



**NOTICE AND AGENDA
CITY OF GLENN HEIGHTS
PLANNING AND ZONING COMMISSION
MONDAY, SEPTEMBER 23, 2024, 6:30 P.M.**

Notice is hereby given that the City of Glenn Heights Planning and Zoning Commission will hold a Planning and Zoning Commission Meeting on Monday, September 23, 2024, beginning at 6:30 P.M. in the City Hall, City Council Chambers, located at 1938 South Hampton Road, Bldg. C, Glenn Heights, Texas, 75154, as prescribed by Vernon's Texas Civil Statutes, Government Code Section §551.041, to consider and possibly take action on the following agenda items. Items do not have to be taken in the same order as shown in this meeting Notice and Agenda.

This Notice and Meeting Agenda, and the Agenda Packet, are posted online at <https://www.glennheightstx.gov/129/Agendas-Minutes>.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

The public is invited to address the Planning and Zoning Commission on any topic. Speakers should complete a Public Comment form and submit it to the City Secretary prior to the beginning of the meeting. The Texas Open Meetings Act prohibits Planning and Zoning Commission from discussing or taking action on issues not posted on the agenda; however, the Planning and Zoning Commission Chair, City Manager or designee may provide specific factual information, recite an existing policy, or schedule a discussion of the issue for possible placement on a future agenda. Speakers are limited to a maximum of three (3) minutes.

AGENDA

1. **Land Use Chart Definition Update LUC-02-24:** A public hearing will be held to discuss and receive testimony to consider making a recommendation to City Council of the City of Glenn Heights, Texas, regarding amending Section 1 ("General Definitions") of Article XIX ("Basic Definitions and Interpretations") of exhibit 14A ("Zoning Ordinance") of Chapter 14 ("Zoning") to amend the general definitions of the city's comprehensive zoning ordinance.

ADJOURNMENT

In accordance with the Americans with Disabilities Act, if you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodations, please contact the City Secretary at least 48 hours in advance of the event at 972-223-1690 ext. 125 or email brandi.brown@glennheightstx.gov. Advance notification within this guideline will enable the city to make reasonable arrangements to ensure accessibility.

I, Brandi Brown, City Secretary, do hereby certify that the above Meeting Notice and Agenda was posted in a place convenient to the Public at Glenn Heights City Hall, 1938 South Hampton Road, Bldg. C, Glenn Heights, Texas by 6:30 P.M. on Friday, September 20, 2024.

Pursuant to Section 551.071 of the Texas Government Code, the Planning and Zoning Commission reserves the right to consult in closed session with its attorney at any time during the course of this meeting and to receive legal advice regarding any item listed on this agenda.

Brandi Brown, City Secretary

[illegible]

AN ORDINANCE OF THE CITY OF GLENN HEIGHTS, TEXAS

ORDINANCE NO. ____-2024

AN ORDINANCE OF THE CITY OF GLENN HEIGHTS, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF GLENN HEIGHTS, TEXAS, BY AMENDING SECTION 1 (“GENERAL DEFINITIONS”) OF ARTICLE XIX (“BASIC DEFINITIONS AND INTERPRETATIONS”) OF EXHIBIT 14A (“ZONING ORDINANCE”) OF CHAPTER 14 (“ZONING”) TO AMEND THE GENERAL DEFINITIONS OF THE CITY’S COMPREHENSIVE ZONING ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission of the City of Glenn Heights and the City Council of the City of Glenn Heights, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City of Glenn Heights is of the opinion and finds that a zoning regulation change should be adopted, and that the Comprehensive Zoning Ordinance, Plan and Map should be amended accordingly to the extent inconsistent with the terms hereof.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS, THAT:

SECTION 1: The Comprehensive Zoning Ordinance, Plan and Map of the City of Glenn Heights, Texas, as heretofore amended, be and the same are hereby amended by amending Section 1 (General Definitions”) of Article XIX (“Basic Definitions and Interpretations”) of Exhibit 14A (Zoning Ordinance”) of Chapter 14 (“Zoning”) by replacing the General Definitions in the Code with the General Definitions attached hereto and, by this reference, incorporated herein as Exhibit “A” to this Ordinance.

SECTION 2: All provisions of the Ordinances of the City of Glenn Heights, Texas, in conflict with the provisions of this ordinance as applicable to the Property be and are hereby repealed and all other provisions of the ordinances of the City of Glenn Heights, Texas, not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3: An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 4: Should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance or

the Comprehensive Zoning Ordinance as a whole, or any part or provision thereof, other than the part declared to be invalid, illegal, or unconstitutional.

SECTION 5: Any person, firm, or corporation violating any of the provisions or terms of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be subject to a penalty by fine not to exceed two thousand dollars (\$2,000.00) for each offense, and each and every day such violation continues or is allowed to exist shall constitute a separate offense.

SECTION 6: This ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Glenn Heights, Texas this _____ day of _____, 2024.

APPROVED:

SONJA A. BROWN, MAYOR

ATTEST:

Brandi Brown, City Secretary

APPROVED AS TO FORM:

David M. Berman, City Attorney

EXHIBIT A

CHAPTER 14 ZONING

EXHIBIT 14A ZONING ORDINANCE

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ARTICLE XIX BASIC DEFINITIONS AND INTERPRETATIONS

§1 GENERAL DEFINITIONS.

XIX.1.1 For the purpose of these regulations, certain terms and words are to be used and interpreted as defined hereinafter. Words used in the present tense shall include the future tense; words in the singular number include the plural and words in the plural number include the singular, except where the natural construction of the writing indicates otherwise. Words and phrases that are not defined below shall be given their common, ordinary meaning unless the context clearly requires otherwise. The word “shall” is mandatory and not directory; while the word “may” is merely directory.

ACCESSORY BUILDING. A subordinate building or a portion of the main building located on the same lot as the main building, the use of which is incidental to that of the dominant use of the building or premises and not exceeding the maximum lot coverage. Accessory buildings must meet all requirements of the zoning district in which they are located. Accessory buildings generally include parking garages, adjacent farm structures, home workshops and tool houses, storage sheds, home greenhouses, etc. Farms with working barns may be exempt if the land is subject to an agricultural use exemption; proof of receipt of such an exemption from the applicable appraisal district must be available for inspection. Accessory Buildings may only exist in conjunction with a primary structure and may not be constructed in the absence of a primary structure, unless provided by ordinance. In the event a primary structure is destroyed, the accessory building may continue to exist in the absence of the primary structure for six months provided a primary structure is being reconstructed. Failure to timely construct a primary structure requires the removal of the accessory structure. Accessory structures shall not include structures commonly known as sea boxes, PODs, trailer containers, railroad boxes and the like.

ACCESSORY RESIDENCE/GUEST HOUSE. Living quarters within a detached accessory building located on the same premises with the main building, for use by temporary guests of the occupants of the premises, such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling and shall not exceed six hundred fifty (650) square feet in size (a/k/a Guest House) (Article XVII).

ACCESSORY USE. A use that is customarily incidental, appropriate and subordinate to the principal use of land or buildings and located upon the same lot therewith. The land and building area used for the accessory use must be significantly less than that used for the primary use and gross receipts, if any, must be significantly less than those derived from the primary use. Accessory

uses must comply with the requirements of the zoning district in which they are located.

ACCOUNTANT OR BOOKKEEPING OFFICE. See Business Office, General.

ADMINISTRATIVE OR CORPORATE HEADQUARTERS. The center of operations or administration for a legal entity, that may conduct its primary operations in another location, and designate the location as its principal place of business for legal transactions.

AIRPORT. A place where an aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair and various accommodations for passengers and regulated by state and federal entities with jurisdiction over airspace.

ALLEY. A minor right-of-way, dedicated to public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.

AMERICANS WITH DISABILITIES ACT (“ADA”). The applicable federal statute and regulations relative to new construction and rehabilitation as may be required in 42 U.S.C. 1281, et seq., Pub. L. 101-336 and implementing regulations at 28 C.F.R. parts 35 and 36, and similar regulations as they exist and as they may be amended.

AMORTIZATION. The required removal of a nonconformity after a stated period of time without compensation.

AMUSEMENT OR VIDEO ARCADE, COMMERCIAL. Any building, room, place or establishment of any nature or kind and by whatever name called, that contains at least three (3) amusement devices, such as pinball and video machines [that] are operated for a profit, whether the same be operated in conjunction with any other business or not, including but not limited to such amusement devices as coin-operated pinball machines, video games, electronic games, shuffle boards, pool tables or other similar amusement devices. Provided, however, the term “amusement device,” as used herein, shall not include musical devices, billiard tables which are not coin-operated, and devices designed to train persons in athletic skills or golf, tennis, baseball, archery or other similar sports. May be Indoor or Outdoor; See also, Amusement Park, Permanent

AMUSEMENT PARK, PERMANENT. An outdoor area or structure, open to the public, which provides entertainment or amusement for a fee or admission charge, including, but not limited to, batting cages, miniature golf, go-kart tracks and thrill rides.

ANIMAL POUND (MUNICIPAL). An enclosure, owned by the municipality, under or subject to its control, to house stray or unlicensed animals captured within the municipality. The pound may also be used as a holding pen for animals under observation consistent with state law regulations.

ANTENNA, SATELLITE DISH. An apparatus capable of receiving communications from a transmitter relay located in planetary orbit.

A

ANTIQUÉ SHOP, SALES IN BUILDING. A retail establishment engaged in the selling of works

of art, furniture or other artifacts of an earlier period, with all sales and storage occurring inside a building. Antiques are objects which show some degree of craftsmanship, value and is considered a collectible.

APARTMENT HOUSE. See Multiple-Family Dwelling. ARCHITECT'S OFFICE. See Business Office, General.

ASPHALT PAVING. A composite material commonly used for construction of pavement, highways and parking lots, comprised primarily of petroleum-based products as a tar-like substance used as a binder with an aggregate base. All asphalt paving, residential driveways and parking, shall conform to the standards adopted in the City's Subdivision Regulations and the adopted Standard Construction Details.

ASSEMBLY HALL. A building, or part of a building, in which facilities are provided and used for such purposes as a meeting, gathering, or assembly of persons for civic, educational, political, religious, or social events, including weddings and receptions, and may include a banquet hall, or fraternal organization.

ASSEMBLY OF ELECTRONIC INSTRUMENTS AND DEVICES. An industrial site where technological devices are assembled for the purpose of manipulation of voltages and electric currents through the various devices for the result of performing some useful action.

ATHLETIC STADIUM OR FIELD. An athletic field or stadium owned and operated by a public agency and/or political subdivision for use by the general public including a baseball field, golf course, football field or stadium which may be lighted for nighttime play.

AUTOMOBILE (AUTO).

- A. A self-propelled mechanical vehicle designed for use on streets and highways for the conveying of goods and people including but not limited to the following: passenger cars, trucks, buses, motor scooters and motorcycles.
- B. A motor vehicle subject to registration under Transportation Code, Title 7, Subtitle A, or any other device designed to be self-propelled or transported on a public highway.

All Automobile related business listed below include office area.

AUTOMOBILE ASSEMBLY AND REBUILD. Assembly is a system of workers and machinery in which a new product is assembled in a series of consecutive operations; typically the product is attached to a continuously moving belt. Rebuilding is the independent rehabilitation of a used automobile product.

AUTOMOBILE PAINTING, BODY AND UPHOLSTERY REPAIR. The painting, upholstery and Repair or replacing of damaged auto body part. (Collision repair. Center.) Work will take place inside the store or garage.

AUTOMOBILE CENTER. A business whose primary purpose is to stock automotive parts and accessories, and which may provide a limited amount of maintenance services. All services are inside.

AUTOMOBILE LEASING AND RENTING. A location where vehicles (e.g. automobiles, motorcycles and light load vehicles) are stored for leasing or rental purposes.

AUTOMOBILE PARKING LOT OR GARAGE. An area or structure designed for the short-term parking of motor vehicles. See Parking Lot and Parking Garage.

AUTOMOBILE PARTS, SALES IN BUILDING (Inside). The use of any building or other premises for the primary inside display and sale of new or used parts for automobiles, panel trucks or vans, trailers, or recreation vehicles.

AUTOMOBILE PARTS, SALES IN OPEN (Outside). The use of any land for the outside display and sale of new or used parts for automobiles, panel trucks or vans, trailers, or recreation vehicles. This does not include junk or salvage yards.

AUTOMOBILE REPAIR, MAJOR. General repair or reconditioning of engines, air-conditioning systems and transmissions for motor vehicles; wrecker service; collision services, including body, frame or fender straightening or repair; customizing; painting; vehicle steam cleaning; undercoating and rust-proofing; those uses listed under “automobile repair, minor”; and other similar uses. The car service/bay area shall be screened from view from public roads (unless the garage existed before March 31, 2005? [sic]). Or An establishment providing major or minor automobile repair services to all motor vehicles except heavy load vehicles. The car service/bay area shall be screened from view from public roads unless the garage existed before March 31, 2005. Vehicles which are inoperative or are being repaired, may not remain parked outside an Automobile Service Station for a period greater than seven (7) days.

AUTOMOBILE REPAIR, MINOR. Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, changing of oil, oil filters and the chassis lubrication of motor vehicles(All new oil shall be dispensed from drums and all old oil shall be kept in sumps until removed by pumper trucks and at all times shall comply with state environmental quality laws.) , spark plug, and filter changing; tune- ups and automobile washing and polishing. The car service/bay area shall be screened from view from public roads (unless the garage existed before March 31, 2005? [sic]). Vehicles, which are inoperative or are being repaired, may not remain parked outside an Automobile Service Station for a period greater than seven (7) days.

AUTOMOBILE SALES LOT (NEW). A place of business where the primary business is the sales of new automobiles. The place of business and seller of vehicles must comply with the Texas Department of Transportation regulations and licensing requirements.

AUTOMOBILE SALES LOT (USED). A place of business where the primary business is the sales of used automobiles or light load vehicles. The place of business and seller of vehicles must comply with the Texas Department of Transportation regulations and licensing requirements.

AUTOMOBILE STORAGE.

- A. The storage on a lot or tract, which complies with the Texas Department of Licensing

and Regulation licensing requirements of operable automobiles for the purpose of holding such vehicles for sale, distribution or storage.

- B. A garage, parking lot, or other facility owned or operated by a person other than a governmental entity for storing or parking ten (10) or more vehicles per year.

BAKERY AND CONFECTIONERY WORKS. A manufacturing facility for the production and distribution of baked goods and confectioneries.

BANK, (a/k/a SAVINGS AND LOAN, OR CREDIT UNION). An establishment for the custody, loan, exchange or issue of money, the extension of credit, and/or the facilitating of the transmission of funds[.]

BANK, AUTOMATIC TELLER. A stand-alone structure or kiosk associated with a Bank, for either pedestrian or vehicular transactions involving the transmission of funds.

BAR.

- A. Any establishment including, but not limited to, “nightclubs” licensed by the state for the sale of alcoholic beverages that derives more than seventy-five percent (75%) of the establishment’s gross revenue from the on-premises sale of alcoholic beverages for on-premises consumption.
- B. For purposes of this definition, “daily gross sales” shall be calculated using the normal selling price of all food, alcoholic beverages and other items sold in the establishment and shall reflect the price normally charged for such items in the establishment for which the daily gross sales figure is calculated, whether such item is actually sold at normal selling price or below normal price. Prices charged during promotions, happy hours, and other occasions when items are sold at reduced prices or served at no charge, shall not be considered “normal selling price” for calculation of daily gross sales.

BARBER SHOP OR COLLEGE. A place where barbering, as defined in Chapter 1601 of the Texas Occupations Code, as it may be amended, is practiced, offered or attempted to be practiced, except when such place is duly licensed as a barber school or college.

BASEMENT OR CELLAR. A story partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half of its height is above the average level of the adjoining ground or when subdivided and used for commercial or dwelling purposes by other than a janitor employed on the premises.

BATCH PLANT. See Concrete or Asphalt Batching Plant, Permanent and Temporary.

BATH HOUSE. A structure that contains dressing rooms, showers, restrooms and toilet facilities for use with an adjacent public swimming pool, semi-public swimming pool, private swimming pool, spa-pool or public bathing place.

BATTERY MANUFACTURING. See Manufacturing Processes, General

BEAUTY SHOP. A place where cosmetology, as defined by Chapter 1602 of the Texas Occupations Code, as adopted and amended, is practiced.

BED AND BREAKFAST, INN OR FACILITY. A dwelling or group of dwellings at which a meal, usually breakfast, is served and sleeping accommodations are offered and provided to not more than ten (10) rooms or unattached units (e.g. cabins) for transient guests on a nightly basis for compensation. Such terms do not include a hotel, motel or boarding house. See tourist home.

BERM. A small, fabricated hill or elevated land typically used in place of, or in addition to trees or shrubs to screen a business from public view or to act as a visual, light and noise buffer between uses. A rolling topography is generally created through the use of berms. Berms shall not be more than six feet (6') from the ground to its highest point.

BIG BOX. A structure over 45,000 square feet in size including, but not necessarily limited to, membership warehouses and large retail businesses.

BLOCK. A tract of land platted for urban use and generally bound by dedicated public right-of-way, streets, or a combination of streets, parks, cemeteries, or boundary lines of local government.

BOARDING HOUSE. A building, where, for compensation, and by pre-arrangement for definite periods of time, meals or lodging and meals are provided for three (3) persons or more, but not exceeding twenty (20) persons on a weekly or monthly basis. This term does not include a hotel or motel.

BOAT SALES. A place of business where the primary business is the sales of new and used boats. The place of business and seller of vehicles must comply with the Texas Department of Parks and Wildlife regulations and licensing requirements.

BOOK BINDERY. A facility where books are bound. Bookbinding is the process of physically assembling a book from a number of folded or unfolded sheets of paper and usually involves attaching covers to the text block.

BOTTLING WORKS. A manufacturing facility designed to place a product into a bottle for distribution.

BUFFER ZONE. A tract of land between two differently zoned areas (e.g., a city might position a multifamily residential development between a commercial and single-family residential district).

BUFFER-YARD. A designated area, defined in dimension, on the perimeter of a property which is required to have a screening or buffering of landscaping or screening materials installed and maintained between it and the adjacent property. Normally this will be between properties with differing zoning or uses.

BUILDING. Any structure designed, built or occupied, intended for shelter, housing or roofed enclosure for persons, animals or property. When separated by dividing walls without openings, each portion of such structure so separated may be deemed a separate building.

BUILDING ELEVATION. The view of any building, or other structure from any one of four sides showing features such as construction materials, design, height, dimensions, windows, doors, architectural features and the relationship of grade to floor level.

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

BUILDING LINE. A line parallel, or approximately parallel, to the front, side or rear lot line at a specific distance therefrom, marking the minimum distance from the front, side or rear lot line that a building may be erected.

BUILDING MATERIALS, LUMBER SALES YARDS AND HARDWARE SALES (INSIDE STORAGE). The sale of new building materials, unfinished lumber and indoor related sales for hardware, carpet, plants, electrical and plumbing supplies all of which are oriented to the retail customer, rather than contractor or wholesale customer. Facilities for storage are inside the building.

BUILDING MATERIALS, LUMBER SALES YARDS AND HARDWARE SALES (OUTSIDE STORAGE). The sale of new building materials, unfinished lumber and indoor related sales for hardware, carpet, plants, electrical and plumbing supplies all of which are oriented to the retail customer, rather than contractor or wholesale customer. Facilities for storage are outside the building.

BUILDING OFFICIAL. The building inspector, administrative official or other authorized designee of the City charged with responsibility for issuing permits and enforcing the City of Glenn Heights Zoning Ordinance, Subdivision Regulations and the adopted Building Code.

BUILDING, PRIMARY (MAIN). A building in which the principal use of the lot on which it is situated is conducted. In a residential district the dwelling unit shall be deemed to be a main building on the lot on which it is situated.

BUS STOP OR SHELTER. A roofed structure with at least three walls located on or adjacent to the right-of-way of a street, and which is designed and used primarily for the protection, convenience and information of bus passengers.

BUS TERMINAL. Any premises for the transient housing or parking of motor-driven buses and the loading and unloading of passengers.

BUSINESS SERVICE. Establishments primarily engaged in providing services, not elsewhere classified, to business enterprises on a fee contract basis including, but not limited to, advertising agencies, computer programming and software services, and office equipment rental or leasing.

CABINET AND UPHOLSTERING SHOP. An establishment for the production, display and sale of cabinets, furniture and soft coverings for furniture.

CAMPING SITES. Land and facilities designated and permitted as a park or site for temporary dwelling by tent, cabin or recreational vehicle, with or without electrical or plumbing infrastructure and/or designated pad sites.

CARWASH. Structure used to wash motorcycles, automobiles and light load vehicles.

CARWASH, AUTOMATED. Facility or structure where chairs, conveyors, blowers, steam cleaners or other mechanical devices are used for the purpose of washing motorcycles, automobiles and light load vehicles and where the operation is generally performed or operated by an attendant.

CARWASH, MANUAL OR SELF-SERVICE. Facility or structure where washing, drying and polishing of vehicles is done by the owner of the vehicle, as a self-service operation, without the use of chain conveyors, blowers, steam cleaners or other mechanical devices.

CARETAKER/GUARD QUARTERS AS PART OF PERMANENT STRUCTURE. An accessory building or portion of an accessory building located on the same lot or grounds with the main building, containing not more than one set of kitchen and bathroom facilities and used as living quarters for a person or persons employed on the premises, and not otherwise used or designed as a separate place of abode, provided the living area of such quarters shall not exceed six hundred fifty (650) square feet.

CARNIVAL, TEMPORARY. A temporary amusement park wherein a special events permit is sought for the purpose of providing entertainment from rides, sideshows and games of skill on public or private property as permitted.

CARPORT. A structure open on a minimum of three sides designed or used to shelter not more than three (3) vehicles and not to exceed twenty-four feet (24') on its longest dimension. Carports shall be constructed as provided by this Zoning Ordinance (Section XII [Article 15.04, division 1 of the Code of Ordinances].).

CARTING OR EXPRESS HAULING. The work of taking something away in a cart or truck, transportation of goods and disposing of it.

CEMETERY OR MAUSOLEUM. Property used for the interring of the dead, where bodies or remains are interred in ground (cemetery) or above ground in staked vaults (mausoleum).

CERTIFICATE OF OCCUPANCY. An official certificate issued by the City through the Building Official which indicates conformance with or approved conditional waiver from the zoning regulations and authorizes legal use and occupancy of the premises for which it is issued; may also be referred to as an "Occupancy Permit."

CHURCH, RECTORY OR RELIGIOUS INSTITUTION. A building for regular assembly for religious worship which is used primarily and designed for such purpose and those accessory activities which are customarily associated therewith, and may be a place of residence for

ministers, priests, nuns or rabbis on the premises. A place of worship, including a church, synagogue, temple, mosque or other building or facility, primarily engaged in religious worship. The term “accessory activities” does not include uses such as schools, recreational facilities, day care or child care facilities, kindergartens, dormitories, or other facilities for temporary or permanent residences, which are connected or related to the church or the principal building on the site, or are located on the same site, even if the curriculum or services offered as part of such use includes religious services or training.

CITY. The City of Glenn Heights, an incorporated home rule municipality and political subdivision of the State of Texas located in Dallas and Ellis Counties.

CITY COUNCIL. The governing body of the City of Glenn Heights, Texas.

CLOTHING OR APPAREL STORE. A retail facility primarily in business for the sale of personal clothing, shoes and other clothing accessories.

CLUB. This term includes assembly halls, private country clubs, fraternal clubs or lodges, private clubs and nightclubs and those terms as defined shall govern.

CLUB, FRATERNAL (FRATERNAL LODGE). An establishment providing meeting or social facilities for a private or nonprofit association, primarily for use by members and guests. Typical uses include, but are not limited to, fraternal lodges and meeting halls.

CLUB, NIGHT. An establishment where there is live entertainment, dancing, karaoke, televised, recorded and/or other performing entertainers.

CLUB, PRIVATE. A place or establishment in which alcoholic beverages are stored, possessed, mixed, consumed or served in broken or unsealed containers, as permitted by the laws of the state, and thirty percent (30%) of the gross receipts are derived from the sale of food. Gross receipts shall be determined by an annual audit provided at the expense of the owner of the private club for review by the City Council. All private clubs require a Specific Use Permit (SUP). Private clubs shall conform to the requirements of state law including, but not limited to, the Alcohol Beverage Code and shall receive a private club permit from the state within six (6) months after the issuance of a SUP.

COLLEGE OR UNIVERSITY. An academic institution of higher learning accredited or recognized by the State and covering a program or series of programs of academic study.

COMMERCIAL AMUSEMENT (INDOOR). An amusement enterprise that is wholly enclosed within a building which is treated acoustically so that noise generated by the enterprise is not perceptible at the bounding property line, and that, for a fee or price of admission, provides activities, services and/or instruction for the entertainment of customers or members, but not including amusement arcades. Uses may include, but are not limited to, the following: bowling alley, ice skating rink, martial arts club, racquetball/handball club, indoor tennis courts/club, indoor swimming pool or scuba diving facility, video arcades, and other similar types of uses. See Amusement, Commercial.

COMMERCIAL AMUSEMENT (OUTDOOR). See Amusement Park, Permanent.

COMMERCIAL PLANT, GENERAL. Establishments other than personal service shops for the treatment and/or processing of products as a service on a for-profit basis including, but not limited to, newspaper printing, laundry plant, or cleaning and dyeing plants.

COMMERCIAL SCHOOL, TRADE SCHOOL OR VOCATIONAL TECHNICAL SCHOOL. Establishments, other than public or parochial schools, private primary and secondary schools or colleges, offering training or instruction on a trade, art or occupation.

COMMISSION. The Planning and Zoning Commission of the City of Glenn Heights. COMMON AREA. A parcel or parcels of land, or an area of water, or combination of land and water and/or developed facilities, complementary structures or improvements, including but not limited to vehicular and pedestrian access and recreational facilities within the site.

COMMUNITY CENTER (PUBLIC). A building or complex of buildings that house cultural, recreational, athletic, or entertainment facilities owned and/or operated by a governmental agency or private nonprofit agency.

COMMUNITY CENTER, PRIVATE. A building or buildings dedicated to social and/or recreational, athletic, cultural or entertainment activities serving residents of a subdivision or development which is operated by an association or incorporated group for their use and benefit and not as a commercial, for profit, business.

COMMUNITY HOME. A community-based residential home qualified to operate by the State of Texas, a nonprofit corporation, a community center organized pursuant to State statute, or an entity which is certified by the State as a provider for a program for the mentally retarded in accordance with Chapter 123 of the Texas Human Resource Code, as it may be amended. Community homes provide for persons who have mental and/or physical impairments that substantially limit one or more major life activities. To qualify as a community home, a home must meet the following state statutory requirements, as they may be amended:

- A. Not more than six (6) disabled persons and two (2) supervisory personnel may reside in the community home at the same time.
- B. The home must provide food and shelter, personal guidance, care, rehabilitation services and supervision.
- C. All applicable licensing and other statutory requirements.

To the extent required by law, such use shall be by right in any residential district.

COMMUNITY SERVICES DIRECTOR. An official of the City of Glenn Heights responsible for the planning and zoning functions of the city, Right-of-Way management, building inspections, builder/developer liaison, management of City real estate, public utility liaison and coordinates business development and retention.

COMPREHENSIVE PLAN. The Comprehensive Plan of the City and adjoining areas as adopted by the City Council and the City Planning and Zoning Commission, including all its revisions and

parts, consistent with City Charter and Ordinances. This plan provides a guide for the future development of the City with graphic and textual policies that govern the general location recommended for various land uses, transportation routes, public and private buildings, streets, parks, and other public and private developments and improvements.

CONCEPT PLAN. Conceptual drawing of a proposed project or development to provide a general understanding and depiction of the intended general use. See also Site Plan.

CONCRETE OR ASPHALT BATCHING PLANT (PERMANENT). A permanent manufacturing facility for the storing of raw materials and production of concrete or asphalt.

CONCRETE OR ASPHALT BATCHING PLANT (TEMPORARY). A temporary manufacturing facility for the storing of raw materials and production of concrete or asphalt during construction of a project. The plant shall be removed when the project is completed.

CONCRETE PAVING. All concrete paving, residential and nonresidential driveways and streets shall conform to the standards adopted in the City's Subdivision Regulations and the adopted Standard Construction Details.

CONSTRUCTION YARD (TEMPORARY). A storage yard or assembly yard for building materials and equipment directly related to a specific construction project and subject to removal at completion of construction.

CONTRACTOR'S SHOP AND STORAGE YARD. A building, part of a building, or land area for the construction or storage of materials, equipment, tools, products, and vehicles.

CONVENIENCE STORE. A retail establishment providing for the sale of consumables, non-prescription drugs, small household items and gifts that are not used or consumed on the premises. Gasoline and diesel fuel may be offered for sale provided they are not the primary source of income for the store and that no more than eight (8) pumps are offered.

CONVENIENCE STORE LESS THAN 2500 S.F. A retail establishment providing for the sale of consumables, non-prescription drugs, small household items and gifts that are not used or consumed on the premises. Gasoline and diesel fuel may be offered for sale provided they are not the primary source of income for the store and that no more than eight (8) pumps are offered. Maximum size of the establishment will be no more than 2,500 square feet, not including storage areas and administrative offices.

CORNER VISIBILITY. An area to be left without obstruction such that the view of traffic is not impeded.

COUNTRY CLUB (PRIVATE). A land area and buildings which may include a golf course, clubhouse, dining room, swimming pool, tennis courts and similar recreational or service uses available to members and their guests.

COURT. An open, unobstructed space, bounded on more than two sides by the walls of a building.

An “inner court” is entirely surrounded by the exterior walls of a building. An “outer court” has one side open to a street, alley, yard, or other permanent open space.

COVERAGE. The area physically covered by all buildings located on a lot or parcel, including the area covered by all overhanging roofs.

CREDIT ACCESS BUSINESS. Shall have the meaning given that term in Section 393.601 of the Texas Finance Code and including any credit services organization that obtains for a consumer or assists a consumer in obtaining an extension of consumer credit in the form of a deferred presentment transaction or a motor vehicle title loan, as those terms are defined in Section 393.601 of the Texas Finance Code, as amended.

CULTURAL ESTABLISHMENTS. Establishments such as museums, art galleries, botanical and zoological gardens, and other facilities of a historic, an educational or a cultural interest that possess qualities of significance in history, architecture, archeology, or reflect the cumulative deposit of knowledge, experience, beliefs, values, attitudes, meanings, hierarchies, religion, notions of time, roles, spatial relations, concepts of the universe, and material objects and possessions acquired by a group of people in the course of generations through individual and group striving.

CUL-DE-SAC. A short residential street having but one vehicular access to another street and terminated by a vehicular turnaround.

CURBSTONING. The practice of selling cars on the street or in parking lots, usually by unlicensed dealers.

CURVILINEAR IN DESIGN. A design characteristic consisting of or bounded by curved lines; represented by a curved line.

DAIRY PROCESSING. The homogenization and pasteurization of raw milk for the production of dairy products such as milk, cheese, yogurt, ice cream, etc.

DANCE HALL. A building or part of a building with facilities for dancing.

DAY CARE. Day care uses include facilities that provide care for children or adults on a regular basis away from their primary residence for less than twenty-four (24) hours per day. This category does not include public or private schools or facilities operated in connection with an employment use, shopping center, or other principal use, where children are cared for while parents or guardians are occupied on the premises or in the immediate vicinity. Specific use types include, but are not limited to, the following:

- A. Child Care in Residence (accessory use) a/k/a Family Home. A child care facility that regularly provides care in the caretaker’s own residence for not more than six (6) children under 14 years of age, excluding the caretaker’s own children and that provides care after school hours for not more than six (6) additional elementary school siblings of the other children given care, but the total number of children, including the caretaker’s own, does not exceed twelve (12) at any given time. This term shall not

include overnight lodging, medical treatment, counseling or rehabilitative service establishments and does not apply to any school. Licensure/ registration for such facilities shall follow the requirements set forth by the State of Texas.

- B. Children's Day Care Center (Registered). A facility or place designed for the care of less than six (6) unrelated children for some period of time less than twenty-four (24) hours. If such facility provides overnight care, the license must prove authorization for the same.

DEAD-END STREET. A street, other than a cul-de-sac, with only one outlet for ingress or egress.

DENSITY. The total number of residential units allowed upon a given tract of land usually expressed in total number of units per gross acres of net acre.

DEPARTMENT STORE. A building or use which sells primarily general retail items. No consumption of food or beverage items occurs on-site but food and beverage sales for off-site consumption is permitted.

DETACHED PRIVATE GARAGE. A detached accessory building or portion of the main building for the primary use as parking or temporary storage of automobiles of the occupants of the premises; if occupied by vehicles of others, it is a storage space.

DEVELOPER. A person, partnership, corporation or other legal entity owning or representing a business which is proposing or applying to construct a project or create a subdivision.

DISTRIBUTION CENTER OR WAREHOUSE. A building or facility used for the storage and distribution of whole items/products.

DISTRICT, ZONING. See Zoning District.

DRAPERY MANUFACTURING AND SALES. An establishment used for the production, display and sale of draperies and interior window coverings.

DRUG AND PHARMACEUTICAL MANUFACTURING. See Manufacturing Process, General.

DRUGSTORE, PHARMACY. A retail store whose primary purpose is to stock and sell all drug, prescription and health-related products.

DRY BOAT STORAGE. The storage of boats, usually through stacking, in land-based buildings or hardstands.

DRY CLEANING PLANT OR COMMERCIAL LAUNDRY. Dry cleaning plants primarily clean, repair, and press clothes, linens, and other fabric items that cannot be cleaned in water. Dry cleaning involves the use of a variety of chemicals to clean fabrics and must satisfy all applicable federal and state regulations associated with the use, including but not limited to environmental regulations.

DRY CLEANING, SMALL SHOP. A custom cleaning shop or pickup station not exceeding 5,000

square feet of floor area, including but not limited to dry cleaning plants having no more than 5,000 square feet of floor area. Such a shop must satisfy all applicable federal and state regulations associated with the use, including but not limited to environmental regulations.

DWELLING. Any building or portion thereof, which is designed or used as a living quarter for one or more families, but not including “mobile homes.”

DWELLING, MULTIPLE-FAMILY. Attached dwelling units designed to be occupied by three (3) or more families living independently of one another, yet in the same structure with shared, main lobby, entrance and sidewalks. This term does not include hotels or motels.

DWELLING, SINGLE-FAMILY. A detached dwelling designed to be occupied by not more than one (1) family.

DWELLING, SINGLE-FAMILY ATTACHED (TOWNHOUSE). A dwelling that is part of a structure containing three (3) or more units, each designed for occupancy by one (1) family, and which is located on a separate lot delineated by front, side and rear lot lines.

DWELLING, TWO-FAMILY (DUPLEX). A detached dwelling designed to be occupied by two (2) families living independently of each other.

EASEMENT. A grant of one or more of the property rights by the property owner to or for the use by the public, a corporation or another person or entity.

EASEMENT, TRANSPORTATION OR RIGHT-OF-WAY. An easement established on a lot for the purpose of prohibiting or permitting ingress or egress to vehicular traffic.

EASEMENT, UTILITY. An easement granted for installing and maintaining utilities across, over, or under land, together with the right to enter the land with machinery and other vehicles necessary to maintain the utilities. See also Public Easement.

ECONOMIC DEVELOPMENT INCENTIVE POLICY. A policy adopted by the Glenn Heights City Council for the attraction of long-term investment and establishment of new jobs in the City and for the enhancement of the economic base of area taxing entities.

ELDERLY HOUSING, RETIREMENT. A residential complex containing single or multifamily dwellings designed for and principally occupied by senior citizens. Facilities may include a congregate meals program in a common dining area, but exclude institutional care such as medical or nursing care and are distinguished from life care retirement centers. These offer minimal convenience services but focus on attracting elderly residents so as to provide a social support system among the residents. The term includes any age restricted development which may be in any housing form, including detached and attached dwelling units, apartments, and residences, offering private and semiprivate rooms. The term includes retirement homes and independent living facilities for senior citizens.

ELDERLY HOUSING, ASSISTED LIVING. Residential facilities for senior citizens. Services in

these establishments include assistance with daily activities, such as dressing, grooming, bathing, etc., and may involve a special combination of housing supportive services, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living, and includes a Continuing Care Facility and an Adult Day Care.

ELECTRIC PRODUCTS MANUFACTURING. See Manufacturing Processes, General.

ELECTRIC TRANSMISSION LINE (HIGH VOLTAGE). See Transmission Line.

ELECTRICAL SUBSTATION. A subsidiary station in which electrical current is transformed.

ELECTRONIC AND HOME APPLIANCE STORE. A retail business with household electronics (e.g., televisions, stereos, computers, etc.) and appliances (e.g., refrigerators, ovens, ranges, etc.) for sale to the public.

ELECTRONIC MANUFACTURING. See Manufacturing, General.

ENGINEER, CITY. Any provider of engineering services to the City, designated by resolution or ordinance of the City Council, who is duly authorized under the provisions of the Texas Engineering Registration Act, as may be amended, to practice the profession of engineering, and is a Registered Professional Engineer.

ENGINEERING OFFICE. See Business Office, General.

EQUIPMENT RENTAL. A location where a variety of equipment (e.g. tractors, ditching machine, scaffolding, tillers) are stored for leasing or rental purposes.

EXCAVATION, SAND/GRAVEL. A tract of land used primarily for the extraction of soil, sand, gravel, clay and other similar materials, other than oil and gas, which are processed and sold or used for commercial purposes, but do not include the excavation or grading necessary for the development of a lot or tract.

EXTRATERRITORIAL JURISDICTION (ETJ). The unincorporated area that is contiguous to the corporate boundaries of the City of Glenn Heights within the specified distance from the corporate boundaries as specified in Texas Local Government Code, Chapter 42, as may be amended.

FACADE. All exterior walls of a building exposed to public view or that may be viewed by persons not within the building.

FAMILY. One or more persons related by blood, marriage, or adoption, or a group not to exceed four (4) persons not all related by blood or marriage, adoption or guardianship, occupying a dwelling unit and living as a single housekeeping unit. This definition does not necessarily apply during times of declared state emergencies.

FARM, RANCH, GARDEN OR ORCHARD. An area of five (5) acres or more which is used for growing usual farm products, vegetables, fruits, trees, and grain and for the raising thereon of the

usual farm poultry and farm animals such as horses, cattle, and sheep and including the necessary accessory uses for raising, treating, and storing products raised on the premises, but not including the commercial feeding of offal or garbage to swine or other animals and not including any type of agriculture or husbandry specifically prohibited by ordinance or law.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA). The Federal Emergency Management Agency that regulates flood emergencies and natural disasters, along with other local and federal agencies, and which is under the federal Homeland Security Department.

FEED AND GRAIN STORE. An establishment for the selling of corn, grain and other foodstuffs for animals and livestock, and including implements and goods related to agricultural processes, but not including farm machinery.

FEED LOT. An area or building where livestock are kept while being fattened for slaughter.

FENCE. A structure serving as an enclosure, a barrier, or a boundary and constructed according to the City of Glenn Heights regulations. Usually made of metal posts joined together by boards, wire, or rails. Fence is a structure for purposes of substandard structure minimum requirements.

FIELD CONSTRUCTION OFFICE. A building or structure, of either permanent or temporary construction, used in connection with a development or construction project for housing temporary supervisory or administrative functions related to development, construction or the sale of real estate properties within active development or construction project.

FINAL PLAT. Any plat of any lot, tract, or parcel of land requested to be approved by the Planning and Zoning Commission and City Council and recorded for record in the Deed Records of Dallas or Ellis County, Texas as required by state law.

FIREPLACE, APPLIANCE STYLE. A fixture that is designed to burn only gaseous products, natural or propane. Gases shall be vented with Type B double wall pipe and/or comply with applicable building codes.

FIREPLACE, WOOD BURNING. A fireplace that is intended to burn wood, wood logs, paper log rolls, lignite, or other approved solid fuel products. Products shall be vented through approved triple wall pipe. This is sometimes referred to as a “brick fireplace.”

FLEA MARKET. An outdoor, or partially indoor premises with a properly issued permit by the City where the main use is the sale of new and used household goods, personal effects, tools, artwork, small household appliances, and similar merchandise, objects, or equipment, in small quantities, in broken stalls, lots or parcels, not in bulk, for the use or consumption by the immediate purchaser in a building, open air, or partly enclosed booths or stalls not within a wholly enclosed building. The term “flea market” shall not be deemed to include wholesale sales establishments or rental services establishments, but shall be deemed to include personal service establishments, food services establishments, retail services establishments, and auction establishments. This definition does not pertain to retail sidewalk sales or garage sales.

FLOOD INSURANCE RATE MAP (FIRM). A map indicating property that lies in a floodplain, floodway or property that is otherwise susceptible to flooding due to changes in development patterns.

FLOODPLAIN. An area of land subject to inundation by a 100-year frequency flood as determined using standard engineering practices and generally as shown on the FIRM (Flood Insurance Rate Map) of the City of Glenn Heights.

FLOODWAY. Where a creek, river, stream or body of water flows and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation more than a designated height.

FLOOR AREA. The total gross square feet of floor space within the outside dimensions of a building including each floor level, but excluding carports, residential garages and breezeways.

FLOOR AREA RATIO (FAR). The floor area of a main building or buildings on a lot, divided by the lot area.

FLORIST SHOP. An establishment for the display and retail sale of flowers, small plants and accessories.

FOOD OR CONVENIENCE STORE. A use which occupies less than 25,000 square feet but greater than 2500 square feet and sells food and beverages primarily for off-site consumption, but also sells other products such as gasoline and retail items. No vehicle repair or other automotive services are provided.

FOOD PRODUCTS MANUFACTURING. See Manufacturing Process, General. FOUNDRY CASTING, NONFERROUS. A factory that produces castings from nonferrous alloys. Metals are turned into parts by melting the metal into a liquid, pouring the metal into a mold and then removing the mold material or casting. The alloys contain no iron.

FROZEN FOOD LOCKER. A business primarily for storing food products in a frozen state for customers.

FUNERAL HOME OR MORTUARY. A place for the storage of human bodies prior to their burial or cremation, or a building used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.

FUR GOODS MANUFACTURING BUT NO TANNING, DYING, OR SLAUGHTERING. See Manufacturing Process, General.

FURNITURE MANUFACTURER. See Manufacturing Process, General.

FURNITURE, HOME FURNISHINGS, his group includes retail stores selling goods for furnishing the home including, but not limited to furniture, floor coverings, draperies, glass and chinaware, domestic stoves, refrigerators, and other household electrical and gas appliances.

GARAGE (PRIVATE). An enclosed (on at least three (3) sides) accessory building, or a part of a main building, used for storage of automobiles and used solely by the occupants and their guests.

GARAGE APARTMENT. A dwelling unit for one family erected in conjunction with a garage.

GARAGE, ATTACHED. A building or indoor space that is a part of the main structure in which to park or keep a motor vehicle.

GARAGE, DETACHED. A building or indoor space that is separate and not a part of the main structure in which to park or keep a motor vehicle.

GARAGE PARKING (PRIVATE). An enclosed (on at least three (3) sides) accessory building, or a part of a main building, used for storage of automobiles and used solely by the occupants and their guests.

GARDEN SHOP, GARDEN CENTER, GREENHOUSE AND NURSERY. A facility which is engaged in the display and selling of flowers, large and ornamental plants, shrubs, trees, seeds, garden and lawn supplies, and other materials used in planting and landscaping, but not including cultivation and propagation activities outside a building. Depending on the zoning district a limited amount of display may be outside.

GASOLINE OR PETROLEUM DRILLING OR STORAGE. Gasoline or petroleum drilling and storage shall have the meaning assigned and be subject to the regulations in the City's Drilling Ordinance as it exists and as it may be amended.

GASOLINE SERVICE OR FILLING STATION. See Automobile Service Station.

GENERAL RETAIL. Any use engaged in retail trade, including any use identified as permitted in the Retail Zoning District.

GLASS PRODUCTS MANUFACTURED FROM PREVIOUSLY MANUFACTURED GLASS. The production of glass products using previously manufactured glass tubing. This is typical in the production of glass light bulbs.

GO GREEN INCENTIVES. Financial and procedural incentives offered by the City of Glenn Heights for development that meets or exceeds City-adopted criteria that improve the environment and quality of life while boosting the local economy. This program is adopted through the Zoning Ordinance.

GOLF COURSE (MUNICIPAL). A golf course owned by a municipality. A city may contract out the day-to-day operations of the course to a golf course management company but as long as it is owned by the city it is called a municipal golf course.

GOLF COURSE (PRIVATE). An area of twenty (20) acres or more improved with trees, greens, fairways, hazards, used for recreational or competitive golfing activities and which may include

clubhouses.

GROCERY STORE. A use which occupies at least 25,000 square feet and sells primarily food for primarily off-site consumption. Other items such as retail products, beverages and gasoline are sold but are not the primary source of revenue for the main use.

GROSS FLOOR AREA.

- A. The sum of the gross horizontal areas of all floors of a structure, measured from the exterior faces of exterior walls or from the centerline of walls separating two (2) attached buildings. Gross floor area includes the following: Basements that provide structural headroom of seven (7) feet or more. Elevator shafts or stair wells at each floor. Floor space used for mechanical equipment. Attics, whether or not a floor has been laid, providing structural headroom of seven (7) feet or more. Floor space in interior balconies or interior mezzanines. Floor space in accessory structures. Floor space in enclosed porches. Any floor space used for residential use, no matter where such floor space is located within the structure. For commercial uses, balconies, galleries, covered or uncovered patios, decks, and commercial leased space. For commercial uses, any outdoor space, whether covered or uncovered, which is used for seating, performance, or similar activities. Floor space within an enclosed structure.
- B. Gross floor area does not include the following: Accessory water tanks or cooling towers. Exterior balconies on residential uses. Uncovered steps. Basements and attics, whether or not an attic floor has been laid, providing structural headroom of less than seven (7) feet. Floor space used for required accessory off-street parking spaces. Galleries located in residential uses, through arcades and breezeways.

GROUP HOME. Shall mean to refer to all types of residential dwellings, whether statutorily permitted or allowed as a use in the City's Zoning Ordinance and shall include but not be limited to Continuing Care Facility, Assisted Living Facility, Community Home, Household Care Facility, Rehabilitation Treatment Facility, and Rehabilitation Treatment Institution. Unless otherwise required by law, the following shall apply to group homes permitted as a specific use and must be included in the ordinance granting the specific use as a condition of use:

- A. A group home may not be located within one-half mile of an existing group home.
- B. No structural or decorative alterations that will change the single-family character of existing residential use or be incompatible with surrounding residences is permitted, other than as may be required by the Americans with Disabilities Act.
- C. The residents of a group home may not keep for the use of the residents of the home, either on the premises of the home or on a public right-of-way adjacent to the home, motor vehicles in numbers that exceed the number of bedrooms in the home.
- D. A group home located in a single-family residential district may not be used so as to change the residential character of the single-family residential use or be maintained or operated so as to constitute a public nuisance as defined by City ordinances.
- E. Must have at all times a valid residential rental license issued pursuant to City ordinance, as it exists and may be amended.

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

HAULING OR STORAGE COMPANY. See Motor Freight Company.

HEAVY LOAD VEHICLE. A self-propelled vehicle having a manufacturer's recommended gross vehicle weight (GVW) of greater than 11,000 pounds, such as large recreational vehicles, tractor-trailers, buses, vans, and other similar vehicles. The term "truck" shall be construed to mean "heavy load vehicle" unless specifically stated otherwise.

HEAVY MACHINERY SALES AND STORAGE. A building or open area, other than a right-of-way or public parking area, used for the display, sale, rental, or storage of heavy machinery, either machines in general or a group of machines which function together as a unit.

HEIGHT. A measurement taken from the base of the object on the ground to its apex or highest point. If the object being measured is attached to a building, the base of the building to the top of the object is the height.

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

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

HOME IMPROVEMENT CENTER. A facility for the retail sale of home, lawn and garden supplies, brick, lumber and other similar lumber materials.

HOME OCCUPATION. Any occupation or activity carried on solely by the inhabitants of a residential dwelling which is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes, which does not change the character thereof, and which is conducted entirely within the main or accessory buildings; provided that no trading in merchandise is carried on and in connection with which there is no display of merchandise or advertising sign other than one non-illuminated nameplate not more than two square feet in area attached to the main or accessory building, and no mechanical equipment is used, except such as is customary for purely domestic or household purposes and does not create obnoxious noise or other conditions such as odor, increased traffic, smoke or electrical interference. A beauty or barber shop, tea room or restaurant, rest home or clinic, doctor's office or dentist's office, adult day care, tourist home, or cabinet, metal or auto repair shop, farm, ranch or similar agricultural use shall not be deemed a home occupation and must follow the restrictions and designations for any such use.

- A. An occupation, profession, domestic craft or economic enterprise which is customarily conducted in a "residential dwelling" as hereinafter defined, subject to compliance with each of the following conditions:
 - (1) "Residential dwelling" shall mean a detached building or structure designed, used and occupied exclusively by members of one (1) family as a residence.
 - (2) No person other than members of a family who reside in the residential dwelling shall be engaged in such occupation, profession, domestic craft or economic enterprise; provided, however, the resident may engage the services of one

employee.

- (3) Such use shall be and remain incidental and subordinate to the principal use of the residential dwelling as a family residence and the area utilized for such occupation, profession, domestic craft or economic enterprise shall not exceed twenty percent (20%) of the total of the floor area of the residential dwelling.
- (4) The residential dwelling shall maintain its residential character and shall not be altered or remodeled in order to create any type of exterior commercial appeal.
- (5) No exterior storage of material, equipment and/or supplies used in conjunction with such occupation, profession, domestic craft or economic enterprise shall be placed, permitted or allowed on the premises occupied by the residential dwelling.
- (6) No offensive noise, vibration, smoke, dust, odors, heat or glare generated by or associated with the home occupation shall extend beyond the property line of the lot or tract on which the home occupation is being conducted.
- (7) The occupation, profession, domestic craft or economic enterprise shall be conducted wholly within the residential dwelling and no accessory building shall be used in conjunction therewith.
- (8) Inventory for the home occupation may be stored on the premises provided it does not exceed twenty (20) percent of total floor area.
- (9) The only equipment to be used in such occupation, profession, domestic craft or economic enterprise shall be that which is ordinarily used in a private home in a like amount and kind.
- (10) A home occupation shall not generate such additional traffic as to create a traffic hazard or disturbance to nearby residents; provided, however, an additional two cars at one time shall not constitute a traffic hazard in and of itself.
- (11) A home occupation may include but not be limited to the following type activities:
 - i. Hand-crafted art studios;
 - ii. House cleaning services;
 - iii. Instructional arts studio;
 - iv. Professional Office, such as real estate, law office, insurance agent, tax consultant, with the exception of banking and other financial services, employment agencies, medical or dental offices;
 - v. Office services who render their services off-site;
 - vi. Photography studio;
 - vii. Private music, tutoring or similar lessons;
 - viii. Sale of homemade goods, crafts and similar products assembled on the premises excluding food;
 - ix. Telephone sales business online training ; and
 - x. Seamstress/alterations.
- (12) Day care services as defined herein shall meet all applicable requirements for such activity as stated herein.
- (13) Nothing shall be done to the residential dwelling to make the dwelling appear in any way as anything but a dwelling.

HOSPITAL. See Medical Facilities.

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

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

HOSPITAL, REHABILITATION. An institution that provides long-term acute care, inpatient and outpatient rehabilitative services for those who have experienced a stroke, brain injury, neurological disorder or other debilitating conditions on a for-profit or not-for-profit basis, and may include physical, occupational or speech therapy.

HOTEL OR MOTEL. A facility offering a minimum of 75 rooms for temporary lodging accommodations or guest rooms on a daily rate to the general public and providing additional services, such as restaurants, meeting rooms, housekeeping service and recreational facilities. A guest room shall be defined as a room designed for the overnight lodging of hotel guests for an established rate or fee.

HOTEL OR MOTEL RESIDENCE. Same as Hotel or Motel, except such rooms are usually rented for longer periods of time (e.g. weekly or monthly). Such facilities often include meeting rooms, clubhouses and recreational facilities intended for the use of the residents and their guests.

HOUSEHOLD APPLIANCE SERVICE AND REPAIR. The maintenance and rehabilitation of appliances customarily used in the home including but not limited to washing and drying machines, refrigerators, dishwashers, trash compactors, ovens and ranges, countertop kitchen appliances, vacuum cleaners and hair dryers. See Appliance Service, Repair.

HOUSING PREFABRICATION OR INDUSTRIALIZED HOUSING. A residential structure that is: (1) designed for the occupancy of one or more families; (2) constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site; and (3) designed to be used as a permanent residential structure when the module or the modular component is transported to the permanent site and erected or installed on a permanent foundation system. Industrialized housing includes the structure's plumbing, heating, air-conditioning, and electrical systems. Industrialized housing does not include: (1) a residential structure that exceeds three stories or 49 feet in height as measured from the finished grade elevation at the building entrance to the peak of the roof; (2) housing constructed of a sectional or panelized system that does not use a modular component; or (3) a ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for the purpose of selling and moving the home to another location. For purposes of permitted residential uses, industrialized housing shall be permitted and treated as a single-family or duplex dwelling constructed on-site, provided that such Industrialized Housing: (1) has a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll for each county in which the properties are located;

(2) has exterior siding, roofing, roof pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located; (3) complies with municipal aesthetic standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other site requirements applicable to single-family dwellings; (4) is securely fixed to a permanent foundation; and (5) has all local permits and licenses applicable to other single-family or duplex dwellings.

HUD-CODE MANUFACTURED HOUSING. See Manufactured Housing.

HUD-CODE MANUFACTURED HOME SALES. The use of any building or other premises for the display and retail sale of new or used HUD-Code Manufactured homes.

HUD-CODE MANUFACTURED HOME SUBDIVISION. Any lot, tract, or parcel of land divided into two (2) or more lots or sites for the purpose of establishing a HUD-Code manufactured housing development.

IMPERVIOUS. Surfaces that allow little water to soak into the ground or that is so constructed to allow water runoff (e.g., buildings, cement driveways or streets).

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INDUSTRIAL PARK. A large tract of land that has been planned, developed and operated as an integrated facility for a number of individual industrial uses, with special attention to circulation, parking, utility needs, aesthetics, and compatibility.

INDUSTRIAL, GENERAL. Establishments engaged in the manufacturing or transformation of materials into new products. These establishments are usually described as plants and factories, and characteristically use power-driven machines and materials-handling equipment. Manufacturing production is usually carried on for the wholesale market, rather than for direct sale to the domestic customer.

INFRASTRUCTURE. The large-scale public systems, services, and facilities of a city or region that are necessary for development and economic activity, including power and water supplies, public transportation, telecommunications, roads, and schools.

INSTRUMENT AND METER MANUFACTURING. See Manufacturing Process, General.

INSURANCE OR INSURANCE ESTIMATOR'S OFFICE. See Business Office, General.

INTEGRATED STORMWATER MANAGEMENT (ISWM). A way of managing stormwater to mitigate the negative impacts of development by integrating the management of the quality of stormwater with quantity management, as well as integrating stormwater considerations into the earliest stages of the development and site planning process.

INTERIOR DECORATOR'S OFFICE. See Business Office, General.

JAIL, PRISON OR HOLDING FACILITY. A place for the short-term confinement of persons in lawful detention, either persons accused of, or awaiting trial under local jurisdiction or persons convicted of crimes. Such facilities shall be owned and operated by governmental entities with proper jurisdiction, [and] meet all applicable federal and state regulations governing said use.

JEWELRY AND WATCH MANUFACTURING. See Manufacturing Process, General.
KENNELS. An establishment with pens in which more than four (4) dogs or domesticated animals are housed, groomed, bred, boarded, trained or sold for commercial purposes. The pens may be indoor or outdoor dependent upon the zoning district in which they are located. Such a use must meet all applicable state and local regulations for the humane care and treatment of animals and may not constitute or create a nuisance.

KEY SHOP OR LOCKSMITH. A business whose primary purpose is to make or repair locks and/or make keys.

KINDERGARTEN OR NURSERY SCHOOL (PRIVATE). A child care facility offering a program of four (4) hours or less per day for children who have passed their second birthday but who are under seven years old. See School, Private.

KIOSK. A small, freestanding, one-story structure having a maximum floor area of 350 square feet and used for commercial purposes or the posting of temporary information and/or posters, notices and announcements. If a kiosk is to be occupied, it shall have a minimum floor area of twenty-five (25) square feet.

LABORATORY, MEDICAL. An area where medical testing and analysis are performed under sterile conditions to assist in diagnosis and treatment of illnesses.

LABORATORY, SCIENTIFIC OR RESEARCH. An establishment that engages in research, testing or evaluation of materials or products, but not necessarily medical-related.

LANDSCAPING. Material such as, but not limited to, grass, ground covers, shrubs, vines, or trees, and non-living durable material commonly used in the aesthetic and appealing presentation of living garden materials, such as, but not limited to, rocks, pebbles, sand, walls or fences, but excluding paving.

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

LAW OFFICE. See Business Office, General.

LAWN/YARD. An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward. In measuring a lawn/yard for the purpose of determining the width of the side yard, the depth of a front yard or the depth of a rear yard, the shortest horizontal distance between the lot lines and the main building shall be used.

LAWN/YARD, FRONT. A lawn/yard located in front of the elevation of a building and extending across a lot between the side yard lines and being the minimum horizontal distance between the front property line and the outside wall of the main structure.

LAWN/YARD, SIDE. A lawn/yard between the building and sideline of the lot and extending from the front lot line to the rear lot line and being in the minimum horizontal distance between a side lot line and the outside wall of the side of the main structure.

LEATHER GOODS FABRICATION. All establishments engaged in tanning, currying [curing] and finishing hides and skins, leather converters and establishments manufacturing finished leather and artificial leather products and some similar products made of other materials.

LEATHER GOODS SHOP. An establishment whose primary retail product for sale is that of leather goods. Leather goods may also be sold in combination with other merchandise in a department store or other general retail store.

LIBRARY (PUBLIC). Any institution for the loan or display of books, tapes, objects of art or science which is sponsored by a public or responsible quasi-public agency and which institution is open and available to the general public.

LIGHT FABRICATION AND ASSEMBLY. Construction by combining or assembling diverse, typically standardized parts to create or make a finished product, including packaging of such products, and incidental storage, sales and distribution of such products, but excluding basic industrial processing.

LIGHT INDUSTRIAL. Manufacturing and fabricating establishments with limited external impact, small in size, with no heavy manufacturing or specialized industrial processes, generally related to the assembly, disassembly, fabricating, finishing, manufacturing, packaging, repairing or processing of materials, such as printing, commercial laundry, photographic processing, building maintenance shops, metal work, millwork and cabinetry work.

LIGHT LOAD VEHICLES. A self-propelled vehicle having a manufacturer's recommended gross vehicle weight (GVW) not greater than eleven thousand (11,000) pounds and having no more than two (2) axles, such as pickup trucks, vans, recreational vehicles, campers and other similar vehicles but not including automobiles and motorcycles.

LIGHT MANUFACTURING. Manufacturing of finished products or parts, predominately from previously prepared materials, including fabrication, assembly, and packaging of such products, and incidental storage, sales and distribution of such products, but excluding basic industrial processing.

LIGHT SHEET METAL PRODUCTS (ENCLOSED BUILDING). The process of sheet metal fabrication can include shearing, cutting, duplicating, contouring, forming, rolling, welding, bending, stamping, drawing, machine assembling and finishing. Finished products can range from small components (with a value of \$1 each) to machines that are 30 ft. high (valued at \$400,000) as well as weld-fabricate subassemblies and assemblies. See Manufacturing Process, General

and/or Light Industrial.

LIMOUSINE. Any chauffeured motor vehicle for general passenger use with a rated passenger capacity of not more than 15 passengers and which operates on a prearranged appointment basis only whereby such prearrangement is made not less than 1 hour in advance of the time transportation is to begin. At no time shall such a vehicle operate on a call-and-demand basis as a taxicab.

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

LOT FRONTAGE. That dimension, line or side of a lot or portion of a lot abutting on a street, excluding the side dimension, line or side of a corner lot.

LOT LINE, FRONT. The narrower side of the lot abutting a street. Where two lot lines abutting streets are of equal length, the owner shall have a choice in designating which shall be the lot frontage. For a lot which has a boundary line which does not abut the front street line, is not a rear lot line and lies along the same general directional orientation as the front and rear lot lines, said line shall be considered a front lot line in establishing minimum setback lines.

LOT LINE, REAR. The lot line farthest from and most parallel to the front lot line. For triangular lots, the point opposite the front lot line shall be considered the rear lot line and have a value of zero.

LOT LINE, SIDE. Any lot line not the front or rear lot line. LOT LINES. The lines bounding a lot as defined herein.

LOT WIDTH. The horizontal distance measured between side lot lines parallel to the front lot line, and measured from the point on the building line which is closest to the front lot line.

LOT, AREA. The total area, measured on a horizontal plane, included within lot lines, and exclusive of any private or public right-of-way or alley. The “area lot” is that portion of a platted tract that may be developed.

LOT, CORNER. A lot that has at least two adjacent sides abutting for their full lengths on a street, if the interior angle at the intersection of such two sides is less than one hundred thirty-five degrees (135°).

LOT, DEPTH. The mean horizontal distance between the front and rear lot lines.

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

LOT, FLAG OR PANHANDLE. A lot having access to a street by means of a parcel of land having a depth greater than its frontage, and having a width less than the minimum required lot width, but not less than thirty-five feet (35'). Flag or panhandle lots are generally prohibited in new

subdivisions, where lots shall front directly off a public or private street. Any nonconforming lot shall go before the Zoning Board of Adjustment prior to any plat approval.

LOT, INTERIOR. A lot other than a corner lot.

LOT, KEY. A corner lot that is so designed that the lots located directly behind it face the side street of the corner lot and are not separated by an alley shall be considered a key lot.

LOT, OR LOT OF RECORD. Any tract or parcel or a part of a recorded subdivision which is occupied or intended to be occupied by one main building, or a group of main buildings, and accessory building and uses, including such open spaces as are required by this Zoning Ordinance, and other laws or ordinances, and having its principal frontage on a public street or officially approved place. A lot shall be part of a subdivision, the plat of which has been recorded in the office of the County Clerk of Dallas or Ellis County.

LOT, PLATTED OR LEGAL LOT. In order to obtain a building permit or utility service, the City of Glenn Heights requires that the parcel of land be mapped, charted, surveyed, planned or replatted, containing a description of the subdivided land with ties to permanent landmarks or monuments and filed of record with the County Clerk of Dallas or Ellis County.

LOT, THROUGH. A lot, other than a corner lot, having frontage on two (2) parallel or approximately parallel streets.

MAIN BUILDING. The building(s) on a lot which are occupied by the main or primary use.

MANUFACTURED HOME A/K/A HUD-CODE MANUFACTURED HOME. A structure, constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on-site, is three hundred twenty (320) or more square feet, and which is built on a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems. All references in this ordinance to manufactured housing or manufactured home(s) shall be references to HUD-Code Manufactured Housing, unless otherwise specified. The term does not include a recreational vehicle as that term is defined by 24 C.F.R. Section 3282.8(g). Any structure with less than the length and/or width specified in this paragraph, or pre-dating June 15, 1976, generally known as a mobile home, shall not be allowed in a HUD- Code Manufactured Home Park or within the corporate city limits as provided herein and allowed by law. HUD-Code Manufactured Homes shall be governed by separate ordinance, as it exists and as it may be amended. (Also referred to as HUD-Code Home.)

MANUFACTURED HOUSING UNIT. See Manufactured Home a/k/a HUD-Code Manufactured Home.

MANUFACTURING PROCESS, GENERAL. An establishment engaged in basic processing and manufacturing of materials or products predominantly from extracted or raw materials excluding those generally classified as hazardous or objectionable such as chemical warehousing and

manufacturing, fat rendering plants, meat packing plants, petroleum refineries, slaughterhouses and tanneries. Uses restricted from other zoning districts but permitted in the I and C, districts, as specifically indicated by the Use Chart, under this definition are manufacturing and industrial uses which do not emit dust, smoke, odor, gas, fumes, or present a possible hazard beyond the bounding property lines of the lot or tract upon which the use or uses are located, and which do not generate noise or vibration at the boundary of the lot or tract which is generally perceptible in frequency or pressure above the ambivalent level of noise or vibration in the adjacent area. Such uses include toys, jewelry, watches, electronics, plastics and candy.

MANUFACTURING, GENERAL. See Light Industrial. MASONRY.

- A. APPROVED - Hard fired (kiln fired) clay brick, natural stone, granite, marble, hammered or split-face finished concrete, load-bearing units, pre-cast concrete panels or tilt walls (painted, fluted or exposed aggregate), hard fired clay tile, cement-based stucco.
- B. ALTERNATE MATERIAL - Glass walls or glass blocks, Cementitious fiber board, acrylic matrix (three-component finish system consisting of 100% acrylic matrix ceramically colored aggregate and sealer or 100% synthetic plaster having two types of application, spraying or troweling).

MASONRY CONSTRUCTION. That form of construction comprised of brick, stone, granite, marble, concrete, hollow clay tile, concrete block or tile, brick, veneer, exterior plasters (including stucco), or other similar building units or materials or combination of these materials laid up unit by unit and set in mortar.

MASSAGE ESTABLISHMENT. Any place of business in which massage therapy is practiced by a massage therapist, as defined by State law. "Massage therapy," as a health care service, means the manipulation of soft tissue for therapeutic purposes. The term includes, but is not limited to, effleurage (stroking), Petrissage (kneading), tapotement (percussion), compression, vibration, friction, nerve strokes, and Swedish gymnastics, either by hand or with mechanical or electrical apparatus for the purpose of body massage. Massage therapy may include the use of oil, salt glows, heat lamps, hot and cold packs, tub, shower or cabinet baths. Equivalent terms for massage therapy are massage or therapeutic massage. Massage therapy does not include diagnosis, the treatment of illness or disease, or any service or procedure for which a license to practice medicine, chiropractic, physical therapy, or podiatry is required by law.

MASTER PLAN. Graphic and textual form policies which govern the future development of the City and which consist of various components governing specific geographic areas and functions and services of the City. These are generally presented by the City's Land Use, Thoroughfare and Park Plans, as may be amended.

MEDICAL FACILITIES. Include the following:

- A. Dental Clinic or Medical Clinic. A facility or group of offices for one or more physicians for the examination and treatment of ill and afflicted human outpatients provided that patients are not kept overnight except under emergency circumstances.
- B. Health Center. A facility primarily utilized by a health unit for providing public health services including related facilities such as laboratories, clinics and administrative offices operated in connection therewith.

- C. Hospital. An institution that provides medical, surgical or psychiatric care and treatment for the sick or injured and including related facilities such as laboratories, outpatient departments, training facilities, central services facilities, and staff offices which are an integral part of the facilities.
- D. Sanitarium. An institution providing health facilities for inpatient medical treatment or treatment and recuperation making use of natural therapeutic agents.
- E. Animal Clinic. An establishment in which animals are admitted for examination and medical treatment. The establishment may or may not have outside kennels for housing such animals depending upon the district in which it is located. This definition does not include Pet Shops.

MEDICAL SUPPLIES STORE. An establishment that provides access to various medical supplies, in particular for the purchase and use by individuals and not hospitals. Such supplies would include wheelchairs, walkers, bandages, etc.

MINIATURE GOLF, DRIVING RANGE, & PUTTING COURSE. Miniature golf is a novelty golf game played with a putter on a miniature course usually having tunnels, bridges, sharp corners, and obstacles. Driving ranges and putting courses are golf practice facilities that are included at most golf courses; however, driving ranges can also commonly operate as a stand-alone business away from golf courses. Typically, a driving range will consist of a large, open field with teeing ground at one end. Golfers line up side-by-side pounding golf balls out into the field. The landing area may be, literally, an empty field; or it may include target greens and yardage markers. Most ranges sell buckets of balls of varying sizes and prices. Many driving ranges also have practice putting greens and may have areas for chipping, pitching and bunker practice.

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

MOBILE HOME. A dwelling constructed before June 15, 1976, designed to be transported on its own chassis on the highway in one or more sections by a prime mover and which is constructed with a base section so as to be independently self-supporting and not requiring a permanent foundation for year-round living and which includes the plumbing, heating, air-conditioning and electrical systems. Mobile Homes are prohibited in any zoning district in the city. Where the term is used in this Ordinance as a header or descriptor but not referring to the prohibited dwelling, shall mean to refer to HUD-Code Home.

MOBILE HOME DISPLAY AND SALE. The offering for sale, storage, or display of trailers or HUD-Code Homes on a parcel of land but excluding the use of such facilities as dwellings either on a temporary or permanent basis.

MOBILE HOME PARK, TRAILER PARK OR RV PARK. A parcel of land which is designed, improved and/or intended to be used for short- or long-term occupancy by HUD-Code Homes trailers or RVs in designated spaces. The facility may include a residence for the owner or manager, utility hook-ups, accessory structures, playgrounds and open space areas, small fenced areas and similar amenities. Manufactured Home Parks are governed by separate ordinance, as it exists and

as it may be amended.

MOBILE HOME SPACE. A plot of ground within a HUD-Code Home park, trailer, park, RV park or HUD-Code Home subdivision which is designated for the accommodation of one HUD-Code Home, trailer or RV unit.

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

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

MODULAR HOME (OR INDUSTRIALIZED HOUSING). “Modular Home” means a structure or building module as defined by statute and under the jurisdiction and control of the Texas Department of Labor and Standards, installed and used as a residence by a consumer, transportable in one (1) or more sections on a temporary chassis or other conveyance device, and designed to be used on a permanent foundation system. The term includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. The term does not include a mobile home or HUD-Code Manufactured Housing as defined by statute; nor does it include building modules incorporating concrete or masonry as the primary structural component. The defining characteristic is that a modular home is assembled at the site as a permanent structure that is not designed to be moved once it is in place.

MONOPOLE. A style of freestanding antenna-supporting structure that is composed of a single shaft usually composed of two or more hollow sections that are in turn attached to a foundation. This type of antenna-supporting structure is designed to support itself without the use of guy wires or other stabilization devices. These structures are mounted to a foundation that rests on or in the ground or on a building’s roof.

MORTUARY OR FUNERAL PARLOR. See Funeral Home or Mortuary.

MOTOR FREIGHT COMPANY. An establishment or enterprise that uses trucks (as contrasted with railroad trains) to ship freight.

MOTOR RACEWAY OR RACETRACK. A track for racing automobiles or motorcycles.

MOTOR VEHICLE. See Automobile (Auto).

MOTORCYCLE. A usually two-wheeled self-propelled vehicle having one or two saddles or seats, and which may have a sidecar attached. For purposes of this Zoning Ordinance, motorbikes, motor scooters, mopeds, and similar vehicles are classified as motorcycles.

MOTORCYCLE SALES [AND] SERVICE. The display, sale and servicing, including repair work, of motorcycles.

MULTIPLE-FAMILY BUILDING. Same as Dwelling, Multiple-Family.

MULTIPLE-FAMILY RESIDENCE. Same as Dwelling, Multiple-Family.

MULTI-USE ENTERTAINMENT COMPLEX. Any building or group of buildings and facilities for indoor sports activities, instructional, competitions, tournaments and league activities, expositions, trade and antique shows, concessions for food service, retail sales, youth and senior programs.

MUNICIPAL BUILDING. Any public service building of the municipal government including City Hall, Police and Fire, but excluding storage yards, utility shops and equipment centers.

MUNICIPAL FACILITY OR USE. Any area, land, building, structure and/or facility which is owned, used, leased or operated by the City of Glenn Heights, Texas.

MUNICIPAL SERVICES DIRECTOR. An official of the City of Glenn Heights responsible for the City's engineering department, water delivery, wastewater collection, road maintenance, parks and solid waste collection. In the absence of a Public Works Director, the City Manager or his appointed representative shall have responsibility over the engineering department.

MUNICIPAL UTILITIES. Utility services provided to the citizens of the City of Glenn Heights by the municipality or provided under contract with the municipality as designated by the Glenn Heights Code of Ordinances. Specifically those municipal utilities include but may not be limited to water distribution, wastewater and solid waste collection. See also Utilities, Municipal.

MUSEUM OR ART GALLERY (PRIVATE). An institution for the collection, display, sale and distribution of objects of art or science, which is operated by a private individual or entity and provides admittance to the facility with or without fee.

MUSIC OR ART STUDIO. An establishment where music and/or art is taught, including dance and photography.

MUSICAL INSTRUMENTS, TOYS, NOVELTIES, RUBBER AND METAL STAMPS

MANUFACTURING. See Manufacturing Process, General.

NEIGHBORHOOD SERVICE USES, NOT GREATER THAN 5,000 SQ. FT. An establishment whose purpose is to provide neighborhood services but the size of which is less than 5,000 square feet. Such an establishment may be a dry cleaning drop-off/pickup station, photo-mart, prescription drugstore, etc.

NEWSPAPER PRINTING. An establishment other than a personal service shop for the treatment and/or processing of print media products as a service on a for-profit basis.

NONCONFORMING. A building, structure, or use of land lawfully occupied at the time of the effective date of this Ordinance or amendments thereto, but which does not conform to the use regulations of the district in which it is situated and shall be governed by the regulations contained in this Ordinance.

NOVELTY MANUFACTURING. See Manufacturing, General.

NOVELTY SHOP A/K/A GIFT SHOP. A shop that sells miscellaneous articles appropriate as gifts.

NURSING HOME. Licensed by the [state] for the aged or chronically or incurably ill person under the following limitations.

- 5 or more such persons not of the immediate family are provided with food and shelter or care for compensation but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.
- A use providing bed care and inpatient services for persons requiring regular medical attention but excluding a facility providing surgical or emergency medical services and excluding a facility providing care for alcoholism, drug addiction, mental disease, or communicable disease.
- A facility established for profit or nonprofit, which provides nursing care and related medical services on a 24-hour per day basis to two or more individuals because of illness, disease, or physical or mental infirmity.
- Provides care for those persons not in need of hospital care.
- Convalescent Care
- Nursing Facility or skilled

OBSOLETE ZONING DISTRICT. Zoning districts that have existed in prior zoning ordinances and have been removed from the current Zoning Ordinance and shall not be applied to any property in the City from and after the date of this Ordinance, consistent with state law.

OCCUPANCY. The use or intended use of the land or buildings by proprietors or tenants.

OFFICE CENTER. A building or complex of buildings used primarily for conducting the affairs of a business, profession, service, industry or government, or like activity, that may include ancillary services for office workers such as a restaurant, coffee shop, newspaper or candy stand.

OFFICE SHOWROOM. An establishment with no more than twenty-five percent (25%) of its total floor area devoted to storage and warehousing, but not accessible to the general public. The remaining area may include retail and wholesale sales areas, sales offices and display areas for products sold and distributed from the storage and warehousing areas.

OFFICE WAREHOUSE. An establishment with more than twenty-five percent (25%) of the total floor area devoted to storage and warehousing, but not generally accessible to the public.

OFFICE, PROFESSIONAL AND GENERAL ADMINISTRATIVE. A room or group of rooms

used for the provision of executive, management, or administrative services. Typical uses include administrative offices, and services including real estate, accountant, bookkeeping, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, and business offices of public utilities, organizations and associations; but excluding medical facilities.

OFF-STREET PARKING INCIDENTAL TO MAIN USE. Off-street parking spaces provided in accordance with the requirements of this Ordinance, located on the lot or tract occupied by the main use or within one hundred fifty feet (150') of such lot or tract, and located within the same zoning district as the main use or in an adjacent parking district.

OFFICIALLY APPROVED PLACE OF ACCESS. Access, other than a dedicated street, to a property which is approved by the City of Glenn Heights.

OILFIELD EQUIPMENT STORAGE YARD. A facility for the purpose of storing oilfield equipment such as pumps, pump jack stands, pipes, tanks, valves and fittings. No exploration or pumping is allowed at this site.

OPEN SPACE. An area that is intended to provide light and air, for environmental, scenic, or recreational purposes, may include but is not limited to lawns, decorative, plantings, bikeways, walkways, outdoor recreation areas, wooded areas, greenways, and watercourses. The term also includes any land, water, or submerged land that is provided for, preserved for, or used for park or recreational purposes, conservation of land or other natural resources, cultural, historic or scenic purposes; assisting in the shaping of the character, direction and timing of community development or wetlands.

OPEN STORAGE, OUTSIDE STORAGE OR OUTDOOR STORAGE. The keeping or storing, outside a building, in an unroofed area of any goods, material, merchandise, or equipment on a lot or tract for more than twenty-four (24) hours. See Storage, Open, Outside.

OPTICAL GOODS MANUFACTURING. See Manufacturing Process, General.

OPTICIAN OR OPTOMETRIST. See Business Office, General.

OSTEOPATHIC CLINIC OR OFFICE. See Business Office, General.

OUTSIDE DISPLAY. Outside temporary display of finished goods that are specifically intended for retail sale but not displayed outside overnight.

OUTSIDE DISPLAY/STORAGE FOR MOTORCYCLES SALES. The use of any land area for the display and sale of new or used motorcycles, related products and parts for motorcycles.

OUTSIDE DISPLAY/STORAGE FOR NEW BOAT SALES AND SERVICE. The use of any land area for the display and sale of new or used boats, related products, services and parts for boats.

OUTSIDE DISPLAY/STORAGE FOR TRAILERS FOR HAULING, RENTAL AND SALES. The use of any land area for the display and sale of new or used trailers for hauling, both for rent and sales, related projects, services and parts for trailers.

OUTSIDE DISPLAY/STORAGE OF FARM EQUIPMENT AND MACHINERY. The use of any land area for the display and sale of new or used farm equipment, machinery and parts for farm equipment and machinery.

OVERLAY ZONING DISTRICT. A district that is superimposed over one or more zoning districts or parts of districts and that imposes specified requirements in addition to those applicable in the underlying base zoning district.

PAD SITE. A platted lot, ranging from approximately 20,000 sq. ft. to 75,000 sq. ft. in an area that is created from a larger platted lot of a larger shopping center or strip mall. A freestanding building, such as a bank or restaurant, associated with the larger retail center located there and is desirable because of visibility and accessibility.

PAINT SHOP. A commercial establishment where painting services are performed. This does not include automotive-related painting services, which would be included under “Automobile Repair, Major.”

PAPER PRODUCTS MANUFACTURING. The manufacture of paper products involves matting the pulp fibers into sheets. Pulp fibers involve the separating of cellulose fibers from other impurities in wood but have been separated out in another process.

PARK AND RIDE. A transportation plan, designed to reduce car use in metropolitan areas, in which motorists drive to out-of-town parking lots from which buses or trains run regularly into the city.

PARK OR PLAYGROUND. Any outdoor facility that is not on the premises of a school and that is intended for recreation, is open to the public, and contains three or more separate apparatus intended for the recreation of children such as slides, swing sets and teeterboards.

PARKING GARAGE. Any building, or portion thereof, used for the storage of four (4) or more automobiles in which any servicing provided is incidental to the primary storage use, and where repair facilities are not provided and may or may not be for a fee. See Garage, Parking.

PARKING LOT. An off-street, ground level area, usually surfaced and improved, for the temporary storage of motor vehicles. A parking lot may be designated as off-street parking, truck parking or permitted use. See also, Truck, Parking Lot.

PARKING LOT, COMMERCIAL. An off-street, ground-level area, with an improved surface, for the temporary storage of motor vehicles for a fee.

PARKING SPACE. A permanently surfaced asphalt or concrete area, enclosed or unenclosed, with minimum space of 9' x 18' per vehicle, and a permanently surfaced driveway connecting the

parking space with a street or alley, permitting ingress or egress of an automobile.

PARKING, SHARED. Off-street parking spaces or areas required under the zoning district or by use, that are provided cooperatively for two or more uses in a development or for two or more individual uses, subject to the requirements of the applicable granting ordinance.

PATIO HOME. See Zero Lot Line Dwelling.

PAWNSHOP. An establishment where money is loaned on the security of personal property pledged in the keeping of the owner (pawnbroker). Such a use must comply with all applicable state and federal regulations governing said use.

PERIMETER STREET. A street located along the boundary of an existing or proposed subdivision.

PERSONAL FITNESS FACILITIES. See Studios for Health, Reducing, Fitness; Fitness Facility.

PERVIOUS. Surfaces that are porous or otherwise allow water to soak or percolate through or into the ground rather than running off (e.g., parks, soccer fields, and grass).

PET AND ANIMAL GROOMING SHOP. An establishment offering services for the bathing, cutting of hair and nails and general grooming of dogs, cats and similar animals.

PET SHOP. A retail establishment offering small animals, fish or birds for sale as pets and where all such creatures are housed within the building.

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

PETROLEUM EXTRACTION. A tract of land used primarily for the extraction of oil and gas, which are processed and sold or used for commercial purposes and shall comply with all applicable state, federal and local ordinances and regulations.

PHILANTHROPIC INSTITUTIONS. An organized initiative to provide humanitarian or charitable assistance through donation of money, goods, time, or effort to support a charitable cause, usually over an extended period of time and in regard to a defined objective.

PLANNING AND ZONING COMMISSION. A commission, appointed by the City Council, authorized to recommend changes in the zoning ordinance, subdivision regulations and other planning functions as delegated by the City Council, and as set forth in City Charter, Ordinance and state law.

PLANT, COMMERCIAL GENERAL. See, Commercial Plant, General.

PLASTIC PRODUCTS, MANUFACTURING, BUT NO RAW MATERIALS PROCESSING.
See Manufacture [Manufacturing] Process, General.

PLAT. A plan or map of a subdivision of land creating building lots or tracts and showing all essential dimensions and other information essential to comply with the preliminary or final plat subdivision standards of this Zoning Ordinance and subject to approval by the Planning and Zoning Commission and City Council and filed in the plat records of Ellis or Dallas County.

PLOT. A single unit or parcel of land or a parcel of land that can be identified and referenced to a recorded plat or map.

PORTABLE BUILDING SALES (OUTSIDE DISPLAY). An establishment which displays and sells structures capable of being carried and transported to another location, but not including “mobile homes.”

PRELIMINARY PLAT. Any plat of any lot, tract or parcel of land that is not to be recorded of record, but is only a proposed division of land for review and study by the city.

PREMISES. Land together with any buildings or structures situated thereon.

PRIMARY STRUCTURE. See Main Building.

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

PRINCIPAL BUILDING. See Main Building.

PRINT SHOP. An establishment, which reproduces, in printed form, individual orders from a business, profession, service, industry or government organization.

PRIVATE BOARDING SCHOOL. A primary school that is privately controlled and supported by endowment and tuition and where pupils are provided living accommodations with meals and lodging.

PRIVATE SCHOOL. A school under the sponsorship of a private agency or corporation which offers a course of instruction for students in one or more grades from kindergarten through grade 12 that is generally equivalent to a public school, but not including business or trade schools, and that has more than one hundred (100) students enrolled and attending courses at a single location.

PRO RATA AGREEMENT. A contract for reimbursement of costs based upon a distribution of use or service.

PRODUCE STAND. A seasonal use for which the primary purpose and design is to sell fruit, nuts, vegetables and similar foods. No cooking or on-premises consumption of produce occurs on the site. See also Temporary Produce Stand.

PROFESSIONAL SERVICE. Work performed which is commonly identified as a profession, and

which may be licensed by the State of Texas.

PROFESSIONAL TRAFFIC OPERATIONS ENGINEER (PTOE). An engineer licensed by the State of Texas with certification from the Transportation Professional Certification Board Inc. (TPCB), an autonomous certification body affiliated with the ITE.

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

PROVISIONAL ZONING DISTRICT. Those districts identified in this Ordinance that may only be used in conjunction with other zoning districts in a planned development district. This district does not affect zoning classifications currently in existence.

PSYCHOLOGIST OR PSYCHIATRIST OFFICE. See Business Office, General.

PUBLIC AGENCY BUILDING, SHOP, YARD OR FACILITY. Any building (except a building used primarily for general office purposes) which is owned, leased, primarily used and/or primarily occupied by the State of Texas, the United States, the City of Glenn Heights, or any subdivision or agency of the State of Texas, the United States or the City of Glenn Heights, or by any public or quasi-public utility.

PUBLIC EASEMENT. An area for restricted use located on private property upon which any public utility shall have the right to remove and, depending upon the terms of the easement agreement, keep removed all or part of any building, fence, tree, shrub, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system in any of these easements.

PUBLIC GARAGE, NO ABOVE-GROUND GASOLINE STORAGE. A detached accessory building or portion of the main building for the primary use as parking or temporary storage of automobiles, with or without fee, to members of the general public. See also Garage, Public.

PUBLIC UTILITY SERVICE YARD. An area for the servicing and storage of vehicles or other property of a public utility or governmental agency. See Utility Service Yard.

PUBLIC VIEW. Areas that can be seen from any public street or right-of-way, where the observing person has a legal right to be, and is not legally or permissible screened from view as provided by City Ordinance.

QUARRY, ROCK. An open excavation or pit from which stone is obtained by digging, cutting, or blasting.

RADIO BROADCASTING WITH TOWER. A place of business where [for] the transmission, via radio-frequency electromagnetic waves, of audible program material for direct reception by the general public utilizing a tower to facilitate transmission.

RADIO BROADCASTING WITHOUT TOWER. A place of business where [for] the transmission, via radio-frequency electromagnetic waves, of audible program material for direct reception by the general public. No tower is allowed at this location.

RAILROAD, TRAIN OR BUS PASSENGER STATION. Any premises for the transient housing or parking of motor-driven buses and trains and the loading and unloading of passengers. See Station, Train, RR, Bus.

REAL ESTATE SALES OFFICE. See Business Office, General.

RECREATION CENTER OR RECREATION FACILITY. A place designed, equipped and provides for the conduct of athletic, civic or cultural activities, leisure time activities and other customary and usual recreational activities. Such facility may be private or public and if intended primarily for use by persons who are 17 years of age or younger, may constitute a youth center.

RECREATIONAL VEHICLE (RV). A vehicle used for recreational purposes such as a self-propelled (i.e., motorized), mobile living unit, all-terrain vehicle, boat, or other such unit and as specifically defined in state law. Often an RV is used for temporary human occupancy away from the users' permanent place of residence. Under appropriate circumstances and in appropriate areas an RV may also be utilized as a permanent place of residence within districts that allow them to be used as such.

RECREATIONAL VEHICLE (RV) PARK. An area or commercial campground for users of recreational vehicles, travel trailers and similar vehicles to reside, park, rent or lease on a temporary basis.

RECREATIONAL VEHICLE/CAMPER SALES AND LEASING. An establishment that sells, leases, and/or rents new and/or used recreational vehicles, travel trailers, campers, boats/watercraft and similar types of vehicles.

RECYCLING KIOSK. A small uninhabited structure (120 square feet maximum) or temporary container (e.g., "igloo" or dumpster-type container) which provides a self-service location for the depositing of recyclable materials such as aluminum cans (e.g., "can banks"), glass bottles, magazines/newspapers, metal or plastic containers, etc. Recyclables are picked up periodically from the site. This definition does not include large trailers or manned collection centers.

REHABILITATION CARE FACILITY, HALFWAY HOUSE. A dwelling unit which provides residence and care to not more than nine (9) persons, regardless of legal relationship, who have demonstrated a tendency towards alcoholism, drug abuse, mental illness or antisocial or criminal conduct living together with not more than two supervisory personnel as a single housekeeping unit. It shall mean to include a public or private hospital, a detoxification facility, a primary care facility, an intensive care facility, a long-term care facility, an outpatient care facility, a community mental health center, a health maintenance organization, a recovery center, a halfway house, an ambulatory care facility, another facility that is required to be licensed and approved by the Texas Drug and Alcohol Commission, or a facility licensed or operated by the Texas Department of Mental Health and Mental Retardation. The term does not include an educational program for

intoxicated drivers or the individual office of a private, licensed health care practitioner who personally renders private individual or group services within the scope of the practitioner's license and in the practitioner's office.

REQUIRED PARKING. The number of parking spaces required for a particular use in a zoning district as specified in the Zoning Ordinance, Article XVI.

REQUIRED PARKING, OFF-STREET. The number of parking spaces required for a particular use in a zoning district as specified in Article XVI, on an improved or approved surface and/or in an enclosed structure.

RESIDENCE. Same as "dwelling." When this term is used in relation to a zoning district, it refers to an area of residential regulations.

RESIDENTIAL DISTRICT. District where the primary purpose is residential use.

RESIDENTIAL STREET. A street which is intended primarily to serve traffic within a neighborhood or limited residential district and which is used primarily for access to abutting properties.

RESORT. A city or other destination (e.g., hotel) known for its leisure attractions, broad range of amenities, and sports facilities, designed to provide a total vacation experience.

RESTAURANT. A restaurant or cafeteria that prepares food for general on-site consumption. No provision is made to serve food or beverage to patrons inside vehicles. Also known as Dine In.

RESTAURANT OR CAFETERIA, WITH DRIVE-THRU SERVICE. An eating establishment where customers are primarily served at tables or self-served and food is consumed on the premises, which may include a drive-thru window. Such an establishment derives its gross revenue from the sale of food and not alcohol.

RESTAURANT OR CAFETERIA, WITH NO DRIVE-THRU SERVICE. An eating establishment where customers are primarily served at tables or are self-served, where food is consumed on the premises, and which do not have a drive-thru window. See also Restaurant.

RESTAURANT OR EATING ESTABLISHMENT, WITH DRIVE-IN SERVICE. An eating establishment where primarily food and/or drink is served to customers in motor vehicles or where facilities are provided on the premises which encourage the serving and consumption of food in automobiles on or near the restaurant premises. If more than seventy-five percent (75%) of the daily gross sales are attributed to the sale of alcohol, the establishment shall be defined as "bar."

RESTAURANTS INCIDENTAL TO MAIN USE. A place of business whose primary purpose is not that of a restaurant but has a restaurant included within the main building as an added service to the customer, including but not limited to a hospital, bookstore, big box classification.

RETAIL SERVICE, INCIDENTAL OR ACCESSORY. The rendering of retail or services

incidental to, but which complements or supplements the primary use. In the Office District, such uses include a barber or beauty shop, smoke shop, candy counter, restaurant, pharmacy or other incidental activity secondary to the primary office occupancy, or a sundries shop that serves tenants or patrons of a hospital. Such uses shall have no separate outside entrance and no outside signage and shall occupy less than fifteen percent (15%) of the main use. Incidental uses may include the sale of point-of-purchase consumables.

RETAIL STORES AND SHOPS. An establishment engaged in the selling of goods and merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Such goods in this category are limited to durable (furniture, appliances) or semi-durable consumer goods (shoes, clothing, household linens) and shall not include consumable goods (food, beverages and gasoline).

RETAIL STORES, GENERAL. This term includes retail stores which sell several lines of merchandise including, but not limited to, dry goods, apparel and accessories, furniture and home furnishings, small wares, small appliances, hardware and food. The stores included in this group are commonly known as department stores, variety stores, general merchandise stores, general stores, grocery stores, etc. See also, General Retail.

RIGHT-OF-WAY. This term generally refers to land areas provided by dedication for public use for streets, utilities, sidewalks, and other uses to serve adjoining properties. Whether the right-of-way is public or private is determined by the accessibility of the land area. See also Easement, Transportation.

RIGHT-OF-WAY WIDTH. The width of the right-of-way depends on the City's requirements for each street classification. This width is measured at the shortest distance between the lines which delineate the rights-of-way of a street.

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

ROOMING HOUSE. See Boarding House.

RUNOFF. Rainwater that does not soak into the ground, or percolate, but flows over the land surface into a body of water or into a storm drain which leads to a body of water.

SALVAGE YARD OR JUNKYARD. Any premises where junk, articles or materials including junked, wrecked or inoperable vehicles, that are ready for destruction or that have been collected or stored for the purpose of obtaining parts for recycling or resale.

SALVAGE, RECLAMATION OF PRODUCTS OR WRECKING YARD. The reclamation and storage of used products or materials.

SAND, GRAVEL, STONE EXTRACTION. The process of extracting sand, gravel or stone from the earth.

SANITARY LANDFILL. A method of solid waste disposal in which refuse is buried between layers of dirt so as to fill in or reclaim low-lying ground.

SATELLITE DISHES. A dish antenna used to receive and transmit signals relayed by satellite.

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

SCHOOL, COMMERCIAL TRADE. See Trade and Commercial Schools.

SCHOOL, PRIVATE, PRIMARY OR SECONDARY. See Private School.

SCHOOL, PUBLIC OR PAROCHIAL. A school under the sponsorship of a public or religious agency providing elementary or secondary curriculum, but not including private trade or commercial schools.

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

SCREENED, SCREENING. Shielded, concealed and effectively hidden from the view of a person standing at ground level on an abutting site, or outside the area or feature so screened, by a fence, wall, hedge, berm or similar architectural or landscape feature as may be required by the City of Glenn Heights.

SEASONAL USES. Seasonal uses include the sales of items such as Christmas trees, pumpkins, snow cones, fresh produce and other items that are typically only available at certain times of the year.

SECONDARY FRONTAGE. The part of a corner or end tenant property that is platted to extend and be adjacent to an arterial or collector street and does not have a legal address.

SETBACK. The distance from the right-of-way (public or private) to a building whereby one may erect a structure or sign and establishes the minimum required yard and governs the placement of uses and structures on the lot. This required setback varies depending upon the district in which it is located and the height of the object to be erected.

SETBACK LINE. The distance from which a building or structure is separated from a designated reference point, such as the property line, as dictated by the specific zoning district regulations and requirements.

SEXUALLY ORIENTED BUSINESSES OR USE. Establishments and businesses showing X-rated movies or live acts, displaying and selling pornographic material, and other uses dealing primarily with indecent or obscene materials, acts or paraphernalia, as further defined and

identified in the City's Sexually Oriented Business Ordinance, as it exists and may be amended.

SHEET FLOW. Water flowing over land.

SHOE MANUFACTURING. See Manufacturing Process, General.

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

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

SITE PLAN. A document in graphic form that describes how a parcel of land is to be improved. It includes the property boundaries with outlines of all structures and site improvements, such as driveways, parking lots, landscaping, and utility connections. Other features may be required by the City.

SKATING RINK, ROLLER OR ICE. A business located within a building that contains a surface for ice skating or roller skating and may be part of an indoor or outdoor commercial amusement.

SMALL ENGINE REPAIR SHOP. Shop for repair of lawnmower[s], chain saws, lawn equipment, and other machines with one-cylinder engines. See Engine Motor Repair.

SPORTING GOODS MANUFACTURING. See Manufacturing Process, General.

SPORTING GOODS, RETAIL. A retail establishment whose primary commodity for sale is equipment needed to participate in a particular sport (e.g., hunting, fishing).

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

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

STADIUM OR PLAYFIELD (PRIVATE). A facility, either enclosed or open, used for athletic games or other large public gatherings that is privately owned.

STORAGE OR WHOLESALE WAREHOUSE. A building used primarily for the storage of goods and materials. Building are larger than 50,000 square foot.

STORAGE YARD, (OUTSIDE STORAGE). Area of the yard that can be enclosed by fence or stay open for the purpose of storing items. This is different than display item for the purpose of sale.

STORY. That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it. The average height for a story shall be defined as twelve feet (12').

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

STREET. A way for vehicular traffic whether designated a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, land, place, or however otherwise designated.

STREET GUTTER FLOW LINE. The street gutter flow line of the curb adjacent to and bordering upon each such restricted area; in the event there is no such curb, the height restriction set forth in the Zoning Ordinance shall be based upon the actual level of the paved or used portion of the public street adjacent to and bordering upon each such restricted area.

STREETSCAPE. Amenities such as benches, refuse containers, lights and pedestrian ways lined with trees and shrubs.

STREET WIDTH. Road or street pavement is measured from the edge of pavement to edge of pavement or curb back to curb back. The width of the road depends on the City's requirements for each street classification.

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

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

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

STUDIOS FOR HEALTH, REDUCING, FITNESS. Includes, but is not limited to, an establishment which provides facilities and equipment (e.g., gymnasiums, weight rooms, swimming pools/spas, exercise apparatus, instruction/classes, etc.) which are intended to promote health, fitness, weight reduction and/or similar health-related activities. Such facilities may include such accessory uses as food service, sales of sundries and apparel and child care services, provided that such accessory uses are clearly incidental to the primary use and are for the use of studio patrons only (i.e., not the general public). No outside signage may be used to advertise accessory uses, unless otherwise provided by the Sign or Granting Ordinance. See Fitness Facility.

STUDIOS FOR PHOTOGRAPHER, MUSICIAN AND ARTIST. A building or portion of a

building used as a place of work by a photographer, musician or artist. See Music Art Studio.

STUDIOS FOR RADIO AND TELEVISION. A building or portion of a building used as a place for radio or television broadcasting.

SUBDIVISION. The word “subdivision” or “addition” shall be any lot, tract, or parcel of land divided into two (2) or more lots or sites for the purpose, whether immediate or future, of sale or of building development. It also includes resubdivision or replatting of land, lots, or tracts. Division of land for agricultural purposes, in parcels of five (5) acres or more shall not be included within this definition, unless any such division of five (5) acres or more includes the planning or development of a new street or access easement to be dedicated to public use.

SURVEYOR. A licensed State Land Surveyor or a Registered Public Surveyor as authorized by the State Statutes to practice the profession of surveying.

SWIMMING INSTRUCTION AS A HOME OCCUPATION. The teaching of swimming in a private swimming pool. Within a residential district, this use is subject to the approval and issuance of a Specific Use Permit that may specify operating conditions and standards and which may limit the number of students and operating times consistent with provisions for home occupation.

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

SWIMMING POOL, PRIVATE. A swimming pool constructed for the exclusive use of the residents of a one-family, two-family or multiple-family dwelling and located, fenced and built in accordance with this and other applicable City ordinances. A private swimming pool shall not be operated as a business nor maintained in a manner to be hazardous or obnoxious to adjacent property owners.

TELEMARKETING CENTER. An establishment that solicits business or the purchase of goods and/or services by telephone only. No sale of goods or services to the public occurs at or on the premises. No products are stored at or on the premises.

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

TEMPORARY. Lasting for only a limited period of time; not permanent.

TEMPORARY BUILDING. Any nonresidential prefabricated structure that is not originally manufactured or constructed at its use site, required [requiring] on-site installation of utilities and/or foundation.

TEMPORARY FIELD OFFICE, CONSTRUCTION YARD OR OFFICE. A structure or shelter

used in connection with a development or building project for housing on the site of temporary administrative and supervisory functions and for sheltering employees and equipment. Temporary permits are issued for a specific time and locations as determined by the Building Official and shall be subject to review and renewal for reasonable cause.

TEMPORARY PRODUCE STAND. A temporary, normally seasonal, location providing fresh products such as fruit, nuts, vegetables and similar foods. No cooking or on-premises consumption of produce occurs on the site. See Produce Stand.

TENNIS COURT, PRIVATE. A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances but excluding lighting for nighttime play in residential areas.

TEXAS SMARTSCAPE. Planting native plants and those adapted to the climate in order to control the micro-climate, reduce soil erosion and alleviate the need for excessive water and fertilization.

THEATER (DRIVE-IN). An open lot with its appurtenant facilities devoted primarily to the showing of motion pictures or theatrical productions on a paid admission basis to patrons seated in automobiles.

THEATER (INDOOR). A building or part of a building devoted to the showing of motion pictures, or for dramatic, musical or live performance.

THROUGH LOTS. A lot, other than a corner lot, having frontage on two (2) parallel or approximately parallel streets.

THROUGHWAY/THOROUGHFARE. The network of roadways and connecting intersections through the City, as well as bordering cities' roadways and state highway frontage and arterials.

TIRE DEALER, NO OPEN STORAGE (INSIDE). A retail establishment engaged in the sale and/or installation of tires for vehicles, but without open storage.

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

TIRE RETREADING AND CAPPING. The process by which tires are treated with a new tread.

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

TOOL RENTAL SHOP. A building or a portion of a building used for the display and rental of tools and instruments.

TOURIST HOME (BED AND BREAKFAST INN). A dwelling occupied as a permanent residence by an owner or renter in which sleeping accommodations in not more than four (4) rooms are provided or offered for transient guests for compensation.

TRACT. A single individual parcel or lot.

TRADE AND COMMERCIAL SCHOOLS. For-profit business establishments, offering training or instruction in a trade, art or occupation such as welding, brick laying, machinery operation/repair and similar trades but not including public or parochial schools, private primary or secondary schools, or colleges.

TRAFFIC IMPACT ANALYSIS (TIA). A study performed by professional engineers with expertise in traffic engineering principles and practice, and certified as a Professional Traffic Operations Engineer, which reviews development of a specific property and analyzes how it integrates into existing and proposed thoroughfare network and any existing and ongoing traffic study. The report shall utilize existing data and conclusions from previous studies and identify improvements necessary to mitigate the impact of traffic generated by the development. Traffic Impact Analysis shall include the following elements:

- A. General Site Description. A detailed description of the roadway network within one (1) mile of the site, a description of the proposed land uses, the anticipated states of construction, and the anticipated completion date of the proposed land development shall be provided. This description, may be in the form of a map, shall include the following items: (1) all major intersections; (2) all proposed and existing ingress and egress locations; (3) all existing roadway widths and rights-of-way; (4) all existing traffic signals and traffic-control devices; and (5) all existing and proposed public transportation services and facilities within a one (1) mile radius of the site.
- B. Proposed Capital Improvements. The traffic impact analysis shall identify any changes to the roadway network within one (1) mile of the site that are proposed by any government agency or other developer. This description shall include the above items as well as any proposed construction project that would alter the width and/or alignment of roadways affected by the proposed development.
- C. Roadway Impact Analysis.
 - (1) Transportation Impacts:
 - (a) Trip Generation. The average weekday trip generation rates (trip ends), the average weekend trip generation rates, the highest average a.m. and p.m. hourly weekday trip generation rates, and the highest hourly weekend generation rates, for the proposed use shall be determined based upon the trip generation rates contained in the most recent edition of the Institute of Transportation Engineers, Trip Generation Manual; or shall be based upon data generated by actual field surveys of area uses compatible to the proposed use and approved by the City Manager (or designee) and/or the City Engineer.
 - (b) Trip Distribution. The distribution of trips to arterial and collector roadways within the study area identified in the General Site Description above shall be in conformity with accepted traffic engineering principles, taking into consideration the land use categories of the proposed development; the area from which the proposed development will attract traffic; competing developments (if applicable); the size of the proposed development; development phasing; surrounding existing and anticipated land uses, population and employment; existing and projected daily traffic volumes; and existing traffic conditions.

- (2) Adequacy Determination. The roadway network included within the traffic impact analysis shall be considered adequate to serve the proposed development if existing roadways identified as arterials and collectors can accommodate the existing service volume, and the service volume of the proposed development, and the service volume of approved but unbuilt developments holding valid, unexpired building permits at a level of service “C” or above.

D. Intersection Analysis.

- (1) Level of Service Analysis. For intersections within the roadway traffic impact analysis area described in the General Site Description, a level of service analysis shall be performed for all arterial/arterial, arterial/collector, and collector/collector intersections, and for any other pertinent intersections identified by City staff. Also, level of service analyses will be required on all proposed site driveway locations for all nonresidential developments. The level of service analysis shall be based upon the highest hourly average a.m. or p.m. peak weekday volume or highest average hourly peak weekend volume as determined from a two-day survey of weekday volumes and, where necessary, a one-day survey of weekend volumes. The level of service analysis shall take into consideration the lane geometry, traffic volume, percentage of right-hand turns, percentage of left-hand turns, percentage (and typical size) of trucks, intersection width, number of lanes, signal timing and progression, roadway grades, pedestrian and bicycle flows, school routes, number of accidents, and peak hour factor.
- (2) Adequacy Analysis. The intersections included within the traffic impact analysis shall be considered adequate to serve the proposed development if existing intersections can accommodate the existing service volume, the service volume of the proposed development, and the service volume of approved but unbuilt developments holding valid, unexpired building permits at level of service “C” or above.

TRAILER PARK OR COURT. See Mobile Home Park.

TRAILER RENTAL AND SALES. The display and offering for rent or sale of trailers designed to be towed by automobiles and light load vehicles.

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

TRANSFER STORAGE AND BAGGAGE TERMINAL. A facility for the storage of baggage and other items in transit.

TRANSIT STATION OR TURNAROUND. Passenger terminal or loading facilities for a privately or publicly owned transit system.

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

TRUCK. A light or heavy load vehicle (see definition for light and heavy load vehicle). TRUCK AND BUS LEASING OR RENTAL. The rental of new or used panel trucks, vans, trailers, recreational vehicles or motor-driven buses in operable condition and where no repair work is done.

TRUCK AND BUS REPAIR. An establishment providing major and minor automobile repair services to heavy load vehicles.

TRUCK PARKING LOT. Area designated for parking heavy load vehicles.

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

TRUCK TERMINAL/FREIGHT TERMINAL. An area and building where cargo is stored and where trucks and freight, including tractors and trailer units, load and unload cargo on a regular basis. This term may include facilities for the temporary storage of loads prior to shipment.

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

UTILITY DISTRIBUTION, TRANSMISSION LINES. Facilities which serve to distribute and transmit electrical power, gas and water, including but not limited to electrical transmission lines, gas transmission lines and metering stations.

UTILITY INSTALLATION, OTHER THAN LISTED. The installation and/or construction for any utility other than those specifically listed in these definitions or the City's Zoning Ordinance or Subdivision Regulations. Such utilities shall get approval from the City prior to their installation.

UTILITY, PRIVATE, OTHER THAN LISTED. A non-public utility requiring special facilities in residential areas or on public property such as heating, cooling, or communications not customarily provided by the municipality or public utilities.

VAPOR SHOPS. A business establishment for which more than 50% of the gross floor area is dedicated to storage, mixing display and/or retail of electronic cigarette devices, nicotine-enriched solutions and/or liquid products that are manufactured for use with e-cigarettes.

VARIANCE. An adjustment in the application of the specific regulations of the Zoning Standards to a particular parcel of property which, because of special conditions or circumstances of hardship peculiar to the particular parcel, is necessary to prevent the property from being deprived of rights and privileges enjoyed by other parcels in the same vicinity and zoning district. Only the Board of Adjustment of the City of Glenn Heights can grant a variance and the granting of a variance shall be consistent with state law and judicial interpretation.

VEHICLE SERVICE, FOR HIRE. Any motor or other vehicle operated within the City for the purpose of carrying passengers for hire from within the City, except motor buses operating on

fixed routes as specified in this chapter, specially chartered buses and driverless vehicles (rental cars). The term “vehicles for hire” includes limousine, as defined. The term specifically excludes demand services by public entities relative to providing transportation for senior citizens and disabled persons.

VETERINARIAN CLINIC. An establishment, not including outside pens, where animals and pets are admitted for examination and medical treatment.

WAREHOUSE.

- A. Self-Storage, Mini-Warehouse: A facility used for storage of goods and/or materials with separate access to individual storage units by persons renting the individual units. Such use shall exclude outdoor parking and/or storage of recreational vehicles, trailers or boats.
- B. Warehouse, Air Conditioned: A facility used for storage of goods and/or materials with separate access to individual storage units by persons renting the individual units. Such use shall exclude outdoor parking and/or storage of recreational vehicles, trailers or boats. These are generally multi-story building with air conditioned units.
- C. Storage or Wholesale Warehouse, Light: A building used primarily for the storage of goods and materials, containing less than 5,000 square feet of floor space.
- D. Storage or Wholesale Warehouse, Heavy: A building used primarily for the storage of goods and materials, containing more than 5,000 square feet of floor space.

WAREHOUSE, FREIGHT FORWARDING. A building used for the storing of freight between transporting to its final destination.

WASTEWATER TREATMENT PLANT. A plant where, through physical-chemical and biological processes, organic matter, bacteria, viruses and solids are removed from residential, commercial and industrial wastewaters before they are discharged in rivers, lakes and seas, as defined and regulated by state and federal agencies.

WHOLESALE DISTRIBUTION CENTER. An establishment for the storage and ultimate distribution of wholesale merchandise, without transformation and the rendering of services incidental to the sale/resale of merchandise, including goods for resale to other wholesalers or retailers, capital or durable non-consumer goods or raw and intermediate materials and supplies used in production. Wholesalers sell merchandise to other businesses, operating from a warehouse or office. These warehouses and offices often have little or no display of available merchandise. Most often, the wholesaler’s location is intended to easily accommodate walk-in traffic. Wholesalers normally do not advertising attracting the general public. Wholesaler’s customer base is generally reached initially by telephone, in-person marketing at, for instance, trade shows, or by specialized advertising such as internet search or fax. Follow-up orders are either vendor-initiated or client- initiated, generally based on previous sales from the established client base.

WIND SYSTEM, SMALL. A device that produces electricity from wind.

YARD. An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except where otherwise

specifically provided in this Zoning Ordinance that the building or structure may be located in a portion of a yard required for a main building. In measuring a yard for the purpose of determining the width of the side yard, the depth of a front yard or the depth of a rear yard, the shortest horizontal distance between the lot line and the main building shall be used.

YARD, FRONT. A yard located in front of the front elevation of a building and extending across a lot between the side yard lines and being the minimum horizontal distance between the front property line and the outside wall of the main building.

YARD, REAR. A yard extending across the rear of a lot measured between the lot lines and being the minimum horizontal distance between the rear lot line and the rear of the outside wall of the main building. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

YARD, SIDE. A yard between the building and side line of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the outside wall of the side of the main building.

ZERO LOT LINE DWELLING (PATIO HOME). A lot authorized by a Special Use Permit which is designed in such a manner that the side yard and adjacent use easement make maximum use of available land area to preserve an open, yet private, use of the side yard, and permits construction of a detached single-family dwelling with one side of such dwelling placed on the side property line.

ZONING BOARD OF ADJUSTMENT. A statutorily created board which is appointed by the City Council, and which is authorized to make special exceptions or grant variances to the Zoning Ordinance, to hear and decide any appeals that allege error in an order, requirement, decision or determination made by an administrative official in the enforcement of the Zoning Ordinance, and any other powers or duties granted by the City Council. Also referred to as the “ZBA.”

ZONING DISTRICT. Classifications applying to all section or sections of the City for which the regulations governing the use of land and the use, density, bulk, height and coverage of buildings and other structures are uniform for each class or kind of building therein.

ZONING DISTRICT MAP, ZONING MAP. The official map upon which the boundaries of the various Zoning Districts are drawn and which is an integral part of the Zoning Ordinance and which shall comply with the Comprehensive Plan.