
222. **RESTAURANT OR CAFETERIA (WITH NO DRIVE-THROUGH SERVICE)** - An eating establishment where customers are primarily served at tables or are self-served, where food is consumed on the premises, and which do not have a drive-through window.

223. **RETAIL OR SERVICE, INCIDENTAL** - The rendering of incidental retailing or services incidental to the primary use. In the Office district, for example, such uses may include a barber/beauty shop, smoke shop, news stand, candy counter, restaurant, pharmacy or other incidental activity secondary to the primary office occupancy. Incidental uses shall mean uses which occupy less than twenty percent (20%) of the building or space that is occupied by the principal use.

224. **RETAIL STORE/SHOP (FOR DRY GOODS)** - This major group includes retail stores which sell any number of lines of primarily new merchandise including but not limited to dry goods, apparel and accessories, furniture and home furnishings, building materials, small wares, electronics, appliances, hardware, but not food or alcoholic beverages. Outside storage may or may not be permitted. The stores included in this group are known as department stores, variety stores, general merchandise stores, general stores, home improvement centers, etc. and are divided into buildings containing less than 12,000 square feet or more than 12,000 square feet, which is the threshold for requiring fire sprinkler systems (except when certain occupancy loads require sprinklers regardless of square footage).

225. **RETAIL STORE/SHOP (FOR FOOD or ALCOHOLIC BEVERAGES)** This major group includes retail stores which sell any number of lines of primarily food products including but not limited to prepared foods, can goods, fresh produce, dairy products, bakery products, meat products, delicatessen, or alcoholic and non-alcoholic beverages. Outside storage may or may not be permitted. The stores included in this group are known as grocery stores, food stores, convenience stores, etc. and are divided into buildings containing less than 12,000 square feet or more than 12,000 square feet, which is the threshold for requiring fire sprinkler systems (except when certain occupancy loads require sprinklers regardless of square footage).

226. **RETIREMENT HOUSING FOR THE ELDERLY (also INDEPENDENT LIVING CENTER or CONGREGATE HOUSING)** - A development providing self-contained dwelling units specifically designed for the needs of the elderly. Units may be rented or owner-occupied. To qualify as retirement housing, a minimum of 80% of the total units shall have a household head 55 years of age or greater. No long-term or permanent skilled nursing care or related services are provided.

227. **ROOM** - A building or portion of a building which is arranged, occupied or intended to be occupied as living or sleeping quarters but not including toilet or cooking facilities.

228. **SALVAGE OR RECLAMATION OF PRODUCTS (ALSO SEE WRECKING YARD)** - The reclamation and storage of used products or materials.

229. **SAND, GRAVEL OR STONE EXTRACTION AND/OR STORAGE** - The process of extracting and/or storing sand, gravel, stone, topsoil, compost or other products from the earth.

230. **SCHOOL, BUSINESS** - A for-profit business that offers instruction and training in a profession, service or art such as a secretarial or court reporting school, barber/beauty college or commercial art school, but not including commercial trade schools.

231. **SCHOOL, COMMERCIAL TRADE** - A for-profit business that offers vocational instruction and training in trades such as welding, brick laying, machinery operation/repair, and similar trades.

232. **SCHOOL, PRIVATE (PRIMARY OR SECONDARY)** - A school under the sponsorship of a private agency or corporation, other than a public or religious agency, which offers a curriculum that is generally equivalent to public elementary and/or secondary schools.

233. **SCHOOL, PUBLIC OR PAROCHIAL** - A school under the sponsorship of a public or religious agency which provides elementary and/or secondary curricula, but not including private business or commercial trade schools.

234. **SCIENTIFIC AND INDUSTRIAL RESEARCH LABORATORIES** - Facilities for research include laboratories, experimental equipment, and operations involving compounding or testing of materials or equipment.

235. **SCREENING** - Shielded, concealed, and effectively hidden from the view of a person standing at ground level on an abutting site, or outside the area or feature so screened, by a fence, wall, hedge, berm or similar architectural or landscape feature. Dumpsters, outside storage and loading docks must be screened from view from a public roadway in addition to screen walls that are required to be erected between nonresidential uses and residential uses unless specifically exempted by this ordinance.

236. **SEASONAL USES/ITEMS** – Temporary seasonal uses include the sales of items such as Christmas trees, holiday decorations, pumpkins, snow cones, fresh produce, spring planting materials, and other items which are typically only available or marketed at certain times of the year in a non-permanent setting (i.e., includes itinerant vendors).

237. **SERVANT'S QUARTERS OR GUEST HOUSE** - An accessory dwelling in a residential district for the sole use and occupancy of a member of the immediate family or of a person or persons employed on the premises by the occupant on a full-time basis as domestic help such as a maid, nanny/governess, groundskeeper, chauffeur, cook or gardener, but not involving the rental of such facilities or the use of separate utility connections for such facilities.

238. **SEXUALLY ORIENTED BUSINESS** - See Chapter 5, Section 14 of the City's Code of Ordinances.

239. **SHOPPING CENTER** - A group of primarily retail and service commercial establishments that is planned, constructed and managed as a total entity, and which provides customer and employee parking on-site, unloading/delivery areas which are separated from customer access, and aesthetically appropriate design and protection from the elements.

240. **SIDE YARD** - See "Yard, Side".

241. **SINGLE-FAMILY DWELLING, ATTACHED (TOWNHOUSE)** - A dwelling which is joined to another dwelling at one or more sides by a party (i.e., shared) wall, which is designed for occupancy by one family, and which is located on a separate lot delineated by front, side and rear lot lines.

242. **SINGLE-FAMILY DWELLING, DETACHED** - A dwelling designed and constructed as a free-standing structure for occupancy by one family, and located on a lot or separate building tract having no physical connection to a building located on any other lot or tract.

243. **SKILLED NURSING FACILITY (also termed NURSING HOME, CONVALESCENT HOME or LONG-TERM CARE FACILITY)** - A residence providing primarily in-patient health care, personal care, or rehabilitative services over a long period of time to persons who are chronically ill, aged or disabled and who need ongoing health supervision but not hospitalization.

244. **SMALL ENGINE REPAIR SHOP** - Shop for the repair of lawn mowers, chain saws, lawn equipment, and other machines with one-cylinder engines.

245. **SMART CODE, Version 9.2** - The SMART Code, Version 9.2 is an established published international standard for sustainable development that is based on the model of hundreds of successful, thriving towns that preserves the character of small town neighborhoods through design elements which promote pedestrian friendly walkable development, with strict guidelines which control building placement and architecture, sidewalk and street layout, parking lot design, and landscaping.

246. **SMOKE SHOP** - A retail establishment in which tobacco or tobacco derivatives, electronic cigarettes, smoking devices, pipes, accessories, associated products, paraphernalia, liquid products

containing nicotine, flavors or other substances intended for use in electronic cigarettes. Definition includes smoke shops, cigar stores, cigarette stores, head shops, vapor shops, etc. which are restricted to persons 18 years of age or older.

247. **STABLE, COMMERCIAL** - A stable used for the rental of stall space or for the sale or rental of horses or mules.

248. **STABLE, PRIVATE** - An area used solely for the owner's private purposes for the keeping of horses, mules or ponies which are not kept for remuneration, hire or sale.

249. **STORAGE OR WHOLESALE WAREHOUSE** - A building used primarily for the storage of goods and materials.

250. **STORY** - That portion of a building (above grade), other than a basement, that is included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, then the space between the floor and the ceiling above it. The average height for a story shall be defined as twelve feet (12'). The definition of a story does not include parapets, gables and other normal roof structures. In cases where the site has a significant slope, the number of stories (i.e., height) of a building shall be measured from a point representing the average slope from front to back (or side to side) of the building.

251. **STORY, HALF** - A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three feet (3') above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use. A half-story containing an independent apartment or self-contained living quarters shall be counted as a full story.

252. **STREET** - Any dedicated public thoroughfare which affords the principal means of access to abutting property. A street is termed a major thoroughfare or arterial when the right-of-way is greater than sixty feet (60').

253. **STREET INTERSECTION** - Any street which joins another street at an angle, whether or not it crosses the other.

254. **STREET YARD** - The area between the building line and the property line/right-of-way) line. On most lots, this will be the front yard, but in some instances can also be the side yard and/or rear yard, depending on the configuration of the lot to adjacent rights-of-way.

255. **STRUCTURE** - Anything constructed or erected, the use of which requires location on the ground or which is attached to something having a location on the ground (also see definition of "Building").

256. **STRUCTURAL ALTERATIONS** - Any change in the supporting members of a building, such as load-bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.

257. **STUDIO, HEALTH/REDUCING/FITNESS** - 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 child care 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.

258. **STUDIO, TATTOO OR BODY PIERCING** - A building or portion of a building used for selling and/or applying tattoos (by injecting dyes/inks into the skin), and/or for piercing the skin with needles, jewelry or other paraphernalia, primarily for the purpose of ornamentation of the human body.

259. **STUDIO FOR RADIO AND TELEVISION** - A building or portion of a building used as a place for radio or television broadcasting.

260. **SWIMMING INSTRUCTION AS A HOME OCCUPATION** - The teaching of swimming in a private swimming pool. (Also see Home Occupation Regulations, Section 41.)

261. **SWIMMING POOL, COMMERCIAL** - A swimming pool with accessory facilities which is not part of the municipal or public recreational system and which is not a private swim club, but where the facilities are available for use by the general public for a fee.

262. **SWIMMING POOL, PRIVATE** - A swimming pool constructed for the exclusive use of the residents of a one-family, two-family or multiple-family dwelling and located, fenced and built in accordance with Chapter 4, Section 4-9 of the City of Terrell Code of Ordinances. A private swimming pool shall not be operated as a business nor maintained in a manner to be hazardous or obnoxious to adjacent property owners.

263. **TELEMARKETING CENTER** - An establishment which solicits business or the purchase of goods and/or services by telephone only. No sales of goods or services to the public occur at or on the premises. No products are stored at or on the premises.

264. **TELEPHONE AND EXCHANGE, SWITCHING/RELAY OR TRANSMITTING STATION** - A line for the transmission of telephone signals and a central office in which telephone lines are connected to permit communication but not including a business office, storage (inside or outside) or repair yards.

265. **TEMPORARY BUILDING** - Any nonresidential prefabricated structure which is not originally manufactured or constructed at its use site, required on-site installation of utilities and/or foundation.

266. **TEMPORARY FIELD OFFICE OR CONSTRUCTION YARD OR OFFICE** - A structure or shelter used in connection with a development or building project for housing on the site of temporary administrative and supervisory functions and for sheltering employees and equipment. Temporary permits for one (1) year for a specific time and location as determined may be issued by the Municipal Development Department and shall be subject to review and renewal for reasonable cause.

267. **TEMPORARY OUTSIDE RETAIL SALES / COMMERCIAL PROMOTION** (also "Outside Display") - Outside temporary display of finished goods that are specifically intended for retail sale by the owner or lessee of the premises (i.e., does not include itinerant vendors) but not displayed outside overnight.

268. **TEMPORARY USES** - Uses lasting for only a limited period of time; not permanent. Short-term or seasonal uses that would not be appropriate on a permanent basis, which typically require a special permit issued by the City.

269. **TENNIS COURT, PRIVATE** - A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances but excluding lighting for nighttime play in residential areas except as may be otherwise provided or restricted by the specific use permit.

270. **THEATER, DRIVE-IN (OUTDOOR)** - 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.

271. **THEATER OR PLAYHOUSE (INDOOR)** - A building or part of a building devoted to the showing of motion pictures, or for dramatic, musical or live performances.

272. **THRIFT STORE** -A retail store that primarily sells second-hand or used merchandise, furniture, clothing and other goods to the general public excluding an Antique Store as defined herein. (described by Ordinance 2669 as definition "272").

273. **TIRE DEALER, NO OUTSIDE OR OPEN STORAGE** - A retail establishment engaged in the sale and/or installation of tires for vehicles, but without open storage.

274. **TIRE DEALER, WITH OUTSIDE OR OPEN STORAGE** - A retail establishment engaged in the sale and/or installation of tires for vehicles, with open storage.

275. **TOOL AND MACHINERY RENTAL SHOP** - A building or a portion of a building used for the display and rental of tools, machinery and instruments.

276. **TRACT** - A single individual parcel or lot.

277. **TRAILER RENTAL** - The display and offering for rent of trailers designed to be towed by automobiles and light load vehicles.

278. **TRAILER, TRAVEL OR CAMPING** - A portable or mobile living unit which is used for temporary human occupancy away from the users' permanent place of residence, which does not constitute the users' principal place of residence, and which is designed to be towed behind another vehicle.

279. **TRANSPORTATION AND UTILITY STRUCTURES/FACILITIES** - Permanent facilities and structures operated by companies engaged in providing transportation and utility services including but not limited to railroad track rights-of-way, sewage pumping stations, telephone exchanges, transit station turnarounds, water reservoirs and water pumping stations.

280. **TRUCK** - A light or heavy load vehicle (see definitions for "Light Load Vehicle" and "Heavy Load Vehicle").

281. **TRUCK AND BUS REPAIR** - An establishment providing major and minor automotive repair services to heavy load vehicles.

282. **TRUCK AND BUS LEASING** - The rental of new or used panel trucks, vans, trailers, recreational vehicles or motor-driven buses in operable condition and where no repair work or intensive cleaning operations are performed.

283. **TRUCK STOP** - A facility for the 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.

284. **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 storage of loads prior to shipment.

285. **TRUCK SALES (HEAVY TRUCKS)** - The display, sale or rental of new or used heavy load vehicles in operable condition.

286. **TWO-FAMILY DWELLING (DUPLEX)** - Two attached dwelling units in one structure that are divided by a property line centered on the common wall with each unit located on its own platted lot, each designed to be occupied by one family.

287. **USABLE OPEN SPACE** - An open area or recreational facility which is designed and intended to be used for outdoor living and/or recreation purposes. An area of usable open space shall have a slope not exceeding ten percent (10%), shall have no dimension of less than ten feet (10'), and

may include landscaping, walks, recreational facilities, water features and decorative objects such as art work or fountains (see also Section 20.5(A-D)).

**288. USE** - The purpose for which land or buildings are or may be occupied in a zoning district.

**289. USED MERCHANDISE STORE** (also "Resale Shop" or "Thrift Store" or "Consignment Shop") An establishment that generally markets common, contemporary used household goods, clothing or furnishings on a straight "for sale" basis or on a consignment basis. This term includes a used merchandise store that is operated by a non-profit, charitable or religious organization.

**290. UTILITY DISTRIBUTION/TRANSMISSION LINES** - Facilities which serve to distribute and transmit electrical power, gas and water, including but not limited to electrical transmission lines, gas transmission lines, telephone lines and metering stations, whether operated by the City or private utility company.

**291. VARIANCE** - An adjustment in the application of the specific regulations of the Zoning Ordinance to a particular parcel of property which, because of special conditions or circumstances of hardship 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. Only the Board of Adjustment of the City of Terrell can grant a variance subject to the restrictions as stated in Section 9.

**292. VETERINARIAN CLINIC** - An establishment where animals and pets are admitted for examination and medical treatment (also see "Kennels").

**293. WAREHOUSE DISTRIBUTION CENTER** - Typically a large scale storage facility which receives equipment, products, parts, goods or merchandise that are redistributed to industrial, manufacturing, wholesale or retail customers.

**294. WEDDING RENTAL FACILITY** - A private secular (non-church) facility which is leased or rented on a temporary basis for private wedding parties or other private parties. (same as Private Party Rental Facility which requires a Temporary Use Permit – see Section 38.10)

**295. WRECKING YARD (JUNKYARD OR AUTO SALVAGE)** - Any lot upon which two or more motor vehicles of any kind, which are incapable of being operated due to condition or lack of license, have been placed for the purpose of obtaining parts for recycling or resale.

**296. YARD** - An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except where otherwise specifically provided in this Ordinance that the building or structure may be located in a portion of a yard required for a main building. In measuring a yard for the purpose of determining the width of the side yard, the depth of a front yard or the depth of a rear yard, the shortest horizontal distance between the lot line and the main building shall be used. (See Illustration 38-6).

**297. YARD, FRONT** - A yard located in front of the front elevation of a building and extending across a lot between the side yard lines and being the minimum horizontal distance between the front property line and the outside wall of the main building. (See Illustration 38-6).

**298. YARD, REAR** - The area extending across the rear of a lot measured between the lot lines and being the minimum horizontal distance between the rear lot line and the rear of the outside wall of the main building. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard. (See Illustration 38-8).

**299. YARD, SIDE** - The area between the building and side line of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the outside wall of the side of the main building. (See Illustration 38-8).

300. **ZERO-LOT-LINE DWELLING** - See "Patio Home".

301. **ZONING BOARD OF ADJUSTMENT** - A board which is appointed by the City Council, and which is authorized to make special exceptions to the Zoning Ordinance (i.e., variances), and to hear and decide any appeals that allege error in an order, requirement, decision or determination made by an administrative official in the enforcement of the Zoning Ordinance. Also referred to as the "BOA."

302. **ZONING DISTRICT** - A classification applied to any certain land area within the City stipulating the limitations and requirements of land usage and development.

303. **ZONING DISTRICT MAP** - The official map upon which the boundaries of the various zoning districts are drawn and which is an integral part of the Zoning Ordinance. The Official Zoning Map is maintained by the City Secretary, all other copies, depictions posted on the internet, or electronic versions are for reference only and are not to be considered official for zoning purposes.