

CITY OF CROWLEY, TEXAS: CHAPTER 106 - ZONING ORDINANCE

ARTICLE 11: DEFINITIONS

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CITY OF CROWLEY, TEXAS: CHAPTER 106 - ZONING ORDINANCE

ARTICLE 11: DEFINITIONS

106.121 GENERAL RULES OF INTERPRETATION

Unless the context clearly indicates otherwise, the following rules shall apply in interpreting the terms and provisions of this Chapter.

- A. **MEANINGS AND INTENT**
All provisions, terms, phrases, and expressions contained in this Chapter shall be construed according to the general purposes set forth in **Article 1: General Provisions, Section 106.5, Purpose and Intent**, and the specific purpose statements set forth throughout this Chapter. When, in any specific section of this Chapter, a different meaning is given for a term defined for general purposes in this Article, the specific section's meaning and application of the term shall control.
- B. **HEADINGS, ILLUSTRATIONS, AND TEXT**
In the event of a conflict or inconsistency between the text of this Chapter and any heading, caption, figure, illustration, table, or map, the text shall control.
- C. **LISTS AND EXAMPLES**
Unless otherwise specifically indicated, lists of items or examples that use terms such as "for example," "including," and "such as," or similar language are intended to provide examples and are not exhaustive lists of all possibilities.
- D. **COMPUTATION OF TIME**
The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the City, the deadline or required date of action shall be the next day that is not a Saturday, Sunday or holiday observed by the City. References to days are calendar days unless otherwise stated.
- E. **REFERENCES TO OTHER REGULATIONS/PUBLICATIONS**
Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it shall be construed as a reference to the most recent edition, including amendments, of such regulation, resolution, ordinance, statute, regulation, or document, unless otherwise specifically stated.
- F. **DELEGATION OF AUTHORITY**
Any act authorized by this Chapter to be carried out by a specific official of the City may be carried out by a designee of such official.
- G. **TECHNICAL AND NON-TECHNICAL TERMS**
Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.
- H. **PUBLIC OFFICIALS AND AGENCIES**
All public officials, bodies, and agencies to which references are made are those of the City of Crowley unless otherwise indicated.
- I. **MANDATORY AND DISCRETIONARY TERMS**
The words "shall," "must," and "will" are mandatory in nature, establishing an obligation or duty to comply with the particular provision. The words "may" and "should" are permissive in nature.

J. SYNONYMOUS TERMS

Unless otherwise specified:

- (1) The word “building” includes the word “structure” and the word “structure” includes the word “building”;
- (2) The word “lot” includes the words “building site,” “parcel,” “plot,” or “tract”; and
- (3) The phrase “used for” shall include the phrases “arranged for,” “designed for,” “intended for,” “maintained for,” and “occupied for.”

K. CONJUNCTIONS

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

- (1) “And” indicates that all connected items, conditions, provisions, or events apply; and
- (2) “Or” indicates that one or more of the connected items, conditions, provisions, or events apply.

L. TENSES, PLURALS, AND GENDER

Words used in the present tense include the future tense. Words used in the singular number include the plural number and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise. Words used in the masculine gender include the feminine gender, and vice versa.

M. UNDEFINED TERMS

For words not defined in this Article, refer to the online edition of Webster's Dictionary.

106.122 INTERPRETATIONS

The Administrator has final authority to determine the interpretation or usage of terms used in this Chapter per the standards established in **Article 2: Procedures and Administration**. Any person may request an interpretation of any term by submitting a written request to the Administrator, who shall respond in writing within 30 days. When interpreting and applying the provisions of this Chapter, such provisions shall be held to be the minimum requirements for the promotion of the public health, safety, convenience, comfort, and general welfare. Nothing in this Chapter shall be construed as repealing any existing ordinance regulating nuisances.

106.123 GENERAL LAND USE CATEGORIES AND SPECIFIC USE TYPES

This section defines the general use categories and use types listed in the Table of Allowed Uses, Accessory Uses, and Temporary Uses (Table 106.65-2) in **Article 5**.

A. AGRICULTURE

The use of land for purposes including farming, dairying, pasturage, horticulture, animal and poultry husbandry, and the necessary accessory uses for treating or storing of farm products and parking of equipment. Specific use types include:

- (1) General agriculture: This is a catch-all use type that includes a range of agricultural and crop production uses for commercial and non-commercial purposes. This category also includes necessary accessory uses for treating or storing of farm products and parking of equipment.
- (2) Commercial stables: A facility or area where horses, mules, or other domestic animals are kept, housed, boarded, lodged, fed, hired, trained, sold, or bred as a commercial

activity. The definition includes accessory uses such as riding lessons, clinics, and similar activities.

- (3) Greenhouse, nursery, floriculture: Establishments in this class grow nursery products, nursery stock, shrubbery, bulbs, fruit stock, sod, and so forth; or, grow short rotation woody trees with a growth and harvest cycle of 10 years or less for pulp or tree stock. These uses also include floriculture establishments that grow or produce floriculture or ornamental horticulture products (e.g., cut flowers and roses, cut cultivated greens, potted flowering and foliage plants, and flower seeds).
- (4) Agricultural livestock & cattle ranches: This category is intended for facilities or areas for raising animals (including fish and birds) and the development of animal products, such as meat, fur, or eggs, on a commercial basis or non-commercial basis. Typical uses include beef, horse, or sheep ranching; other cattle for meat production; poultry; dairy; and fish farming. Establishments keep, graze, breed, or feed animals in ranches, farms, or feedlots. This use does not include raising animals to sell as pets. This category shall not include slaughter houses.
- (5) Horse and equine farming: This use type comprises establishments raising horses, mules, donkeys, and other equines.
- (6) Veterinary clinic: A facility for the diagnosis, treatment, or hospitalization of animals. The incidental boarding or breeding of animals is included in this definition. Outdoor pens or runs must be permitted separately as an accessory use.
- (7) Pet and animal-related sales and services (including boarding, grooming, and care): These establishments provide animal and pet care services (except veterinary), such as boarding, grooming, sitting, and training. Outdoor pens or runs must be permitted separately as an accessory use.
- (8) Any animal-related sales and services with outdoor pens or runs: These establishments shall include any animal-related use that has fenced outdoor areas for animals associated with the primary use.

B. RESIDENTIAL USES

(1) Household Living

This use category is characterized by residential occupancy of a dwelling unit (DU) by a household. Tenancy is arranged on a month-to-month or longer basis (lodging where tenancy may be arranged for a period of less than 30 days is classified under the "Lodging Facilities" category). Common accessory uses include recreational activities, raising of pets, gardens, personal storage buildings, hobbies, and parking of the occupants' vehicles. This definition shall not include use of Recreational Vehicles for living (temporary or permanent). Uses types under this category include:

- a. *Dwelling, single family detached*: A detached dwelling having accommodations for and occupied by only one Family, and that is not attached to any other dwelling by any means, and is surrounded by open space or yards. This definition does not include mobile homes or manufactured homes. This definition includes Industrialized Housing as defined under Texas Occupations Code Chapter 1202.
- b. *Dwelling, duplex*: A residential building with two attached dwelling units (side by side or one above another) located on one lot designed for occupancy by two families living independently.

- c. *Dwelling, multifamily (4 DU/lot or fewer)*: A residential building designed for occupancy by four or fewer families living independently, with the number of families not to exceed the number of dwelling units.
- d. *Dwelling, multifamily (More than 4 DU/lot)*: A residential building designed for occupancy by more than four families living independently, with the number of families not to exceed the number of dwelling units.
- e. *Dwelling, townhome (single family attached)*: A building that has two or more single family dwelling units erected in a row as a single building on adjoining lots, each unit being separated from the adjoining unit(s) by a fire wall along the dividing lot line, and each such building being separated from any other building by space on all sides. Each unit is intended to be occupied by only one Family. Each individual townhome unit has individual front and rear access to the outside. Townhome units are typically surrounded by common areas owned and maintained by a property owners' association.
- f. *Dwelling, townhome (multifamily)*: A building that has at least two but no more than four individual dwelling units on a single lot. Each unit is intended to be occupied by only one Family. Each unit may or may not be separated by a fire wall and shall meet the standards for fire separation between units applicable to a multifamily building. Each individual townhome unit has individual front and rear access to the outside. This category is distinguished from the Dwelling, multifamily definition by allowing dwelling units to be located side by side and not one over another.
- g. *HUD-Code manufactured home*: A structure defined by and subject to the requirements of the Texas Manufactured Housing Standards Act, as amended. This definition includes the terms "manufactured home" and "manufactured housing." This definition shall not include "mobile homes" that are defined as pre-1976 units as defined by Texas Manufactured Housing Standards Act, as amended.
- h. *Live/work unit*: A structure or portion of a structure: (1) that combines a work activity with a residential living area; (2) where the work component is limited to the uses of professional offices, artists' workshops, studios, or other similar uses and is located on the street level and may be constructed either as separate units or as a single unit; and (3) where the 'live' component is intended to be occupied by the business operator and may be located on the street level behind the 'work' component or any other level of the building. Live/work is distinguished from a home occupation otherwise defined herein in that the work use is not required to be incidental to the dwelling unit, non-resident employees may be present on the premises, and customers may be served on site.
Live/Work Dwelling also means a dwelling unit that is also used for work purposes, provided that the 'work' component is restricted to the uses of professional office, artist's workshop, studio, or other similar uses and is located on the street level and constructed as separate units under a condominium regime or as a single unit. The 'live' component may be located on the street level (behind the work component) or any other level of the building. Live/work unit is distinguished from a home occupation otherwise defined by this Chapter in that the work use is not required to be incidental to the dwelling unit, non-resident employees may be present on the premises, and customers may be served on site.

(2) Group Living

This subcategory is characterized by residential occupancy of a structure by a group of people who do not meet the definition of "Household Living." Tenancy is arranged on a monthly or longer basis, and the size of the group may be larger than a family. Generally, Group Living facilities have a common eating area for residents. The residents may receive care, training, or treatment, and caregivers may or may not also reside at the site.

- a. *Senior living: Assisted Living Facility:* An establishment, licensed by the State of Texas, that furnishes, in one or more facilities, food and shelter to seven or more persons who are unrelated to the proprietor of the establishment, and provides personal care services as defined by the State of Texas.
- b. *Senior living: Independent Living Facility:* A facility containing dwelling units, accessory uses, and support services specifically designed for occupancy by persons 60 years of age or older. Such facilities may include accommodations for people who are fully ambulatory or who require no medical or personal assistance or supervision, as well as accommodations for people who require only limited or intermittent medical or personal assistance.
- c. *Community home:* A residence for not more than six persons with disabilities and two supervisors. Such entity must be licensed and comply with Chapter 123 of the Human Resources Code. Per Section 123.002, a "person with a disability" means a person whose ability to care for himself or herself, perform manual tasks, learn, work, walk, see, hear, speak, or breathe is substantially limited. This category also includes establishments, licensed by the State of Texas, that furnish, in one or more facilities, food and shelter to four or more persons but no more than six who are unrelated to the proprietor of the establishment, and provide personal care services as defined by the State of Texas. These establishments may be located in single family homes and share the house with the care giver. This category includes adult foster care homes and adult care group homes.

C. PUBLIC SERVICE & EDUCATION

(1) Civic & Cultural Facilities: Buildings, structures, or facilities owned, operated, or occupied by a governmental entity or nonprofit organization to provide a service to the public.

- a. *Art gallery, museum, or special purpose institution:* A facility or area that is open to the public and is intended for the acquisition, preservation, study, and exhibition of works of artistic, historical, cultural, or scientific value or recreational activity.
- b. *Civic, social, philanthropic, or fraternal organization:* Any organization operating under a nonprofit or similar charter, the activities of which are devoted exclusively to charitable, benevolent, patriotic, employment-related, recreational, or educational purposes not currently listed elsewhere in this Chapter. Such an establishment may include the preparation and service of food and/or drink for members and their guests only.
- c. *Business or professional organization:* Any organization promoting the business interests of their members, or of their profession as a whole. They may conduct research on new products and services; develop market statistics; sponsor quality and certification standards; lobby public officials; or publish newsletters, books, or

other materials for distribution to their members. Included in this category are chambers of commerce, professional organizations, and similar uses.

- d. *Assembly uses (includes civic or religious assembly) and Institutions:* A facility or area for people to gather together for public worship, religious training, or other religious activities including a church, temple, mosque, synagogue, convent, monastery, or other structure, together with its accessory structures, including a parsonage or rectory. This use does not include home meetings or other religious activities conducted in a privately occupied residence. Accessory uses may include meeting rooms and childcare provided for persons while they are attending assembly functions. Schools and other child care services are not accessory uses and shall require approval as separate principal uses.
- (2) **Parks and Recreation Facilities:** Parks, recreation, and open space uses or facilities focus on a range of space types including natural areas, large areas consisting mostly of vegetative landscaping, hardscaping, or outdoor recreation or a combination thereof, community gardens, public greens, public squares, sports playing fields, and public plazas.
- a. *Community Garden:* A facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family for personal consumption or donation.
 - b. *Parks, playgrounds, or other public outdoor gathering spaces:* A facility or area for recreational, cultural, or aesthetic use owned or operated by a public agency and available to the general public. This definition may include, but is not limited to, plazas, square, greens, lawns, decorative plantings, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, pavilions, wooded areas, and water courses.
 - c. *Recreation center:* A facility or area for sports or recreation open to the general public where the activity takes place within an enclosed structure or outside courts and pools. Examples include but are not limited to gymnasium or indoor arena; basketball, handball, and tennis courts; hockey rinks; swimming pools; and physical fitness centers. This category shall not include entertainment and amusement centers.
- (3) **Educational Service Establishments (public and private):** Public, private, and parochial institutions at the primary, elementary, middle, high school, or post-secondary level, or trade or business schools, that provide educational instruction to students. Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school day care.
- a. *Child or adult daycare:* Child daycare establishments primarily care for more than six infants and preschool children and often may offer pre-kindergarten education programs. Some provide care services for older children. These facilities are licensed, certified, or registered by the State to provide their respective services. Adult day care establishments provide care during the day for six or more adults with disabilities or seniors.
 - b. *Nursery or preschool:* These facilities are appropriately licensed, certified, or registered by the State to provide daytime care, training, and education for more than six children. This definition may include after-school and summer programs

that coincide with the age brackets for public and private schools as provided in this Chapter.

- c. *Elementary and middle schools*: These are public or private educational facilities that provide the appropriate grade school education that satisfies the compulsory education laws of the State of Texas.
 - d. *Senior and high schools*: These are public or private educational facilities that provide the appropriate higher grade school education that satisfies the compulsory education laws of the State of Texas.
 - e. *Colleges and universities*: These are public or private junior colleges, colleges, universities, and professional schools. These establishments furnish academic or technical courses and grant degrees, certificates, or diplomas at the associate, baccalaureate, or graduate levels. The requirement for admission is at least a high school diploma or equivalent general academic training. This use may include a Seminary which is an institution for the training of candidates for the priesthood, ministry, or rabbinate.
 - f. *Technical, trade, and specialty schools*: Public or private institutions offer vocational and technical training in a variety of technical subjects and trades such as auto repair, welding, bricklaying, machinery operation, cosmetology, or other similar trades or crafts. The training often leads to job-specific certification.
- (4) **Public and Other Governmental Functions**: Local, state, or federal government services or similar functions, that are not otherwise classified. Typical uses include health departments, courthouses, city halls, etc.
- a. *Legislative and Executive Functions (local, state, and federal government offices)*: General government administration functions such as City Hall, County, or School District Administration functions.
 - b. *Courts (local, state, and federal)*: All judicial functions such as courthouses.
 - c. *Correctional institutions*: These government establishments manage and operate correctional institutions. Their facilities are generally designed for the confinement, correction, and rehabilitation of offenders sentenced by a court.
 - d. *Public safety facilities*: This category comprises government-owned or volunteer establishments providing fire and rescue, police, and emergency response services.
 - e. *Other government functions*: This category shall be utilized for any other government-owned and/or operated establishments not classified elsewhere in this Chapter.
- (5) **Health and Human Services**:
- a. *Clinics, labs, and urgent care center*: An establishment primarily engaged in furnishing medical and lab services included but not limited to chiropractic, dental, medical, surgical, medical imaging, or other services to individuals on an outpatient basis. This includes the offices of chiropractors, physicians, dentists, and other health practitioners, medical and dental laboratories, and outpatient care facilities. Patients are not kept overnight except under emergency conditions. This category shall include stand-alone emergency or urgent care centers. This category may include plasma donation and infusion centers, which shall meet additional standards for approval as established in **Article 5: Use Regulations**.

- b. *Nursing and other rehabilitative services*: An establishment that provides inpatient nursing and rehabilitative services and can accommodate five or more patients for extended care. These establishments have licensed health care staff serving patients and other support staff for continuous personal care services. Convalescent homes, convalescent hospitals, inpatient care hospices, nursing homes, and rest homes with nursing care are a few examples of services these establishments provide. This category also includes mental retardation services (not licensed hospital care) to people with mental illness, substance abuse problems, psychiatric convalescent needs, etc. The focus of these services may include health care, but the primary purpose is protective supervision and counseling. Other terms used to describe these services are: alcoholism or drug addiction rehabilitation, mental health halfway houses, group homes for the emotionally disturbed, and psychiatric convalescent homes. Other rehabilitation services establishments in this category include boot or disciplinary camps (except correctional), housing services for hearing or visually impaired, disabled, etc.
- c. *Hospital*: A facility or area for providing human-related health services primarily for in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments, emergency rooms, training facilities, central services facilities, food service establishments, retail stores, and staff offices that are an integral part of the facilities.
- d. *Social assistance and welfare services*: Social assistance and welfare services provide public or community related service or charity services directly to individuals. They do not offer residential or accommodation services.
- e. *Funeral homes and services (with or without cremation services)*: This category comprises establishments preparing the dead for burial or interment and conducting funerals (i.e., providing facilities for wakes, arranging transportation for the dead, selling caskets and related merchandise). Funeral homes combined with crematories may also be included in this category. If included, crematories are establishments that operate sites or structures reserved for the interment of human or animal remains.
- f. *Cemetery*: A facility or area used or intended to be used for the interment or burial of the dead, including graveyard, burial park, mausoleum, columbarium, or any other area containing one or more graves.

D. COMMERCIAL USES

- (1) Auto-related sales and service: This category includes a broad range of uses for the maintenance, sale, or rental of motor vehicles and related equipment. Accessory uses may include incidental repair, storage, and offices. Specific use types include:
 - a. *Automotive sales, leasing, or rental (new or used)*: A motor vehicle retail establishment or “car dealer” operated by a franchised dealer. A “franchised dealer” means a person who holds a franchised motor vehicle dealer’s license issued under the Texas Transportation Code, and is engaged in the business of buying, selling, or exchanging new motor vehicles and servicing or repairing motor vehicles under a manufacturer’s warranty at an established and permanent place of business under a franchise in effect with a manufacturer or distributor. For purposes of this definition, motor vehicles are not considered outside storage. Accessory uses may include the sale of used motor vehicles, auto service, and auto

repair activities, as defined elsewhere in this Chapter. This category also includes establishments operated by a non-franchised or independent dealer, and is engaged in the business of selling used motor vehicles. A “used motor vehicle” is a vehicle that has been sold to a retail customer for purposes other than resale. This category shall not include specialty vehicle sales (such as boats or jet-skis) or recreational vehicle sales.

- b. *Auto repair and service*: A facility or area for the servicing and repair of motor vehicles within enclosed service bays or stalls. Typical services include the retail sale and dispensing of lubricating oils, tires, filters, and other limited repair and maintenance work including the replacement of new or reconditioned parts in motorized vehicles. This category may include the overnight, outdoor storage of customer vehicles including the following:
 - 1. Reconditioning of any type of motorized vehicle, including any repairs made to vehicles over 10,000 pounds gross vehicle weight.
 - 2. Collision services, including body, frame, or fender straightening or repair.
 - 3. Painting of vehicles in a paint shop or paint booth.
 - 4. Dismantling of motorized vehicles in an enclosed structure.
 - c. *Car and truck wash*: A facility or area for the cleaning or steam cleaning, washing, polishing, or waxing of passenger vehicles by machine or hand-operated facilities. A car wash may be:
 - 1. A single unit type that has a single bay or a group of single bays with each bay to accommodate one vehicle only; or
 - 2. A tunnel type that allows washing of multiple vehicles in a tandem arrangement while moving through the structure.
 - d. *Auto-related parts and accessory sales*: Primarily comprising of automotive supply stores, these establishments retail new, used, or rebuilt automotive parts and accessories. They may also include repair and installation services. Examples include parts and supply stores, automotive stereo stores, speed shops, truck cap stores, and tires and tube shops.
 - e. *Any retail use with gasoline pumps*: A facility or area for the retail sale of motor vehicle fuel dispensed from pumps which typically includes the canopy, circulation, and stacking areas.
 - f. *Parking as a principal use*: Facilities with surface or structured parking where parking is the primary use on the lot. Parking may be provided for free or for a fee by public or private entities.
- (2) **Retail Sales**: Retail sales establishments sell merchandise directly to the general public from a fixed point-of-sale location. Retail establishments are designed to attract a high volume of walk-in customers, and they often have displays of merchandise and sell to the general public for personal or household consumption. Accessory uses may include offices, parking, primarily indoor storage of goods, and assembly, repackaging, or repair of goods for on-site sale.
- a. *General retail unless otherwise specified*: This category includes a range of retail uses including furniture and home furnishings; building materials, home and garden centers; swimming pool, spa, and accessory sales and service; department store, superstore, or warehouse club; electronics and appliances; durable

consumer goods sales; grocery store or supermarket; convenience store; pharmacy or drug store; cosmetics and beauty supplies; and similar uses. It shall not include the use types defined separately below.

- (3) **Restricted Commercial Uses:** This Use Category shall include uses that, due to their nature, have impacts on adjoining land uses and values and do not fall under the general Retail Sales category.
- a. *Firearm Sales:* A retail store used for the sale, vending, dealing, exchange, or transfer of firearms, with or without the sale of ammunition and/or firearm accessories.
 - b. *Pawn Shop:* A building or premises (other than a bank, savings and loan, or mortgage banking company) used for the business of lending money on the security of pledged goods, or for the business of the purchase of tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time, and for the retail sale of pawned or repurchased items.
 - c. *Used Goods Sales:* Establishment for the sale of any goods, materials, or other articles of merchandise that are not new. This definition includes items that have been used or worn previously by another, consignment stores, antique malls, and “cash for gold” businesses.
 - d. *Specialty Retail and Paraphernalia Sales:* Establishment where the primary use of the building or lease space includes any one or any combination of the following: the sale of cigarette papers, e-cigarettes, vapors, bongs, or other smoking accessories. This definition shall include head shops and vapor shops.
 - e. *Beer and Wine Sales:* These include any retail sales (primary or accessory) establishment that also sells beer and wine for off-premises consumption only.
 - f. *Alternative financial institution:* Shall include payday advance/loan businesses and motor vehicle title loan businesses. An alternative financial institution does not include state or federally chartered banks, community development financial institutions, savings and loans, credit unions, or regulated lenders licensed in accordance with Chapter 342 of the Texas Finance Code. If a regulated lender licensed in accordance with Chapter 342 of the Texas Finance Code also offers services as a ‘credit service organization’ and/or a ‘credit access business’ under Chapter 393 of the Texas Finance Code, that business is an alternative financial establishment. This category shall include any financial institution that does not fall under the definition of a bank, investment, or financial institution that is licensed by the state or a federal agency.
 - g. *Any retail sales use with outdoor storage:* This category shall include any use under the Retail Sales category that includes outdoor storage of merchandise and equipment (with the exception of automobiles).
 - h. *Any retail sales use with drive-through facilities:* This category includes any use under the Retail Sales category that includes drive-through or drive-up facilities where customers are served without leaving their vehicles.
- (4) **Food and Beverage Services:**
- a. *Bar or drinking establishment:* An establishment, licensed by the State for the sale of alcoholic beverages, that derives more than 75 percent of the establishment's

gross revenue from the on-premises sale of alcoholic beverages for on-premises consumption.

- b. *Full-service restaurant*: Full-service restaurants provide food services to patrons who order and are served while seated (i.e., waiter/waitress service) and pay after eating. They may provide this service in combination with selling alcoholic beverages, providing takeout services, or presenting live nontheatrical entertainment. If alcoholic beverages are sold for on-premises consumption, such sales may not constitute more than 75 percent of the gross sales of the establishment.
 - c. *Mobile food court*: More than two mobile food businesses that congregate at an established private property location to offer food or beverages for sale to the public.
 - d. *Café, self-service, or specialty food restaurant (includes snack bar, coffee shop, ice cream parlor, etc.)*: These provide self-service food services where patrons order or select items and pay before eating. Food and drink may be consumed on premises, taken out, or delivered to customers' location. Some establishments in this category may provide food services in combination with selling alcoholic beverages as long as such sales constitute no more than 75 percent of the gross sales of the establishment. This category also includes establishments that prepare and serve specialty snacks, such as ice cream, frozen yogurt, cookies, or popcorn, or serve nonalcoholic beverages, such as coffee, juices, or sodas for consumption on or near the premises. These establishments may carry and sell a combination of snack, nonalcoholic beverage, and other related products (e.g., coffee beans, mugs, and coffee makers) but generally promote and sell a unique food or beverage item.
 - e. *Restaurant with take-out or delivery only*: A food establishment that is open to the public, where food and beverages are prepared primarily for carry-out by the consumer or delivery by the establishment and not for consumption on the premises. This classification may include pizza delivery, specialty food and beverage shops, or baked goods shops. This classification does not include mobile food establishments.
 - f. *Catering service*: A food establishment without on-site banquet facilities that provides, prepares, and/or serves food at off-site locations for groups, where all food and service expenses are paid by the group and not for individual sale.
 - g. *Any food and beverage establishment with drive-through facility*: This category shall include any food and beverage establishment with drive thru or drive-up facilities where customers are served without having to leave their vehicles.
- (5) *Business and Professional Services*: This category includes a range of office and business services and facilities that include executive, management, administrative, financial, medical, professional and business support services not specifically listed elsewhere in this Chapter, but not involving the sale of merchandise except as incidental to a permitted use. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
- a. *Offices for businesses, professional, administrative, or technical services*: This category includes offices for corporate, professional, scientific, and technical services for others. Such services require a high degree of expertise and training. This category includes call/customer service centers, offices for real estate,

insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, research and development, and similar offices. Typical office establishments in any business area fall in this category. They may provide a variety of standard administrative services. These establishments are typically associated with white-collar workers. These may be independent establishments or part of conglomerates that serve one or more companies.

- b. *Banks, investment, or financial institution (with or without drive-through service):* An establishment, open to the public, for the deposit, custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds and that is licensed by the appropriate state or federal agency as a bank, savings and loan association, or credit union. Accessory uses may include automatic teller machines, offices, and parking. This category excludes bail bonds, pawnshops, payday advance/loan businesses, and motor vehicle title loan businesses. Additionally, it excludes regulated lenders licensed in accordance with Chapter 342 of the Texas Finance Code that also offer services as credit access businesses under Chapter 393 of the Texas Finance Code.
 - c. *Services related to real estate and buildings (real estate, janitorial, landscaping, cleaning, etc.):* These establishments provide services, such as pest control, janitorial activities, landscaping, carpet and upholstery cleaning, and other services for buildings and dwellings. This category may also comprise of those that are in the business of selling or leasing real estate including residential, retail, office buildings, manufactured homes and sites, vacant lots, and acreage. This category also comprises establishments that manage real property for others. Management includes performing various services associated with overall operation of property, such as collecting rents, and overseeing services such as maintenance, security, and trash removal.
 - d. *Medical and dental offices:* These establishments include offices for medical, dental, and related professionals.
- (6) **Personal Services:** This category includes establishments that provide individual services related to personal needs directly to customers at the site of the business, or that receive goods from or return goods to the customer, which have been treated or processed at that location or another location.
- a. *General personal service:* An establishment, whether for compensation or not, that provides care, advice, aid, maintenance, repair, treatment, or assistance, not including the practice of a profession and the wholesale or retail sale of goods. Typical examples include barber/beauty shop, spa/salon, shoe repair, tailor, laundry or dry-cleaning services, handcrafted or instructional arts studio, photography studio, mailing, copying and reprographics, safe deposit boxes, travel bureau, house cleaning services, weight reduction centers, or florist (excluding greenhouses). This category shall not include the specific categories defined below.
 - b. *Bail bond service:* An establishment that solicits, negotiates, and executes bonds or other security to guarantee the appearance in court of a person accused of a crime.
 - c. *Massage Therapy:* Any building, room, place, or establishment other than where regularly licensed non-medical or non-surgical manipulative exercises or devices are practiced upon the human body manually or otherwise by a licensed massage

therapist, physician, surgeon, dentist, occupational or physical therapist, chiropractor, or osteopath, with or without the use of therapeutic, electrical, mechanical, or bathing devices.

- d. *Tattoo parlor or piercing studio*: An establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following: (1) placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin, by means of the use of needles or other instruments designed to contact or puncture the skin; (2) creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.
- (7) **Lodging facilities**: This category includes for-profit establishments where lodging, meals, and the like are provided to transient visitors and guests for a defined period. Specific use types include:
- a. *Bed and breakfast establishments*: A bed and breakfast (B&B) establishment is a private residence that offers sleeping accommodations to lodgers in five or fewer rooms for rent, is the innkeeper's principal residence while renting rooms, and serves breakfast at no extra cost. A lodger is a person who rents a room in a B&B establishment for less than 30 days.
 - b. *Limited-service hotels/motels (including extended stay hotels)*: A building or group of buildings providing transient lodging accommodations to the general public for compensation, where each guest room may be accessed from an interior or exterior hallway. Accessory uses may include meeting rooms, clubhouse, and recreational facilities intended for the use of residents and their guests. This definition shall not include other dwelling units as defined by this Chapter.
 - c. *Full-service hotels*: A building or group of buildings providing transient lodging accommodations to the general public for compensation, where each guest room is accessed from an interior corridor, and that includes ancillary facilities and services such as restaurants, meeting rooms, personal services, recreational facilities, daily housekeeping service, and 24-hour front desk service.
- (8) **Recreation and Entertainment**: This category includes uses that provide recreation or entertainment activities inside and/or outside of an enclosed environment. Accessory uses may include concessions, snack bars, parking, and maintenance facilities. Specific use types include:
- a. *Conference center, banquet or meeting facility*: An establishment that is leased on a temporary basis before the day of the event by individuals or groups who reserve the facility to accommodate private functions, including, but not limited to, banquets, weddings, anniversaries, receptions, business and organizational meetings, and other similar functions, to which the general public is not admitted and for which no admission charge is imposed. Such establishments may include kitchen facilities for the preparation of food or catering of food and areas for dancing, dining, and other entertainment activities that customarily occur in association with banquets, weddings, or receptions.
 - b. *Indoor recreation facility*: These establishments operate fitness and recreational sports facilities or provide services for fitness or recreational sports teams, clubs, or individual activities within enclosed structures. The facilities/operating

establishments to be classified here include, but are not limited to: fitness clubs, gyms, enclosed arenas, and enclosed recreational ball parks and courts. This category also includes facilities for a wide variety of indoor sports, entertainment, games of skill, or recreation to the general public for a fee where the activity takes place within an enclosed structure. Examples include but are not limited to: bowling, billiards, darts, paintball, laser tag or similar activities; gymnasium or indoor arena; basketball, handball, soccer, and tennis courts; hockey rinks; swimming pools; physical fitness centers; and amusement devices. This category shall not include amusement devices that include gambling games.

- c. *Outdoor recreation facility*: This category shall include uses that provide a variety of outdoor activities for entertainment and recreation including amusement rides, basketball, baseball, batting cages, go-cart tracks, tennis courts, amusement and theme parks, water parks, marinas, water sports, and other activities not specifically listed under this general category. This category may include indoor arcade facilities and food and beverage sales as well.
 - d. *Golf course*: A tract of land laid out with a course having nine or more holes for the playing of golf, including any accessory clubhouse, driving range, offices, restaurant, concession stand, picnic tables, pro shop, maintenance facilities, or similar accessory uses or structures.
 - e. *Country club*: A facility or area laid out for recreational, athletic, and social purposes, with limited membership, and the use of which is primarily restricted to members and their guests. A golf course may be included as an additional principal use. Accessory uses may include retail sales, a clubhouse, and other recreational facilities.
- (9) *Other Uses: Sexually Oriented Businesses*: This category shall include any commercial enterprise in which the primary business is the offering of a service or the selling, renting, or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customers. This category shall include, but not be limited to, adult arcades, adult bookstores or adult video stores, adult cabarets, adult motels, adult motion picture theaters, or nude model studios.

E. INDUSTRIAL USES

- (1) *Manufacturing*: This category includes establishments involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Manufacturing establishments are located in plants, factories, or mills and employ power-driven machines and materials-handling equipment. Natural, constructed, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Custom industry is included, such as establishments primarily engaged in the on-site production of goods by hand manufacturing involving the use of hand tools and small-scale equipment. Goods are generally not displayed or sold on site, but if so, such activity is a subordinate part of sales. Relatively few customers come to the manufacturing site. Accessory activities may include retail sales, offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets, and caretaker's quarters. Specific use types include:
 - a. *Food and beverage processing*: A facility or area in which food for human consumption in its final form, such as candy, baked goods, tortillas, soda, beer, and

ice cream is produced, and the food is distributed to retailers or wholesalers for resale on or off the premises.

- b. *Craft alcohol production (including microbrewery, micro distillery, winery)*: A microbrewery is a small-scale brewing facility designed for the production of malt liquors such as beer and ale, using grains such as oats, hops, rice, wheat, and barley, designed and managed to brew no more than 75,000 barrels of beer per year. A micro distillery is a small-scale facility designed for the manufacture, bottling, labeling, packaging, and sale of distilled spirits and other liquors. A winery is a facility designed for the manufacture, bottling, labeling, packaging, and sale of wine containing not more than 24 percent alcohol by volume.
 - c. *Paper and printing products*: Establishments in this category primarily manufacture paper and offer printing-related products. Excluded are photosensitive papers, which are classified in chemical and plastics. Printing establishments print products (e.g. newspapers, books, periodicals, and greeting cards) and perform support activities, such as bookbinding, plate making services, and data imaging. Clothing printers are included if their primary activity is printing, not clothing manufacturing (e.g., T-shirt printing is included, but fabric printing is not).
 - d. *Furniture and related products*: These establishments manufacture furniture and related articles, such as mattresses, window blinds, cabinets, fixtures, furniture parts, and frames. Processes include the cutting, bending, molding, laminating, and assembling of materials, such as wood, metal, glass, plastics, and rattan. Aesthetic and functional design also plays an important part in the production of furniture. Design services may be performed by the furniture establishment's work force or may be purchased from industrial designers.
 - e. *Machinery, appliance, electrical equipment, electronics, and components*: Establishments in this subcategory include a range of manufacturing activities. It includes establishments that make machinery for particular applications, such as agriculture, construction, mining, ventilation, industrial/commercial heating and cooling, and metalworking. It also includes establishments manufacturing electrical products, including motors and generators and manufacturers of household appliances, including heaters, refrigerators, and air conditioners.
 - f. *Transportation equipment and automobiles*: Establishments in this category produce equipment for transporting people and goods. Although transportation equipment is a type of machinery, assembly tends to be distinct from the production processes common in machinery manufacturing.
 - g. *Miscellaneous manufacturing*: This category includes all other manufacturing establishments not classified elsewhere. Some of these include jewelry, silverware, dolls, toys, games, musical instruments, office supplies, inks, and signs.
 - h. *Chemicals and metals manufacturing and heavy manufacturing*: Establishments in this category transform or refine chemicals or metals, and manufacture products from chemicals or metals. Establishments in this category include petroleum or coal products; chemical, plastics, or rubber products; or primary metal manufacturing.
- (2) **Wholesale Trade**: Wholesaling is an intermediate step in the distribution of merchandise. Wholesalers either sell or arrange the purchase of goods to other businesses and normally operate from a warehouse or office. They may be located in an

office building or a warehouse. Unlike retailers, their warehouses and offices have little or no display of merchandise. Whether the establishment is in a warehouse or an office building depends on a combination of activity and structure-type dimensions. Subcategories include durable and nondurable goods.

- a. *Durable goods*: Establishments in the durable goods subcategory sell or arrange the purchase or sale of capital or durable goods to other businesses. These establishments wholesale products, such as motor vehicles, furniture, construction materials, machinery and equipment (including household-type appliances), metals and minerals (except petroleum), sporting goods, toys and hobby goods, recyclable materials, and parts. Durable goods generally have a life expectancy of at least three years.
 - b. *Nondurable goods*: Establishments in the nondurable goods subcategory sell or arrange the purchase or sale of nondurable goods to other businesses. These establishments wholesale products, such as paper products, chemicals, drugs, textiles, apparel, footwear, groceries, farm products, petroleum products, alcoholic beverages, books, magazines, newspapers, flowers, and tobacco products. Nondurable goods generally have a life expectancy of less than three years.
- (3) **Warehouse and Storage**: These service establishments operate warehouse and storage facilities for wholesale trade, general merchandise, refrigerated goods, and other warehouse products. They provide the facilities to store goods but do not sell the goods they handle. They may also provide a range of services related to the distribution of goods, such as labeling, breaking bulk, inventory control and management, light assembly, order entry and fulfillment, packaging, pick and pack, price marking and ticketing, and transportation arrangement. This category also includes commercial mini-storage or self-storage facilities. There is little on-site sales activity with the customer present. Accessory uses may include offices, truck fleet parking, and maintenance areas.
- a. *Cold storage plant*: A facility or area where refrigerated or frozen materials are processed, sold, packaged, or kept in protective storage, such as food, furs, or other products.
 - b. *Distribution center or warehouse*: This category includes buildings or areas for storage, wholesale, and/or distribution of manufactured products, supplies, and equipment. This definition excludes the bulk storage of materials that are flammable or explosive or that create hazardous or commonly recognized offensive conditions.
 - c. *Self-storage or mini storage*: A facility or area where enclosed storage space, divided into separate smaller compartments, is provided for use by individuals to store personal items or by businesses to store materials for operation of a business establishment at another location. Related activities, such as retail sale of packing and moving materials and the rental of moving equipment, including vans and trucks, are allowed as incidental uses.
 - d. *Any outdoor storage related to an industrial use*: This category includes any use in the Industrial use category that provides outside (with or without roof) storage of equipment, inventory and materials, or finished products.
- (4) **Construction-related businesses**: These establishments either build buildings or structures, or perform additions, alterations, reconstruction, installation, and repairs. They may also provide building demolition or wrecking services. Establishments

engaged in blasting, test drilling, landfill, leveling, earthmoving, excavating, land drainage, and other land preparation are included as well. This category reflects the unique processes and site needs such as equipment and material storage, etc., of these establishments.

- a. *Machinery related contractors' yards and storage*: A facility or area for the outdoor storage of building materials, tools, heavy machinery, dump trucks, or commercial and heavy equipment used in relation to construction uses and related businesses.
 - b. *Specialty trade contractors*: Establishments in this category specialize in construction activities, such as plumbing, painting, and electrical work. Specialty trade contractors usually work at the job site, although they may have shops for storage, prefabrication, and other work. Specialty trade contractors include carpentry, floor, tile, roof, concrete, electrical, glass, glazing, masonry, drywall, painting, plumbing, HVAC, and similar activities.
 - c. *Asphalt or concrete batch plant*: A facility or area, which is not temporary in nature, for mixing concrete or asphalt.
 - d. *Excavation related services*: These establishments provide a range of excavation related services needed for development and building construction. Activities performed include shaft drilling, foundation digging, foundation drilling, and grading.
 - e. *Wrecking and demolition establishment (including junk yards)*: These establishments provide wrecking and demolition of buildings and structures; this includes underground tank removal and the dismantling of non-hazardous steel oil tanks. This category also includes establishments that provide wrecking or disassembling of automobiles, trucks, tractors, or machinery of any kind, or for the storing or leaving of worn out, wrecked, or abandoned automobiles, trucks, tractors, stoves, refrigerators, or machinery of any kind or of any of the parts thereof, or for the maintenance or operation of such place for the accumulation of rubbish of any description such as old iron, glass, paper, or other waste that may be used again in some form. Some of these establishments may sell materials derived from demolishing operations.
 - f. *Commercial and industrial machinery leasing and rental*: These establishments rent or lease: a) office machinery and equipment, such as computers, office furniture, duplicating machines (i.e., copiers), or facsimile machines; or b) heavy equipment without operators used for construction, mining, or forestry, such as bulldozers, earthmoving equipment, well-drilling machinery and equipment, or cranes; c) other non-consumer machinery and equipment, such as manufacturing equipment; metalworking, telecommunications, motion picture, or theatrical equipment; institutional (i.e., public building) furniture; or agricultural equipment without operators.
- (5) Transportation-related uses: Physical facilities involved in the movement of people or goods, which may include highways, flight-related facilities, rail transit lines, and other similar facilities comprise this category.
- a. *Air transportation related uses*: A facility or area for the landing and taking off of fixed or rotary wing aircraft. This use shall include any terminal, air traffic control towers, hangars, and other related facilities. It shall also include heliports for the landing and takeoff of helicopters.

- b. *Rail transportation related uses*: A facility or area for the maintenance, repair, or storage of bus, rail (including freight), or other transit vehicles.
 - c. *Other local, regional, intercity transportation uses (public and commercial)*: This category shall include all other transportation related activities and storage, including but not limited to: school bus transportation, rural and special needs transit operations, local transit, intercity bus, charter bus, and similar establishments.
 - d. *Taxi and limousine service*: These establishments provide passenger transportation by automobile or van, not over regular routes or regular schedules. Taxicab owner/operators, taxicab fleet operators, and taxicab organizations are included. Also included are limousine and luxury sedan establishments, which may provide an array of specialty and luxury passenger transportation services.
 - e. *Courier, messenger, and postal services*: Establishments in this category include courier and messenger services that provide air, surface, or combined courier delivery services of parcels and messages within or between metropolitan areas or urban centers. These establishments may form a network including local, and point-to point pick-up and delivery. This category also includes USPS establishments that perform one or more postal services, such as sorting, routing, and delivery on a contract basis. This category shall not include customer service and retail operations of such courier, messenger, or postal service. These shall be considered under the Business, Professional, and Technical Services category or Public or Governmental Functions (USPS).
 - f. *Truck and freight transportation services*: Establishments in the truck and freight transportation category provide over-the-road transportation of cargo using motor vehicles, such as trucks and tractor trailers. This category includes general freight trucking and specialized freight trucking. General freight transportation establishments handle a wide variety of commodities, generally palletized, and transported in a container or van trailer. Specialized freight transportation requires specialized equipment due to the size, weight, shape, or other inherent characteristics of the cargo. These establishments may be located in conjunction with Warehouse and Storage establishments.
- (6) *Utilities and Utility Services*: The use of land for lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity.
- a. *Utility lines, towers, or metering/pumping stations*: Local utilities such as electrical power, telephone, gas, water, and sewer drainage lines; air pollution monitoring stations; in-line facilities such as gas regulating stations and water wells or pumping stations; sewage pumping stations; telephone exchange, switching and transmitting equipment; and electrical transmission lines operated by a municipality or a franchised utility company.
 - b. *Sewer, solid waste, recycling, and related services*: Establishments in this category collect, treat, and recycle or dispose of waste materials. Establishments locally haul waste materials; operate materials recovery facilities (i.e., sort recyclable materials from trash); provide remediation services (i.e., the cleanup of contaminated sites);

operate sewer systems or sewage treatment facilities; or provide septic pumping or other miscellaneous waste management services.

- c. *Natural gas, petroleum, fuel related services (including drilling and extraction)*: This encompasses: (1) establishments operating fuel (gas or petroleum) distribution systems (e.g., mains, meters); (2) fuel marketers that buy fuel from the well and sell it to a distribution system; (3) fuel brokers or agents that arrange the sale of fuel over fuel distribution systems operated by others; (4) establishments that transmit and distribute fuel to final consumers; and (5) establishments that operate and develop oil and gas field properties. Activities include exploration for crude petroleum and natural gas; drilling, completing, and equipping wells; operation of separators, emulsion breakers, desilting equipment, and field gathering lines; and all other activities in the preparation of oil and gas until shipment. This category includes establishments that produce crude petroleum, that mine and extract oil from shale, that produce natural gas, and that recover hydrocarbon liquids from oil and gas field gases. Establishments may operate on their own account or for others on a contract or fee basis.
 - d. *Electric utility services (includes generating plants and substations)*: A facility or area that generates electricity from mechanical power produced by solar, gas, coal, wind, hydraulic power sources, or nuclear fission franchised by the state. This category also includes electric transmission lines, and substation facilities for transforming electricity for distribution to individual customers.
- (7) **Antennas** (Definitions related to **Article 10: Antennas**):
- a. *Antenna*: A device used in communications which transmits or receives radio signals.
 - b. *Antenna, building attached*: Antenna attached to existing structures in two general forms:
 - 1. Roof-mounted, in which antennas are placed on the roofs of buildings; or
 - 2. Building-mounted, in which antennas are mounted to the sides of buildings.
 These antennas can also be mounted on structures such as water tanks, electrical transmission towers, etc.
 - c. *Antenna Facility*: A building or independent support structure and the antennas mounted thereon, along with an associated and necessary equipment building.
 - d. *Antenna, microwave and dish*: A dish-shaped antenna used to link communications sites together by wireless transmission of voice or data, utilizing electromagnetic radiation frequencies from three GHz to 300 GHz; and using relatively low transmitter power levels when compared to other forms of transmission.
 - e. *Antenna, panel and directional*: An antenna or array of antennas designed to concentrate a radio signal in a particular area. Panel antennas are typically flat, rectangular devices approximately six square feet in size.
 - f. *Antenna, whip and omni-directional*: An antenna that is cylindrically-shaped. Whip antennas have diameters between two and six inches, and measure between one and 18 feet in height. They are used to emit signals in a 360-degree horizontal plane and a compressed vertical plane.
 - g. *Collocation*: The act of locating wireless communications equipment from more than one provider on a single antenna facility.

- h. *Equipment storage*: A small unmanned, single story equipment building less than 500 square feet in size used to house radio transmitters and related equipment.
- i. *Lattice tower*: A tower having three or four support steel legs and holding a variety of antennas. These towers range from 60 to 200 feet in height and can accommodate a variety of users.
- j. *Monopole*: An antenna facility composed of a single spire used to support communications equipment. No guy wires are used or permitted.
- k. *Satellite, receive-only antenna*: An antenna that enables the receipt of television signals transmitted directly from satellites to be viewed on a television monitor. Such antennas are commonly known as a satellite dish, television receive-only antenna, dish antenna, parabolic antenna, or satellite earth station antenna.

106.124 ACCESSORY USES

- A. **ACCESSORY BUILDINGS OR USE**
Is a structure or use that:
 - (1) Is clearly incidental to and customarily found in connection with a principal building or use and is located on the same lot as the principal building or use served;
 - (2) Is subordinate to and serves a principal building or a principal use and is subordinate to the principal building or principal use served;
 - (3) Contributes to the comfort, convenience, or necessity of occupants, business, or industry in the principal building or use served; and
 - (4) When no more than 50 percent of the wall of an accessory building is a part of the wall of the principal building.
- B. **ACCESSORY DWELLING UNIT (SEPARATE STRUCTURE)**
A second dwelling unit (also known as a granny flat) separate from the primary residence on a lot for use as an independent residential use. Such a unit may be constructed as part of a residential garage (attached or detached) or accessory structure on the lot.
- C. **ACCESSORY DWELLING UNIT (PRIMARY STRUCTURE)**
A second dwelling unit (also known as a granny flat) separate from the primary residence on a lot for use as an independent residential use. Such a unit may be located in the primary structure and may have a separate outside entrance.
- D. **CARPORT**
A roofed structure with two or more open sides used for vehicle shelter and parking. A carport may either be free standing or attached to the primary building.
- E. **ELECTRIC VEHICLE CHARGING STATION**
A public or private surface parking space served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery in an electric vehicle.
- F. **FOOD TRUCK**
Any vehicle (generally motorized or pulled by a vehicle) designed to be portable and not permanently attached to the ground from which food is peddled, vended, sold or given away. This category includes ice cream trucks and similar food vending vehicles but does not include vehicles that operate only on, in, and along public streets and sidewalks of the city, which are governed by city code Ch. 18 Article VI.
- G. **FOOD KIOSK OR CART**

A small structure that may be portable or not on a permanent foundation from which food is peddled, vended, sold, or given away. This category includes vending from shipping containers, food stands, food carts, hotdog stands, snow cone stands, etc. Food kiosks or carts that operate only on, in, and along public streets and sidewalks of the city shall also be governed by city code Ch. 18 Article VI.

H. HOME OCCUPATION

A business or occupation, undertaken by a resident of the property that is customarily conducted in a residential dwelling unit and that is clearly incidental and secondary to the use of the dwelling.

I. OUTDOOR STORAGE

Any area (including maneuvering area) on a site used for the long term (more than 24 hours) retention of materials, machinery, equipment, and/or commodities, including raw, semi-finished, and finished materials, whether such materials, machinery, equipment, or commodities are to be bought, sold, repaired, stored, incinerated, or discarded. New or used motor vehicle sales and rental display and parking shall not be defined as outside storage.

J. RESIDENTIAL GARAGE (DETACHED)

An enclosed and detached structure that is accessory to the primary residence and designed for the parking and storage of vehicles by the occupants of the building, and with no facilities for mechanical service or repair of a commercial or public nature.

K. SIDEWALK CAFÉ

Any outdoor eating and/or drinking area located on or adjacent to a public plaza, square, sidewalk, or parkway and containing removable tables, chairs, planters, or related appurtenances.

L. STORAGE SHED (RESIDENTIAL):

A non-habitable structure on the lot for storage of household and related items.

M. SOLAR OR WIND ENERGY EQUIPMENT (BUILDING MOUNTED)

A set of photovoltaic cells or wind turbines that converts solar energy directly into electricity and is mounted atop a residential structure.

N. SOLAR OR WIND ENERGY EQUIPMENT (GROUND MOUNTED)

A set of photovoltaic cells or wind turbines that converts solar energy directly into electricity and is mounted on the ground.

106.125 TEMPORARY USES

- A. **CONSTRUCTION OFFICE**
A facility or area used as a temporary field construction office.
- B. **CONSTRUCTION RELATED STORAGE YARD**
A facility or area for the temporary outdoor storage of construction equipment and materials associated with an active permit to demolish or construct.
- C. **FARMER'S MARKET**
The seasonal selling or offering for sale at retail directly to the consumer of fresh fruits, vegetables, flowers, herbs, or plants, processed food stuffs and products such as jams, honey, pickled products, sauces, baked goods, crafts, and art, clothing and other goods, occurring in a pre-designated area, where the vendors are generally individuals who have raised the produce or have taken the same or other goods on consignment for retail sales.
- D. **FESTIVALS AND CIVIC EVENTS (INCLUDES CARNIVAL, CIRCUS, OR AMUSEMENT RIDES)**
A facility or area for a temporary traveling show or exhibition that has no permanent structure or installation, including but not limited to a carnival, circus, or riding device(s) operated for a fee.
- E. **GARAGE SALES**
The periodic sale of miscellaneous household goods, often held in the garage or front yard of someone's residence.
- F. **OTHER TEMPORARY OUTSIDE DISPLAY AND SALES**
All other temporary outside display and sales, including road side vending, not included in any other defined category.
- G. **SEASONAL SALES**
Temporary outside display and sales of products related to seasonal events including but not limited to fall, winter, spring, and summer events and holidays.
- H. **TEMPORARY REAL ESTATE SALES OFFICE**
A facility or area used as a temporary office to sell real estate within a specified area or subdivision.
- I. **MODEL HOME**
A house in a newly built development that is furnished and decorated to be shown to prospective buyers. A model home may also be used as a temporary real estate sales office.
- J. **TEMPORARY STORAGE CONTAINERS**
Purpose-built, box-like containers designed for temporary storage of goods and/or equipment typically used during moving or remodeling. Such containers are uniquely designed for ease of loading to and from a transport vehicle.
- K. **ANY OTHER TEMPORARY USE OR STRUCTURE (OTHER THAN LISTED ABOVE)**
All other temporary uses or structures not defined in this section.

106.126 GENERAL TERMS DEFINED

Abandoned

When a building, lot, or structure has become vacant or out of use for a period of 180 continuous days, or when the intention of the owner to permanently discontinue occupancy of the premises is apparent.

Accessible Parking

All parking that is provided to meet the requirements of the Americans with Disability Act (ADA) and/or Texas Accessibility Standards.

Accessory Use and/or Building/Structure

A use or structure that is subordinate in size and purpose to the principal use or structure of the same lot or parcel of ground and serving a purpose customarily incidental to the use of the principal structure or use of land. An accessory structure may be attached or detached.

A detached accessory structure or building is a structure that has no wall in common with the principal building or is not under an extension of the main roof of the principal building. Examples of detached accessory structures include, but are not limited to, garages, farm structures, accessory dwelling units, home workshops and tool houses, barns, carports, playhouses, sheds, private greenhouses, enclosed gazebos, storage buildings, boathouses and docks, wind-generating devices, and swimming pool pumphouses. Buildings connected by roofed breezeways are separate buildings.

See also “ACCESSORY BUILDINGS OR USE,” above.

Administrator

The person(s) appointed by the City Manager responsible for administering the different provisions of this Chapter. Different articles in this Chapter may be administered by different department heads but still under the umbrella of “Administrator.”

Aesthetics

Standards that address the outward appearance of buildings and sites.

Alley

A public right-of-way which is used primarily for secondary vehicular service access to the back or side of properties otherwise abutting on a street or highway.

Alterations, Building or Site

Any changes, additions, demolitions, or modifications made to the physical aspects of any building (interior or exterior) or site.

Amenities

Facilities or improvements that provide benefits to users or residents of a building, site, or development.

Annexation

The process whereby the city expands its boundaries by adding a specific geographic area into its corporate limits.

Arcade

A portion of the main façade of the building that is at or near the property line and a colonnade supports the upper floors of the building. Arcades are intended for buildings with ground floor commercial or retail uses, and the arcade may be one or two stories. The ground floor area within the arcade may be conditioned or non-conditioned space.

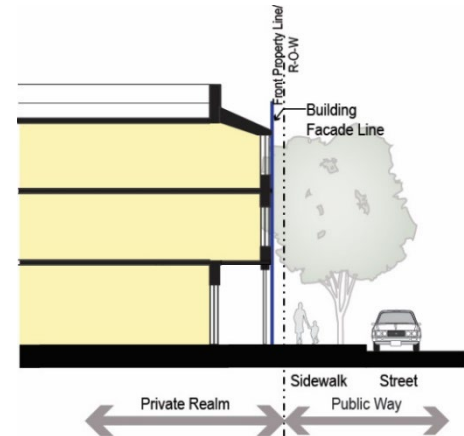


Figure 106.126-1 Illustration of an Arcade

Architecturally Finished

A finish characterized by a uniform appearance pertaining to materials, features, characteristics, or details most often specified for exposed surfaces used to build or ornament a structure.

Arterial Street or Roadway

As defined by the city's adopted Master Thoroughfare Plan.

Articulation, Building

Off-sets, projections, recessed walls, windows, doors, and similar features that provide variation to a building façade and its roof line.

Attic

The part of the building under the roof structure that may or may not be habitable. Attics less than seven feet in height shall not be counted towards the number of stories limitation.

Automobiles

Any vehicle propelled by mechanical power for general passenger use on the road, such as cars, vans, or passenger trucks. For purposes of this Chapter, this definition shall not include freight trucks (18 wheelers), campers, RVs, and recreational trailers, equipment such as construction equipment, forklifts, farm implements, and neighborhood electric vehicles or golf carts.

Auto-Oriented

All uses and elements of site design that relate to the use and ease of use of automobiles including uses such as car dealers, car washes, gas stations, etc., and site elements such as parking, loading, unloading, drive throughs, drive-up aisles, stacking lanes, etc.

Awning

A roof-like cover, often of fabric, metal, or glass, designed and intended for protection from the weather or as a decorative embellishment, and that projects from a wall or roof of a structure over a window, walk, or door.



Figure 106.126-2 Illustration of an Awning

Balcony

An unsupported or cantilevered platform that projects from the façade of a building and is enclosed by a parapet or railing.

Figure 106.126-3 Illustration of a Balcony

Banding Highlights

Narrow inlay of a color or grain which contrasts with the surface it decorates. Also refers to other long narrow ornamentation, such as painting or carving.



Figure 106.126-4: Architectural banding highlights around doors and windows.

Basement

A building story which is partly underground but having at least one-half of its height above the average level of the adjoining ground. A basement shall not be counted as a story in computing building height.

Bedroom

A habitable room that is used primarily for sleeping in any dwelling unit.

Berm

A mound of soil, either natural or man-made, used to screen and visually separate, in part or entirely, one area, site, or property from the view of another area.

Block

A tract of land bounded by streets or by a combination of streets and public parks, cemeteries, railroad right-of-way, airport boundaries, or corporate boundary lines of the city.

Block Face

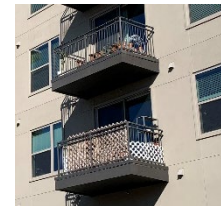
One side of a street, from one intersection to the next.

Block Perimeter

The sum total of all block face dimensions circumscribed by public or private streets or pedestrian facilities with public access easements.

Breezeway

A covered passage one story in height and six feet or more in width connecting a main structure and an accessory building. A breezeway shall be considered an accessory building.



Build

To erect, construct, convert, enlarge, reconstruct, restore, or alter a building, structure, or infrastructure.

Building or Structure

Any structure which is built for the support, shelter, or enclosure or partial enclosure of persons, animals, chattels, or movable property of any kind.

Building Frontage Build-out

The percentage of a building's front façade that is required to be located within the Build-to Zone (BTZ) as a proportion of the lot's width along the fronting public street. Required driveways, stairs to access entrances, parks, plazas, squares, improved forecourts, and pedestrian breezeway frontages shall count towards the required building frontage.

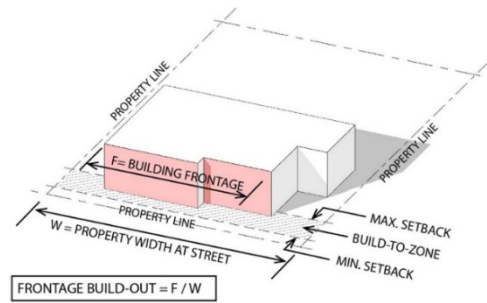


Figure 106.126-5 Image showing Building Frontage Build-out calculation

Building Lifecycle

The total time frame of a building over the course of its entire life from its construction to accommodate the original use to the ease of remodeling to accommodate changes in use as the building ages and markets change.

Building Line

A line parallel or approximately parallel to the street line at a specific distance therefrom marking the minimum distance from the property line that a building may be erected.

Building Modules

The distinct section of a building façade (typically 20' – 30') with the same organization of doors, windows, and façade elements and is repeated to create a rhythm that creates interest and vibrancy at the street level and reduces monotonous façades.

Building Official

The officer or other designated authority charged with the administration and enforcement of city ordinances related to construction, building, plumbing, electrical, or mechanical work.

Building Permit

An official certificate of permission issued by the city to a builder to construct, enlarge, or alter a building.

Building, Principal or Primary

The main building on a lot in which a principal use of the lot on which it is located is conducted.

Build-to Zone

An area between the minimum and maximum front setbacks within which the front façade of the building shall be located.

Caliper

The diameter of the trunk, measured at breast height (DBH), which is typically four and one-half feet above the ground.

Canopy

A roof-like cover or structure, including an awning or marquee, which projects from the wall of a building over a door, entrance, window, or sidewalk café area (same as awning).

Capital Improvements

Any major improvement to City facilities and infrastructure such as streets, utilities, etc.

Central Crowley Residential District

The boundary of a district established in the Crowley Comprehensive Plan 2045 that highlights the existing neighborhoods within walking distance of Downtown Crowley for complementary uses such as accessory dwelling units and live-work uses.

Certificate of Occupancy

A certificate issued by the city prior to using or occupying a structure or building.

Change of Use

Changing permitted uses between land use categories in the use tables in **Article 5: Use Standards**.

City Council

City Council or Council means the governing body of the City of Crowley.

City Staff

Any employee of the City of Crowley.

Cladding

The exterior building finish or material.

Collector Street

As defined by the city's adopted Master Thoroughfare Plan.

Commercial Use or Building

The use of land or building for commercial or business purposes as listed in **Article 5: Use Standards**.

Comprehensive Plan

The plan most recently adopted by the City Council as the official policy to guide development of the city and its extraterritorial jurisdiction. The Comprehensive Plan includes any applicable sub-area, neighborhood, sector, or district plans, and other supporting elements, studies, and documents as may be adopted by the City Council.

Column

An architectural support of definite proportions, usually cylindrical in shape, with shaft, capital, and sometimes a base. A column may be free-standing or attached to a wall.

Concept Plan

A framework plan that generally establishes the loose boundaries of the use or character areas (mixed-use districts or planned development sub-districts), and major street and open space networks. They shall provide adequate information on the scale, intensity, and character of the development to help inform the decision makers at the time of rezoning and subsequent development of the site through more detailed plans.

Corbel

A bracket or support that is provided under a building façade projection.

Cornice

The uppermost horizontal molded projection or other uppermost horizontal element located at the top of a building or portion of a building.

Courtyard

A landscaped open, unoccupied space bounded on three or more sides by the walls of a building. An inner courtyard is a court entirely surrounded by the exterior walls of a building. An outer courtyard is a court having one side open to a street, alley, yard, or other permanent space.

Cul-de-sac



*Figure 106.126-6
Image of a Corbel or
Bracket*

A dead-end street with an approved turnaround having only one common entry and exit.

DBH

An acronym for diameter at breast height, meaning four and one-half feet above the ground.

Decision-Making Body

The City Council or other legislative authority of the City of Crowley which includes the Planning and Zoning Commission or the Zoning Board of Adjustment.

Density

The number of dwelling units permitted per net acre of land. A net acre of land does not include portions of streets or alleys.

Development or to Develop

“Development” shall mean:

1. The construction of one or more new buildings or structures on one or more building lots;
2. The existence of a building on a building lot;
3. The use of open land for a new use;
4. Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials; or,
5. “To develop” shall mean to create a development.

Development Plan

A more detailed plan than a concept plan and less detail than a site plan and required for larger master planned developments under the MU and PD zoning districts. It shall generally include more than one lot but less than the entire master planned development. It is typically based on a previously approved concept plan and establishes the standards and specifications for all the critical elements of the built environment based on a specific development vision for mixed use or a planned development under this Chapter.

Display

The exhibition of goods, wares, or merchandise for retail sale, rental, or lease.

District

See Zoning District.

Dormers or Dormer Windows

A roofed structure, often containing a window that projects vertically beyond the plane of a pitched or sloped roof.

Duplex

A two-family dwelling unit with a common shared wall or shared floor located on the same lot or adjoining lots.

Dwelling Unit

A self-contained unit of accommodation of one or more rooms including kitchen designed as a residence for occupancy by one household for the purpose of cooking, living, and sleeping. This definition shall include single family dwellings, two-family dwellings, and multiple family dwellings but not hotels or motels.

Dwelling Unit, Accessory

See under Accessory Use Definitions Section 106.124.

Dwellings, Attached

A dwelling which is joined to another dwelling at one or more sides by a partial wall or walls.

Dwelling, Detached

A dwelling which is entirely surrounded by open space on its building lot.

Easement

A grant of one or more property rights by the owner to, or for the use by, the public, a corporation, or another person or entity without actual ownership of the land.

Easements, Shared or Cross Access

The coordination of private access easements and driveway access between adjoining properties with the goal of allowing users to travel across each other's lot to reach adjoining properties or street(s).

Encroachment

Any structural or non-structural element such as a sign, awning, canopy, terrace, or balcony that extends into a setback, into the public right-of-way, or above a height limit.

Entryway

The doorway into a building along with the architectural treatments that accompany it.

Exceptional Tree

A tree that is rare or exceptional by virtue of its size, species, condition, cultural/historic importance, or age. Exceptional trees include any non-invasive native tree that has a caliper size of - 24 inches.

Exterior Insulation and Finish System (EIFS)

A multi-layered exterior wall system typically consisting of insulation board that is secured to the exterior wall surface with a specially formulated adhesive and/or mechanical attachment; a durable, water-resistant base coat, which is applied on top of the insulation and reinforced with fiber glass mesh for added strength; and a durable finish coat which is both colorfast and crack-resistant.

Extra Territorial Jurisdiction (ETJ)

The area outside the city's incorporated limits where the city can legally exercise its planning authority.

Façade

Any exterior wall or face of a building that encloses or covers usable space. Multiple buildings on the same lot will each be deemed to have separate façades. A roof shall not be included in the definition of a façade.

Family

Individuals living together as a single housekeeping unit in which not more than four individuals are unrelated to the head of the household by blood, marriage, or adoption. The term expressly excludes residents of an assisted living facility, boarding house, fraternity or sorority house, private dorm, halfway house, or nursing home, as defined by this Chapter.

Fence or Wall

A barrier composed of posts connected by boards, rails, panels, wire, or even vegetation for the purpose of physically enclosing an area or separating parcels of land. The term "fence" does include retaining walls if such walls provide enclosure and/or separation of parcels.

Fenestration

Window treatment in a building or building façade. Also, a general term used to denote the pattern

or arrangement of openings, i.e., windows and doors, in a façade.

Fire Lane

The area within any public right-of-way, easement, or private property designated for fire trucks and other firefighting or emergency equipment to use, travel upon, and/or park.

Floodplain

Any land area susceptible to being inundated by water from any source.

Floor Area Ratio (FAR)

An indicated ratio between the number of square feet of total floor area in the main buildings on a lot and the total square footage of land in the lot. The term "floor area ratio" means the number resulting from dividing the main building floor area by the lot area.

Freeway or Highway

Any regional or interstate high speed roadway with controlled access.

Freeway or Highway Frontage Road

Frontage road (also known as an access road, service road, parallel road, etc.) is a local road running parallel to a freeway or a highway. A frontage road is often used to provide access to adjoining properties and development.

Forecourt

An open, unoccupied space, typically located in the front of a lot, bounded on more than one side by the walls of a building or buildings and used as a primary means of access to all or any part of said buildings.

Gable Roof or Sloped Roof

A gable roof consists of two roof sections sloping in opposite directions and placed such that the highest, horizontal edges meet to form the ridge of the roof.

Glare

A sensation of brightness within the visual field that causes annoyance, discomfort, or loss in visual performance and visibility.

Grade

The average of the finished ground surface elevations measured at the highest and lowest exterior corners of a structure.

Gross Floor Area (GFA)

When applied to a building, the area in square feet measured by taking outside dimensions of the building at each floor, excluding however, the floor area of basements or attics when not occupied or used.

Ground Cover

Plants and turfs that normally reach a height of less than two feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.

Height, Building

The vertical distance measured from the average finished grade next to the building to (a) to the highest point of the roof surface or parapet, if a flat roof; (b) to the deck line of a mansard roof; or (c) to the mean height level between eaves and ridge for a gable, hip, or gambrel roof.

Hip or Hipped Roof

A hipped roof consists of all sides sloping downwards towards the walls of the structure it is covering.

Impervious Cover or Coverage

Any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land.

Infrastructure

The essential facilities such as water lines, sewer lines, streets, highways, public utilities, libraries, parks, police and fire services, and other facilities related to the provision of public services and protection of the health, safety, and general welfare.

Industrial Uses

All manufacturing, assembly, warehouse, and waste management activities.

Institutional

Nonprofit or service organizations such as public schools, hospitals, religious institutions, and government facilities.

Irrigation System

A method of providing the proper amount of water for the particular type of plant material used.

iSWM Standards

Integrated Stormwater Management program by the North Central Texas Council of Governments (NCTCOG).

ITE's Designing Walkable Urban Thoroughfares Manual by Daisa, James M.

Designing walkable urban thoroughfares: A Context Sensitive Approach. Washington, DC: Institute of Transportation Engineers (2010).

Junk

Scrap iron, scrap tin, scrap brass, scrap copper, scrap lead, or scrap zinc and all other scrap metals and their alloys, and bones, rags, used cloth, used rubber, used rope, used tinfoil, used bottles, old cotton or used machinery, used tools, used appliances, used fixtures, used utensils, used boxes or crates, used pipe or pipe fittings, used automobile or airplane tires, and other manufactured goods that are so worn, deteriorated, or obsolete as to make them unusable in their existing condition, subject to being dismantled for junk.

Landscape Architect

A person licensed to practice landscape architecture pursuant to the laws of the State of Texas.

Landscape Area

An area which is covered by grass, ground cover, or other natural plant materials, including screening.

Landscape Setback

An area where landscaping is set back from any travel lane, parking space, or maneuvering areas.

Landscaping

Living plant material, including but not limited to grass, trees, shrubs, berms, water forms, and planters.

Loading space, off-street

Space logically and conveniently located and designated on a site for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

Lot

A platted parcel of land intended to be separately owned or developed, and that is recorded in the property records of Tarrant and/or Johnson County, Texas.

Lot, Adjoining or Adjacent

Any lot, parcel, or piece of land that shares a common lot line, alley, or any point of tangency with the lot under consideration.

Lot Area

That area of a horizontal plane bounded by the front, side, and rear lot lines, including any portion of an easement which may exist within such property lines and exclusive of approved rights-of-way for public street, private street, alley, or rail purposes.

Lot, Corner

A lot situated at the intersection of two or more streets.

Lot Coverage

The percentage of the lot area that is covered by a building or structure.

Lot Depth

The average horizontal distance between the front and rear lot lines.

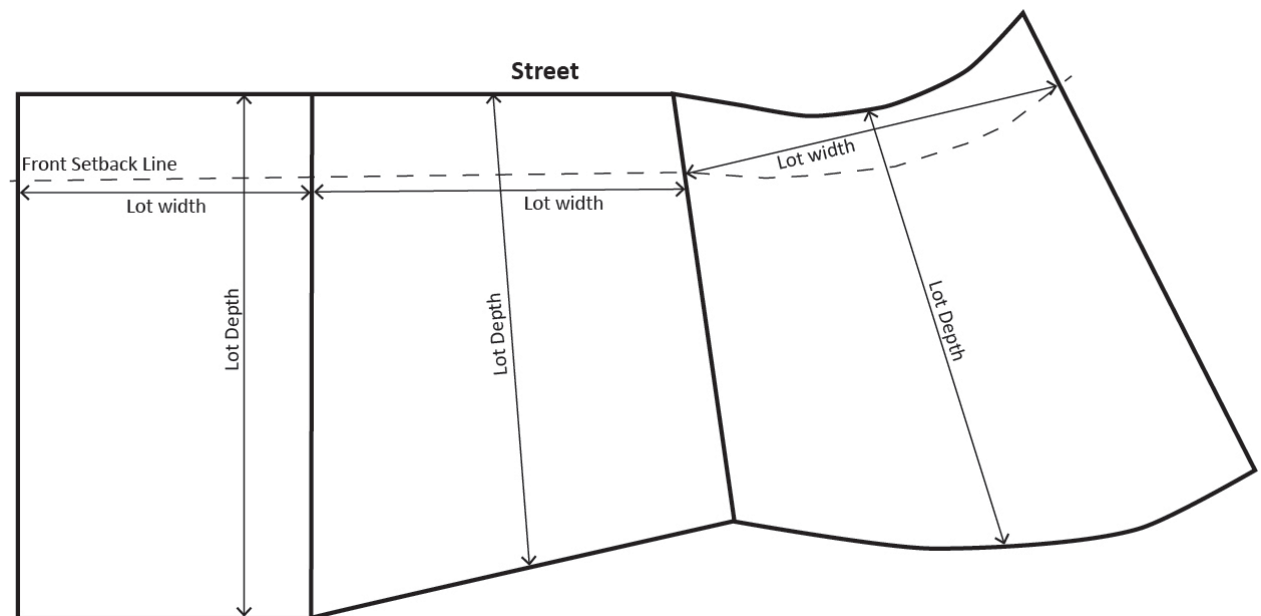


Figure 106.126-7
Measurement of Lot Width and Depth

Lot, Double Frontage or Through

A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots. Such lots shall provide a front yard on each

street.

Lot, Reverse Corner

A corner lot where the back of one lot abuts the side of another lot.

Lot, Interior

A lot other than a corner lot.

Lot Line, Front

That boundary of a lot that abuts a public street, private street, or approved access easement. On corner lots, the front lot line shall be the shorter line abutting a public street, private street, or approved access easement.

Lot Line, Interior

A lot line which is common to two lots.

Lot Line, Rear

That boundary of a lot that is opposite the front lot line and that is most nearly parallel with the front lot line.

Lot Line, Side

That boundary that is not a front or rear lot line.

Lot of Record

An area of land designated as a lot on a plat of a subdivision recorded in the Plat Records of Tarrant and/or Johnson County, Texas, pursuant to statute, with the respective County Clerk.

Lot Width

The horizontal distance between side lot lines measured at the required front setback line.

Major Amendment

A requested amendment to an approved plan (Concept, Development, or Site Plan) that is substantially different from the originally approved plan as determined by the Administrator per this Chapter.

Masonry, Nonresidential

A combination of brick, ceramic block, stone decorative concrete block, or masonry materials installed in a craftsman-like manner that are a minimum of one inch thick and imbedded in a cementitious reinforced substrate. Building trim and accent areas shall not exceed 15 percent of any exterior wall area. Stucco, fiber reinforced cement board, reinforced exterior insulated finish systems, or simulated masonry systems approved by the building official may only be used for accent areas.

Masonry, Residential

A form of construction composed of brick, stone, concrete, glass block, or similar building units or materials or combination of these materials laid up unit by unit and set in mortar (masonry does not include exterior insulated finish systems (EIFS)).

Mass, Building

The external shape of a building and how it relates to or fits in with adjoining streets, sidewalks, and buildings.

Meandering

Taking a sinuous course with curves in alternate directions.

Minor Amendments

A requested amendment to an approved plan (Concept, Development, or Site Plan) that in nominal with no substantive changes to the development intensity or character.

Mixed-Use Development or Building

The development of a tract of land, building, or structure in a compact urban form with a residential use and a nonresidential use as permitted by the applicable zoning district from the land use categories listed in **Article 5: Use Standards**. The layout of a mixed-use development may be vertical or horizontal in design.

Multifamily Development

All multifamily buildings and associated uses and site amenities that are master planned together (even if they may be built in different phases). Such development could be on one lot or multiple lots or one building or multiple buildings.

NACTO's Urban Street Design Guide

Urban Street Design Guide. New York City: National Association of City Transportation Officials (2013).

Nonconforming Lot

A lot that does not conform to the lot area, width, or depth requirements of the zoning district in which it is located, and as further defined in **Article 9: Nonconformities**.

Nonconforming Building or Structure or Site

Any existing building, structure, or site improvement that was erected according to all applicable city ordinances at the time, but which does not now comply with all the regulations applicable to the district in which the structure or site is located, and as further defined in **Article 9: Nonconformities**.

Nonconforming Use

Generally, the use of an existing property or structure after the effective date of this Chapter, which does not comply with the use regulations applicable to the district in which the property is located, and as further defined in **Article 9: Nonconformities**.

Nonresidential

A catch-all land or building use category that includes all uses except residential (single and multifamily) uses.

Office

A range of commercial, nonprofit, or governmental activities that occur within buildings where employees and visitors are the primary users of the buildings and such uses are typically not related to direct retail trade with customers.

Open Space

Publicly accessible open land in the form of parks, courtyards, forecourts, plazas, greens, playgrounds, squares, etc. provided to meet the standards in of this Chapter. Open space may be privately or publicly owned and/or maintained.

Owner, Property or Proprietor

Each and every person or entity who is a record owner of a fee simple interest or an undivided fee simple interest in a parcel of land per the County Tax Records. If such parcel is subject to a condominium or other multi-ownership regime, the owners' association representing such multi-ownership regime, and not individual unit owners, shall be deemed the owner thereof.

Parapet

That portion of the wall which extends above the roof line.

Parking Lot

Paved surfaces used for the storage of vehicles in parking spaces for limited periods of time, including but not limited to: truck parking; motor vehicle display, loading, or storage areas; and/or boatsales.

Parking Lot Screen

A freestanding wall or living fence or combination fence built along any lot's street frontage in order to screen a parking lot or a loading/service area from view along that street.

Parking Space, Off-Street

For the purposes of this Chapter, an off-street parking space shall consist of a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room. Required off-street parking areas for three or more automobiles shall have individual spaces marked, and shall be so designed, maintained and regulated that no parking or maneuvering incidental to parking shall be within any public street, alley, or right-of-way, and so that any automobile may be parked and unparked without moving another. Off-street parking requirements will be considered to be met only when actual spaces meeting the requirements in **Article 7** of this Chapter are provided, maintained, and improved in a manner appropriate to the circumstances of the case, and in accordance with all ordinances and regulations of the city. All required off-street parking spaces shall be provided and maintained wholly within private property lines and not within any public highway, street, or alley right-of-way.

Parkway

The area of right-of-way between the curb and the property line normally publicly owned and consisting of a variable width and may include the sidewalk and/or landscaping.

Pedestrian-Oriented Street

As identified within MU Districts, shall be designated as "Pedestrian" oriented. Pedestrian-oriented streets prioritize pedestrian safety and walkability and façades along Pedestrian-oriented streets shall be designed to a higher standard with more contiguous frontage build-out than other streets in the MU District.

Pedestrian-Oriented Development Frontage

The percentage of the linear street or block frontage within MU District that is designated as a Pedestrian-Oriented Street.

Pedestrian Scale

The proportional relationship of a particular building structure and its façade elements such as doors and windows to the normal dimensions of human form and function. Pedestrian scale relates the size and/or height of a structure to the height and mass of a person walking along the sidewalk or street adjacent to that structure or element.

Pediment

On façades, it is a low gable, typically triangular with a horizontal cornice and raking cornices, surmounting a colonnade, an end wall, or a major division of a façade. It could also be any imitation of this element used to crown an opening or to form part of a decorative scheme.

Pergola

An outdoor structure consisting of columns that support a roofing grid of beams and rafters. This roofing grid may be left open or covered so as to create an area sheltered from the elements. Pergolas may be freestanding or attached to a building.

Person

An individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

Pilaster

A shallow rectangular feature projecting from a wall, having a capital and base and usually imitating the form of a column.

Planning and Zoning Commission

The planning and zoning commission of the City of Crowley.

Plat

A plan of a subdivision of land creating building lots or tracts and showing all essential dimensions and other information essential to comply with the subdivision standards of the city and subject to approval by the planning and zoning commission. Reference to a final plat in this chapter means an official plat of record which has been approved by the planning and zoning commission and filed in the plat records of Tarrant County and/or Johnson County, as applicable.

Playground

An outdoor area designed for unorganized recreational play. Playgrounds may consist of open space or informal play areas containing equipment such as swings, jungle gyms, seesaws, merry-go-rounds, backstops, goals, and similar equipment. Areas designed specifically for organized athletic events or containing buildings, bleachers, paved surfaces, field lights, or outdoor speakers, are not included within the definition of playground.

Plaza

A predominantly hard-surfaced space that is a portion of a block with a minimum of one side open to the street and other edges defined by buildings. Building edges should contain continuous retail, restaurant, or public uses at grade to animate and support the open space. Unlike intimate scale urban gardens, a plaza may contain a primary entrance to an adjacent building.

Porch

An exterior appendage to a building, forming a roofed approach or vestibule to a doorway, typically the front entryway.

Portico or Porte-Cochere

A roofed entrance similar to a porch, but usually much wider, often supported by columns or pillars but generally to accommodate a looped vehicular drop off. A porte-cochere may not have a roof structure over the circular or looped driveway.

Primary Entrance

The public entrance located along the front of a building facing a street or sidewalk and providing access from the public sidewalk to the building. It is different from a secondary entrance which may be located at the side or rear of a building providing private controlled access into the building from a sidewalk, parking area, or service area.

Private Drive or Street

An open, unoccupied space, other than a street or alley, permanently established, reserved, or dedicated in private ownership as the principal means of vehicular access to property abutting thereon. A private drive may be within an access easement.

Protected Tree

Any healthy, non-invasive native tree that has a caliper size greater than eight inches.

Protected Tree Stand

Four or more contiguous protected trees whose canopies are generally clustered together creating a contiguous drip line.

Recreational Area

An area devoted to facilities and equipment for recreational purposes, swimming pools, sports courts, playgrounds, community clubhouses, and other similar uses.

Relative

A person related by blood, marriage, or adoption.

Residential

Any use of the land or buildings for household living.

Right-of-Way

A public or private area that allows for the passage of people or goods. Right-of-way includes passageways such as freeways, streets, bike paths, alleys, and walkways. A public right-of-way is a right-of-way that is dedicated or deeded to the public for public use and under control of a public agency.

Right-of-Way Vacation

Abandonment of a street, alley, or other public way from public use and reversion to private ownership.

Row House

See Townhome.

Service Bay

A part of a building or structure used for providing maintenance, installation, or service to a single vehicle.

Screening or Screening Device

A barrier of stone, brick, pierced brick or block, uniformly colored wood, vegetation, or other permanent material of equal character, density, and design.

Screening Shrub

Shrubs which provide a dense, evergreen, opaque visual barrier.

Setback or Yard

An open space, other than a court, on a lot unoccupied and unobstructed from the ground upward, unless specifically otherwise permitted in this Chapter.

Setback, Rear or Rear Yard

A yard extending across the rear of a lot and being the minimum horizontal distance between the rear lot line and the rear façade of the principal building or any projections thereof other than steps, unenclosed balconies, or unenclosed porches.

Setback, Side (Interior) or Side Yard

A yard extending from the side lot line that is not adjacent to a street and being the minimum horizontal distance between any side façade of the primary building or projections thereof and the side lot line.

Setback, Street Side

A yard extending from the side lot line that is adjacent to a street and being the minimum horizontal distance between any side façade of the primary building including any enclosed projections and the side lot line.

Setback, Street Front

A yard extending along the primary street frontage of a lot and being the minimum horizontal distance between the street right-of-way line and main building façade (including any enclosed projections) with the primary building entrance.

Shared Parking

One or more parking facilities shared by multiple users on separate lots.

Sidewalk

A paved walkway along the side of a street.

Site

The total area of a lot or tract of land, from property line to property line, including any land subject to any easement or license. A site shall be a homogeneous parcel under single ownership or unified control.

Site Plan

An architectural plan, landscape architecture, engineering drawing, or other graphic depiction showing all proposed improvements (buildings, fences, parking, landscaping, utilities, etc.) on a given lot.

Site Plan, Type 1 or Administrative Site Plan

A site plan for development that meets all the standards of the specific zoning district it is located in and may be approved administratively.

Site Plan, Type 2

A site plan for development that does not meet all the standards of the specific zoning district it is located in and may only be approved by City Council after a recommendation by the Planning and Zoning Commission.

Specific Use Permit (SUP)

The use of any building, structure, or land not specifically allowed by district regulations, but permitted with a specific use permit (SUP) through City Council action in accordance with **Article 2: Procedures and Administration** of this Chapter.

Stoop

A small porch, platform, or staircase leading to the entrance of a building.

Story or Floor

That portion of a building, other than a basement, 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 the floor of such story. This includes any mezzanine or loft which may comprise only a portion of a full floor plate.

Street

A public way for vehicular traffic.

Street Frontage

The length of property along a street.

Streetscape

The area between the building and edge of the vehicular or parking lanes. The principal streetscape components are curbs, sidewalks, street trees, tree planters, bicycle racks, litter containers, benches, and street lights. Treatments may also include a range of provisions such as paving materials; street, pedestrian, and wayfinding signs; parking meters; utility boxes; public art; water features; bollards; informational signage; and other elements.

Street Tree

Trees planted within the Streetscape.

Structure

An object, including a mobile object, constructed or installed by man, including, but not limited to, buildings, poles, water towers, cranes, smokestacks, earth formations, and overhead transmission lines.

Subdivision Perimeter Fencing

The fencing along the external boundary of a subdivision or master planned development.

Tandem Parking

When two cars share one deep parking space in which they park one behind the other.

Telecommunications

The transmission, between or among points specified by the user, of audio and/or visual information of the user's choosing, without change in the form or content of the information as sent and received.

Telecommunications Service

The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

Telecommunications Tower

Any structure that is designed and constructed primarily for the purpose of supporting one or more antennae that transmit information (audio, video, data) in the form of electromagnetic signals to one or more receivers without the use of a physical connection between the transmitting and receiving source. The term includes but is not limited to lattice towers, guyed towers, and monopole towers. The term does not include a clock tower, bell tower, steeple, light pole, power pole, water tower, or similar structure that incidentally supports antennae. Towers may be freestanding or building-mounted, and may be concealed or unconcealed. An auxiliary structure housing electronic communications equipment is permitted as part of this use.

Texture

The visual and especially tactile quality of the surface of a building with respect to the size, shape, arrangement, and finish of the exterior building material.

Thoroughfare

Those public streets designated on the city's Master Thoroughfare Plan as arterials or collectors.

Topography

The study and description of natural and man-made land and water features of an area.

Tower, Height

The distance measured from grade to the highest point of any and all components of the structure, including antennae, hazard lighting, and other appurtenances, if any.

Townhome

One of a row of houses joined by common sidewalls.

Tree, Shade or Canopy

A perennial woody plant, single or multiple trunk, with few if any branches on its lower part, which at maturity will obtain a minimum six inch caliper.

Tree, Ornamental

A perennial woody plant generally of 25 feet or less at maturity that may branch to the ground and has significant seasonal color, texture, or other ornamental characteristics

Tree, Protected

Any existing tree of at least six caliper inches that is indicated to be retained after development of the site.

Use

When applied to land or buildings, the purpose or activity for which such land or building thereon is designed, arranged, or intended, or for which it is occupied or maintained.

Variance

An adjustment in the application of the specific regulations of this Chapter to a particular piece of property, which, because of special circumstances uniquely applicable to it, is deprived of privileges commonly enjoyed by other properties in the same vicinity and zone, and which adjustment remedies disparity in privileges. A variance may be granted solely by the Zoning Board of Adjustment in accordance with the provision of **Article 2: Procedures and Administration**.

Xeriscape

A concept to conserve water through creative landscaping and use of native plants. The main principles of xeriscape are:

1. reduction of turf area;
2. use of drought-tolerant and native or adapted plant materials;
3. grouping of plants with similar water requirements; and
4. an irrigation system designed to meet plant needs.

Yard

The ground that immediately adjoins or surrounds a house, public building, or other structure. The front yard is the area between the structure and the main street that the building/s fronts on. The side yard is the area/s on the sides of the structure/s generally perpendicular to the front yard. The rear yard is the area behind the structure/s and on the opposite side of the main street.

Zoning District or District

An area designation for which the regulations governing the area, height, and use of buildings and land are uniform.

Zoning Map

The map or maps, either physical or electronic, incorporated into this Chapter as a part hereof by reference thereto that identify the different zoning districts established by this Chapter.