

UNIFIED DEVELOPMENT CODE

9A Attachment 1

Appendix A References

Purpose and Intent

The purpose of this Chapter is to define words with a special meaning relative to the goals and purposes of this Unified Development Code. Words not listed in this section shall be defined using the Webster's Third New International Dictionary, unabridged.

Use Definitions

GENERAL DESCRIPTION OF RESIDENTIAL USE TYPES. Residential use types include the occupancy of living accommodations on a wholly or primarily nontransient basis.

SINGLE-FAMILY RESIDENTIAL (DETACHED). The use of a site for only one dwelling unit, other than mobile home or modular home.

SINGLE-FAMILY RESIDENTIAL (ATTACHED). A single-family dwelling constructed as part of a series of dwellings, all of which are either attached to the adjacent dwelling or dwellings by party walls or are located immediately adjacent thereto with no visible separation. Included under this use category is townhouse and condominium.

DUPLEX RESIDENTIAL. The use of site for two dwelling units, within a single building, other than a mobile home or modular home.

TOWNHOUSE RESIDENTIAL. The use of a site for two or more townhouse dwelling units, constructed with common or abutting walls each located on a separate ground parcel within the total development site, together with common area serving all dwelling units.

CONDOMINIUM RESIDENTIAL. The use of a site for four or more dwellings units intended for separate ownership, together with common area serving all dwelling units.

MULTIPLE-FAMILY RESIDENTIAL. The use of a site for three or more dwelling units, within one or more buildings.

GROUP RESIDENTIAL. The use of a site for residential occupancy of living accommodations by groups of more than six persons not defined as a family, on a weekly or longer basis. Typical uses include occupancy of fraternity or sorority houses, dormitories, residence halls, halfway houses, or boarding houses.

MODULAR HOME RESIDENTIAL. A dwelling that is manufactured in two or more modules at a location other than the home site and which is designed as [a] residence when the modules are transported to the home site, and the modules are joined together and installed on a permanent foundation system in accordance with the appropriate Code requirements. Modular residence construction shall be in accordance with the Texas Manufactured Housing Standards Act and shall include the plumbing, heating/air conditioning and electrical systems to be contained in the structure. The term modular home or residence shall not mean nor apply to a mobile home as

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defined in the Texas Manufactured Housing Standards Act, nor is it to include building modules incorporating concrete or masonry as a primary component.

MANUFACTURED HOME RESIDENTIAL. The use of a site for residential occupancy of a manufactured home (or mobile home if on premise prior to the adoption of this Code) on a weekly or longer basis. Typical uses include mobile home parks or mobile home subdivisions. An incorporated city may prohibit the installation of a mobile home for use or occupancy as a residential dwelling within its corporate limits. Any such prohibition must be prospective and shall not apply to a mobile home previously legally permitted and used or occupied as a residential dwelling within the city. Permits for such use and occupancy must be granted by an incorporated city for the replacement of a mobile home within its corporate limits with a HUD-Code manufactured home.” (Texas Revised Civil Statutes, Article 5221 f(4A)).

GENERAL DESCRIPTION OF COMMERCIAL USE TYPES. Commercial use types include the sale, rental, service, and distribution of goods, and the provision of services other than those classified as Industrial or Civic Uses.

ADMINISTRATIVE AND BUSINESS OFFICES. Offices or private firms or organizations which are primarily used for the provision of executive, management, or administrative services. Typical uses include administrative offices, and services including real estate, insurance, property management, investment, personal, travel, secretarial services, telephone answering, photocopy and reproduction, and business offices of public utilities, organizations and associations, or other use classifications when the service rendered is that customarily associated with administrative office services.

AGRICULTURAL SALES AND SERVICES. Establishments or places of business engaged in sale from the premises of feed, grain, fertilizers, pesticides and similar goods or in the provision of agriculturally related services with incidental storage on lots other than where the service is rendered. Typical uses include hay, feed and grain stores, and tree service firms.

(Ordinance 2018-03-27-01 adopted 3/27/18)

ARTISAN CRAFT. Artisan. Skilled craft working, made or created by hand, commonly in traditional methods, drinks, food or items apply[.] (Ordinance 2020-0728-07 adopted 7/28/20)

AUTOMOTIVE AND EQUIPMENT SERVICES. Establishments or places of business primarily engaged in automotive related or heavy equipment sales or services. The following are automotive and equipment use types:

Automotive Washing. Washing and cleaning of automobiles and related light equipment. Typical uses include auto laundries or carwashes.

Fuel Service Station. Provision of fuel, lubricants, parts and accessories, and incidental services to motor vehicles.

Commercial Off-Street Parking. Parking of motor vehicles on a temporary basis within a privately owned off-street parking facility, other than accessory to a principal use. Typical

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uses include auto rental agencies, trailer rental agencies, and taxicab parking and dispatching.

Vehicle Sales. Sale or rental of automobiles, noncommercial trucks, motorcycles, motor homes (RVs), recreational vehicles or boats, including incidental storage, maintenance and servicing. Typical uses include new and used car dealerships, motorcycle dealerships, and boat, trailer, and recreational vehicle dealerships.

Equipment Sales. Sale or rental of trucks, tractors, construction equipment, agricultural implements, manufactured homes, and similar heavy equipment, including storage, maintenance, and servicing. Typical uses include truck dealerships, construction equipment dealerships, mobile home dealerships, and sales (but specifically excluding dismantling or salvage of vehicles).

Automotive Repair Services. Repair of automobiles[,] noncommercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. Typical uses include muffler shops, auto repair garages, tire sales and installation, wheel and brake shops, body and fender shops, and similar repair and service activities (but specifically excluding dismantling or salvaging of vehicles).

Equipment Repair Services. Repair of trucks, tractors, construction equipment, agricultural implements, and similar heavy equipment. Typical uses include truck repair garages, trucking yard terminal, tractor and farm implement repair services, and machine shops (but specifically excluding dismantling or salvaging of vehicles).

Vehicle Storage. Long-term storage of operating or nonoperating vehicles. Typical uses include storage of private parking tow-a-ways or impound yards, (but specifically excluding dismantling or salvaging of vehicles).

BUILDING MAINTENANCE SERVICES. Establishments primarily engaged in the provision of maintenance and custodial services to firms rather than individuals. Typical uses include janitorial, landscape maintenance, or window cleaning services.

BUSINESS SUPPORT SERVICES. Establishments or places of business primarily engaged in the sale, rental or repair of equipment and supplies used by office, professional and service establishments to the firms themselves rather than to individuals, but excludes automotive, construction and farm equipment. Typical uses include office equipment and supply firms, small business machine repair shops, hotel equipment and supply firms.

BUSINESS OR TRADE SCHOOL. A use providing education or training in business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as a home occupation, college or university, or public or private educational facility.

CAMPGROUND. Campground facilities providing camping and/or parking areas and incidental services for travelers in recreational vehicles or tents. Typical uses include recreational vehicle parks.

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COCKTAIL LOUNGE (BAR OR TAVERN). Establishment or places of business engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, including taverns, bars[,] cocktail lounges, and similar uses other than a restaurant as that term is defined herein.

COMMERCIAL RECREATION. Establishment or places of business primarily engaged in providing sports, entertainment, or recreation for participants or spectators. The following are commercial recreational use types:

Indoor Sports and Recreation. Uses conducted within an enclosed building. Typical uses include bowling alleys, billiard parlors, ice and roller skating rinks, penny arcades, electronic video games, and indoor racquetball courts.

Outdoor Sports and Recreation. Uses conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, miniature golf courses, golf courses, swimming pools, tennis courts, and outdoor racquetball courts.

Indoor Entertainment. Predominantly spectator uses conducted within an enclosed building. Typical uses include motion picture theaters, meeting halls, and dance halls.

Outdoor Entertainment. Predominantly spectator uses conducted in open or partially enclosed or screened facilities. Typical uses include sports arenas, racing facilities, and amusement parks.

COMMUNICATION SERVICES. Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms but excluding those classified as Major Utility Facilities. Typical uses include television studios, telecommunication service centers, telegraph service offices, film recording, sound recording, and cable television operations.

CONSTRUCTION SALES AND SERVICES. Establishments or places of business primarily engaged in construction activities and incidental storage on lots other than construction sites as well as the retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures, but excluding retail sale of paint, fixture and hardware, and those classified as one of the Automotive and Equipment Service use types. Typical uses include building materials stores, tool equipment rental or sales, building, plumbing, electrical, or mechanical contractors.

CONSUMER CONVENIENCE SERVICES. Establishments which provide services, primarily to individuals, of a convenient and limited nature, often in access-controlled facilities which make twenty-four hour operation possible. Typical uses include the renting of private postal and safety deposit boxes to individuals and automated banking machines.

CONSUMER REPAIR SERVICES. Establishments primarily engaged in the provision of repair services to individuals and households rather than firms, but excluding Automotive and Equipment Service use types. Typical uses include appliance repair shops, watch or jewelry repair shops, or musical instrument repair shops.

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CONVENIENCE STORAGE. Storage services primarily for personal effects and household goods within enclosed storage areas having individual access, but excluding uses such as workshops, hobby shops, manufacturing, or commercial activity. Typical uses include mini-warehousing and mini-storage units.

DRIVE THROUGH FACILITIES. Facilities provided by an establishment or place of business for the purpose of allowing a customer or patron to transact business, whether it be to pick-up, drop-off, ordering, or service, from a motor vehicle.

EATING ESTABLISHMENTS. A use engaged in the preparation and retail sale of food and beverages, including sale of alcoholic beverages when conducted as an accessory or secondary feature and producing less than fifty (50) percent of the gross income. A general restaurant may include live entertainment with amplified sound. Typical uses include restaurants, coffee shops, dinner houses, dinner theater, and similar establishments with incidental alcoholic beverage service.

EXTERMINATING SERVICES. Services related to the eradication and control of rodents, insects, and other pests, with incidental storage on lots other than where the service is rendered.

FINANCIAL SERVICES. Establishments primarily engaged in the provision of financial and banking services. Typical uses include banks, savings and loan institutions, loan and lending activities, and similar services.

FOOD SALES. Establishments or places of business primarily engaged in the retail sale of food (with incidental sale of beer and wine) or household products for home consumption. Typical uses include groceries, delicatessens, meat markets, retail bakeries, and candy shops. Restaurants are specifically excluded from this definition.

FUNERAL SERVICES. Establishments engaged in undertaking services such as preparing the human dead for burial and arranging and managing funerals. Typical uses include funeral homes or mortuaries.

GENERAL RETAIL SALES. Sale or rental of commonly used goods, and merchandise for personal or household use. Typical uses include providing the following products or furniture stores, and establishments providing the following products or services: household cleaning and maintenance products, drugs, cards, stationery, notions, books, tobacco products, cosmetics, and specialty items, flowers, plants, hobby materials, toys, and handcrafted items; apparel, jewelry, fabrics, and like items; cameras, photography services, household electronic equipment, records, sporting equipment, kitchen utensils, home furnishing appliances, art supplies and framing, arts, and antiques, paint and wallpaper, carpeting and floor covering, interior decorating services, office supplies, bicycles, and auto parts (inside a building with no repair services).

HOTEL-MOTEL. Lodging services involving the provision of room and/or board. Typical uses include hotels, motels and inns.

KENNELS. Boarding and care services for dogs, cats and similar small animals. Typical uses include boarding kennels, pet motels, or dog training centers.

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LAUNDRY SERVICES. Establishments primarily engaged in the provision of laundering, dry cleaning or dyeing services other than those classified as Personal Services. Typical uses include bulk laundry and cleaning plants, diaper services, or linen supply services.

LIQUOR SALES. Establishments or places of business engaged in retail sale for consumption off the premises of alcoholic beverages. Typical uses include liquor stores, bottle shops, or any licensed sale of liquor[,] beer or wine for off-site consumption.

MEDICAL OFFICES. A use providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by doctors, dentists, medical and dental laboratories, physical therapists, optometrists, and similar practitioners of medical and healing arts for humans licensed for such practice by the State of Texas.

PAWN SHOP SERVICES. A use engaged in the loaning of money on the security of property pledged in the keeping of the pawnbroker, and the incidental sale of such property.

PERSONAL IMPROVEMENT SERVICES. Establishment or places of business primarily engaged in providing informational, instructional, personal improvement and similar services of a nonprofessional nature. Typical uses include photography studios, driving schools, health or physical fitness studios, reducing salons, dance studios, handicraft and hobby instruction.

PERSONAL SERVICES. Establishments or places of business primarily engaged in providing frequently or recurrently needed services of a personal nature. Typical uses include beauty salons, barber shops, seamstresses, tailors, shoe repair shops, tanning salons, dry cleaning pick-up station services, and coin operated laundries.

PET SERVICES. Retail sales, veterinary services, grooming, boarding when totally within a building, of dogs, cats, birds, fish, and similar small animals customarily used as household pets. Typical uses include pet stores, small clinics, dog bathing and clipping salons, and pet grooming shops but excluding uses for livestock and large animals.

PROFESSIONAL OFFICE. A use providing professional or consulting services in the fields of law, architecture, design engineering, accounting, and similar professions.

RESEARCH SERVICES. Establishments primarily engaged in research of an industrial or scientific nature but excluding product testing. Typical uses include electronics research laboratories, space research and development firms, and pharmaceutical research.

SCRAP AND SALVAGE SERVICES. Places of business primarily engaged in the storage, sale, dismantling or other processing of used or waste materials which are not intended for reuse in their original forms. Typical uses include automotive wrecking yards, junkyards or salvage yards.

SHOPPING CENTER OR MALL. An integrated grouping of commercial activity, primarily of a retail and personal service nature, in a building complex having the individual establishments joined by a common covered pedestrian mall or walkway.

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STABLES. Boarding, breeding or raising of horses not owned by the occupants of the premises or riding of horses by other than the occupants of the premises or their nonpaying guests. Typical uses include boarding stables or public stables.

VETERINARY SERVICES. Veterinary services and hospitals for animals. Typical uses include pet clinics, dog and cat hospitals, and veterinary hospitals for livestock and large animals.

GENERAL DESCRIPTION OF INDUSTRIAL USE TYPES. Industrial use types include the on-site extraction or production of goods by methods not agricultural, and storage and distribution of products.

HEAVY INDUSTRIAL. A use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage, or manufacturing processes utilizing flammable or explosive materials, or storage or manufacturing processes which potentially involve hazardous or commonly recognized offensive conditions.

LIGHT INDUSTRIAL. A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing. Typical uses include winery, sheet metal shop, welding shop and machine shop.

WAREHOUSING AND FREIGHT MOVEMENT. Establishments or places of business primarily engaged in wholesaling, storage, distribution and handling of materials and equipment other than live animals and plants. The following are wholesaling, storage and distribution use types:

Limited Warehousing and Distribution. Wholesaling, storage, warehousing services within enclosed structures. Typical uses include wholesale distributors, storage warehouses and moving and storage firms.

General Warehousing and Distribution. Open-air storage, distribution and handling of materials and equipment. Typical uses include monument and stone yards, grain elevators, open storage yards, and petroleum products storage and distribution.

RESOURCE EXTRACTION. A use involving the on-site extraction of surface or subsurface mineral products or natural resources. Typical uses include quarries, borrow pits, sand and gravel operations, oil and gas extraction, and mining operations.

STOCKYARDS. Stockyard services involving the temporary keeping of livestock for slaughter, market or shipping. Typical uses include stockyards and animal sales in auction yards.

GENERAL DESCRIPTION OF CIVIC USE TYPES. Civic use types include the performance of utility, educational, recreational, cultural, medical, productive, governmental, and other uses which are strongly vested with public or social importance.

ADMINISTRATIVE SERVICES. Offices, administrative, clerical or public contract services that deal directly with the citizen, together with incidental storage and maintenance of necessary vehicles. Typical uses include federal, state, county, and city offices.

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AVIATION FACILITIES. Landing fields, aircraft parking and service facilities, and related facilities for operation, service, fueling, repair, storage, charter, sales, and rental of aircraft, and including activities directly associated with the operation and maintenance of airport facilities and the provision of safety and security.

CEMETERY. Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbarium's, crematoriums, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.

CLUB OR LODGE. A use providing meeting, recreational, or social facilities for a private or nonprofit association, primarily for use by members and guests. Typical uses include private social clubs and fraternal organizations.

COLLEGE AND UNIVERSITY FACILITIES. Educational institutions of higher learning which offer a course of study designed to culminate in the issuance of a degree as defined by the Education Code of the State of Texas.

COMMUNITY RECREATION. A recreational facility for use by residents and guests of a particular residential development, planned unit development, church, private primary educational facility, private secondary educational facility, club or lodge, or limited residential neighborhood, including both indoor and outdoor facilities.

CONVALESCENT SERVICES. A use providing bed care and in-patient services for persons requiring regular medical attention, such as nursing home, but excluding facilities providing surgical or emergency medical services, facilities providing care for alcoholism, drug addiction, mental disease, or communicable disease.

CULTURAL SERVICES. A library, museum, or similarly registered nonprofit organizational use displaying, preserving, and exhibiting objects of community and cultural interest.

EDUCATIONAL FACILITIES.

PUBLIC. A public school offering instruction at the elementary school level in the branches of learning and study required to be taught in the public schools of the State of Texas.

PRIVATE. A private or parochial school offering instruction at the elementary school level in the branches of learning and study required to be taught in the public schools of the State of Texas.

DETENTION SERVICES. A publicly operated use providing housing and care for individuals legally confined.

GUIDANCE SERVICES. A use providing counseling, guidance, recuperative, or similar services to persons requiring rehabilitation assistance as a result of mental illness, alcoholism, detention, drug addiction, or similar condition, on a day time care basis.

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HOSPITAL SERVICES.

Hospital Services (General). A facility providing medical, psychiatric, or surgical service for sick or injured persons, primarily on an in-patient basis, and including ancillary facilities for out-patient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors.

Hospital Services (Limited). A facility providing medical, psychiatric, or surgical services for sick or injured persons exclusively on an out-patient basis, including emergency treatment, diagnostic services, training, administration, and services to out-patients, employees, or visitors.

LOCAL UTILITY SERVICES. Services which are necessary to support principal development and involve only minor structures such as lines and poles which are necessary to support principal development.

MAINTENANCE AND SERVICE FACILITIES. A facility supporting maintenance, repair, vehicular or equipment servicing, material storage, and similar activities, including corporation yards, equipment service centers, and similar uses having characteristics of commercial services or contracting or industrial activities.

MAJOR UTILITY FACILITIES. Generating plants, electrical switching facilities and primary substations, refuse collection or disposal facilities, water and wastewater treatment plants, and similar facilities.

MILITARY INSTALLATIONS. Military facilities of the federal and state governments.

PARK AND OPEN SPACE AND RECREATION SERVICES. Publicly owned and operated parks, playgrounds, recreation facilities, and open spaces.

RAILROAD FACILITIES. Railroad yards, equipment servicing facilities, and terminal facilities.

RELIGIOUS ASSEMBLY. A use located in a permanent or temporary building and providing regular organized religious worship and religious education incidental thereto, but excluding private primary or private secondary educational facilities, community recreational facilities, and parking facilities. A property tax exemption obtained pursuant to Property Tax Code of the State of Texas shall constitute prima facie evidence of religious assembly use.

SAFETY SERVICES. Facilities for the conduct of public safety and emergency services, including police and fire protection services and emergency medical and ambulance services.

TRANSPORTATION TERMINAL. A facility for loading, unloading, and interchange of passengers, baggage, and incidental freight or package express between modes or [of] transportation, including bus terminals, railroad stations, airport terminals, and public transit facilities.

GENERAL DESCRIPTION OF AGRICULTURAL USE TYPES. Agricultural use types include the on-site production of plant and animal products by agricultural methods.

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HORTICULTURE. The growing of horticulture and floricultural specialties, such as flowers, shrubs, or trees intended for ornamental or landscaping purposes, but excluding retail sales. Typical uses include wholesale plant nurseries and greenhouses.

Definitions

The following section contains definitions applicable to this ordinance.

Abandoned Sign. A permitted sign erected on property in conjunction with a particular use that has been discontinued for a period of 30 days or more.

(Ordinance 2018-03-27-01 adopted 3/27/18)

Abandoned Vehicle. Any motor vehicle, trailer or semi-trailer, or watercraft that is inoperative and left unattended on public or private property for more than 60 days; or that has remained illegally on public or private property; or that has remained on public or private property and (a) does not display valid registration plates or (b) displays registration plates of another vehicle. (Ordinance 2020-0728-07 adopted 7/28/20)

Acceleration/Deceleration Lane. A portion of a roadway designed to allow vehicles to safely decelerate for turns onto intersecting streets or safely accelerate to merge with the prevailing traffic flow.

Accessory Dwelling Unit. A residential use, structure, or building incidental to the principal permitted or conditionally approved use on a site, whether comprising a portion of the principal structure on the site or located within an accessory structure or building.

Accessory Structure, Building or Use. A building or use that is all of the following: a) constructed or located on the same zoning as the main building, or use served, except as may be specifically provided elsewhere in this Ordinance; b) clearly incidental to, subordinate in purpose to, and serving the principal use; and c) either in the same ownership as the principal structure, building or use or is clearly operated and maintained solely for the comfort, convenience, necessity, or benefit of the occupants, employees, customers, or visitors of the principal use.

Adjacent. Abutting and directly connected to or bordering.

Adjoining Properties. Property that touches or is directly across a street from the subject property.

Adjustment of Numerical Standard. In the case of the granting of an administrative exception, an allowance for adjustment of a numerical standard by the City Manager or Board of Adjustment may be made, up to 10% from the minimum or maximum numerical standard. The standard is measured in decimal numbers, not percentages. For ex., a 15-foot setback could be adjusted by +/- 1.5 feet. And a 35% impervious cover limit (0.35) could be adjusted upwards by 10% up to 38.5% or $0.10 \times 0.35 = 0.385$, instead of the original 35%.

Manager. That person designated by the City Council to administer and enforce the provisions of this Unified Development Code.

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Administrative decisions. Those decisions that are made by the City Manager.

Adult-Oriented Business. Means, but is not limited to, an adult arcade, adult bookstore, adult cabaret, adult lounge, adult novelty shop, adult service business, or adult theater.

1. Adult Arcade means a movie arcade, game arcade, or other business that primarily offers still or motion pictures or games that emphasize specified sexual activities or specified anatomical areas.
2. Adult Bookstore means a business:
 - a. that primarily offers books, magazines, films or videotapes, periodicals, or other printed or pictorial materials that emphasize specified sexual activities or specified anatomical areas; and
 - b. in which at least 35 percent of the gross floor area is devoted to offering merchandise described in above in [subsection] 2.a.
3. Adult Cabaret means a business that primarily offers live entertainment that emphasizes specified sexual activities or specified anatomical areas.
4. Adult Lounge means an adult cabaret that serves alcoholic beverages.
5. Adult Novelty Shop means a business that primarily sells products that emphasize specified sexual activities or specified anatomical areas, and in which at least 35 percent of the gross floor area is devoted to the sale of those products.
6. Adult Service Business means an adult encounter parlor, adult retreat, nude modeling studio, or a commercial enterprise that holds itself out to be primarily in the business of offering a service that is distinguished or characterized by an emphasis on depicting, describing, or relating to specified sexual activities or specified anatomical areas.
7. Adult Theater means a business that primarily exhibits motion pictures that emphasize specified sexual activities or specified anatomical areas.

Agricultural Activity. Farming activities, including but not limited to plowing, tillage, cropping, installation of best management practices, seeding, cultivating, and harvesting for production of food and fiber products (except commercial logging and timber harvesting operations), the grazing and raising of livestock, aquaculture, sod production, orchards, nursery, and other products cultivated as part of a recognized commercial enterprise.

Agricultural Land. Land carried on the Williamson County Appraisal District tax rolls as agricultural land, or which is used for the purpose of conducting agricultural activities.

Agriculture. The use of land for the production and primary processing of food and fibers for sale, including cultivating, dairying, horticulture, pasturing, floriculture, silviculture, viticulture,

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animal and poultry husbandry, and such incidental accessory facilities as greenhouses and nurseries, provided that the operation of such accessory facilities shall be clearly secondary to normal agricultural activities. Agriculture includes, but is not limited to, the related activities of tillage, fertilization, pest control, harvesting, and marketing. It also includes, but is not limited to, the activities of feeding, housing, and maintaining of animals such as cattle, dairy cows, sheep, goats, hogs, horses, and poultry and handling their byproducts.

Allowable Density. The total number of units permitted by the City for a tract of land. Allowable Density is based on the Gross Density and then factoring in the lot standards from Table 5-1 [4-4]).

Amending Plat. An amended plat is used to correct errors or omissions as long as it does not remove covenants[.]

Amended Plat. Any changes made to an approved preliminary or final plat. Also see grade elevation and grade-related terms.

Apartment. A multifamily dwelling unit.

Average Grade. The grade of the finished ground level at the midpoint of each exterior surface of a sign, or that of a structure to which a sign has been attached.

BSEACD. Barton Springs Edwards Aquifer Conservation District[.]

Back-to-Back Sign. A sign constructed on a single set of supports with messages visible on any side.

Banners and Balloons. Any animated, rotating, fluttering or nonstationary device made of flexible materials designed to attract attention. Banners are temporary in nature and shall be removed after seven days.

Basement. That portion of a building having more than one-half (1/2) of its height below lot grade elevation.

Bed and Breakfast. A house that is used as a lodging facility for paying guests. A Bed and Breakfast is generally a smaller lodging facility than a hotel.

Best Management Practices (BMPs). Conservation practices or systems of practices and management measures that control soil loss and reduce water quality degradation caused by nutrients, animal waste, toxicants, and sediment. Agricultural BMPs include, but are not limited to, strip cropping, terracing, contour stripping, grass waterways, animal waste structures, ponds, minimal tillage, grass and naturally vegetated filter strips, and proper nutrient application measures. BMPs [sic]

Block. An area of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, banks of waterways, or municipal boundary lines.

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Block face. The properties abutting on one side of a street and lying between two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street, nonsubdivided land, watercourse, or municipal boundary.

Board of Adjustment (BOA). The BOA reviews and makes recommendations of on an appeal of an Administrative Decision and Administrative Exception or Variance to a zoning decision.

Boarding and Rooming House. A residential building or portion thereof, other than a motel, or hotel, which contains lodging rooms which that accommodate not more than 20 persons who are not members of the keeper's family. Lodging with or without meals is provided for compensation on a weekly or monthly basis.

Buffer. A strip or area of land, identified on a site plan or in a zoning ordinance, established to separate one type of land use from another land use. Normally, the area is landscaped or kept in open space use.

Building, Detached. A building surrounded by an open space on the same lot.

Building Height. The vertical distance measured from the finished grade elevation to the highest point of the underside of the building beams, in the case of a flat roof; to the deck line of a mansard roof; and to the mean level of the under side of rafters between the eaves and the ridge of a gable, hip, or gambrel roof.

Building Permit. A written authorization to construct, erect, or alter a structure or building as issued by the City Manager.

Building Official. An agent of the City who inspects building construction for plan/permit compliance.

Building, Principal. Any building which houses a primary or principal use of the land on which it is located.

Building Setback Line. A line measured a distance specified by this ordinance from the front, rear, and side lot lines on which no building or structure may be erected.

Caliper. The diameter of a tree trunk measured at four feet above the root collar.

Canopy. A roof-like structure of a permanent nature which may be freestanding or projected from a wall of a building or its supports.

Canopy Tree. Canopy trees are trees that occupy the uppermost layer in a forest.

Cemetery. Land used for the burial of the dead, and dedicated for cemetery purposes, including columbaria, crematories, mausoleums, and mortuaries, when operated in conjunction with and within the boundary of such cemetery.

Certificate of Occupancy. The certificate issued by the City Manager or designee that permits the use of a building or premises in accordance with the approved plans or permits and the provisions

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of law for the use and occupancy of the building in its several parts, together with any special stipulations or conditions of the building permit.

Child Care Center (or Day-care Centers). Any place, home or institution that receives nine (9) or more children under the age of fourteen (14) years, and not of common parentage, for care apart from their natural parents, legal guardians, or custodians, when received for regular periods of time for compensation, provided that this definition shall not include public or private schools organized, operated, or approved under Texas laws, custody of children fixed by a court of competent jurisdiction, children related by blood or marriage within the third degree to the custodial person, or to churches or other religious or public institutions caring for children within the institutional building while their parents or legal guardians are attending service, activities, or meetings.

City Council. The Mayor and City Council for the City of Jarrell.

Clearing. The removal of trees and brush from the land not including the ordinary mowing of grass.

Clinic - Medical or Dental. A building in which one or more specializing physicians and/or dentists have their offices. A clinic shall not include in-patient care (i.e., no overnight accommodation of patients).

Cluster Development. A development concept which encourages and permits variations in residential developments by allowing deviation in lot size, type of dwelling, lot coverage and open space from that which is normally required in the applicable zoning district. Dwelling units are concentrated in a selected area or selected areas of the development tract in order to provide natural habitat or other open space uses (including agriculture) on the remainder.

Communication Tower. Any radio, television or communication antenna or tower for uplink, downlink, relay, broadcast or reception of communication signals, but not including either mobile transmitters and receivers or any such facilities with a transmission power of less than seven (7) watts.

Community Service. Community service is a use that can be allowed in a residential area with a special use permit. Community Service is for such uses for volunteer service organizations, church services, and other similar services for the benefit of the community (not necessarily a City service).

Community Service Signs. A sign that advertises or solicits support for a nonprofit community use, public use or social institution. Such signs may include, but shall not be limited to: seasonal holidays such as Christmas or Easter, school or religious activities, sports boosters, or events of community interest. Such signs shall be placed only by: units of local, state or federal governments; nonprofit organizations; schools, the chamber of commerce; or normally recognized religious organizations.

Community Sewerage System. Any system, whether publicly or privately owned, serving multiple lots, dwelling units, businesses, commercial or industrial establishments for the collection,

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transportation and disposal of sewage or industrial wastes of liquid nature, including various devices for the treatment of such sewage and industrial wastes.

Community Water Supply. A source of water and a distribution system, including treatment and storage facilities, whether publicly or privately owned, serving or providing potable water to multiple lots, dwelling units, businesses or commercial or industrial developments.

Comprehensive Plan. The Comprehensive Plan of The City of Jarrell, as approved by the City Council, including any amendments or extensions.

Comprehensive Drainage Plan. The adopted City of Jarrell Drainage Master Plan.

Comprehensive Utility Plan. The adopted City of Jarrell Utility Plan.

Competent evidence. Evidence that people of ordinary prudence would rely on in conducting their own affairs.

Conditional Use. A specific use that would not be appropriate generally or without restriction, the granting of which shall be based upon a finding by the Planning and Zoning Commission that certain conditions governing the proposed conditional use as detailed in this Ordinance [Code] exist, that the use conforms to the Comprehensive Plan and that it is compatible with the existing neighborhood.

Construction Plans. The maps, drawings, and specifications indicating the proposed location and design of improvements to be installed in a subdivision/site plan.

County Road. A public road or street which that is part of the Highway Maintenance System of Williamson County.

County. Williamson County, Texas.

Critical Environmental Features. Features which that have been determined to be of critical importance to the protection of one or more environmental resources. They include such features as bluffs, springs, canyon rim rocks, caves, sinkholes and wetlands.

Critical Root Zone (CRZ). A region measured outward from the trunk of the tree representing the essential area of the roots that must be conserved or preserved for the tree's livelihood. The CRZ is measured as one foot of radial distance outward from the trunk for every inch of the tree caliper, and may not be less than a radius of eight feet[.]

Culvert. A drainage structure placed beneath an embankment typically with a span of less than twenty (20) feet.

Day. Calendar day, unless otherwise specified.

Demolition by Neglect. A condition where the principal structure of a historic resource has become unsafe as a result of 1) the deterioration of the foundations, exterior walls, roofs, chimneys, doors, or windows, so as to create or permit a hazardous or unsafe condition to exist, or

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2) the deterioration of the foundations, exterior walls, roofs, chimneys, doors, windows, the lack of adequate waterproofing, or the deterioration of interior features which that will or could result in permanent damage, injury, or loss of or loss to foundations, exterior walls, roofs, chimneys, doors, or windows.

Density. The allowable, proposed or existing number of dwelling units per acre within a defined and measurable area. Floodplain and areas designated for stormwater detention and retention shall not be included in density calculations.

Density Bonus. An increase in the number of units per acre not to exceed 120% of the Maximum Development Density (e.g., Maximum Density Bonus in Medium Density Residential is 4.8 units per acre).

Develop Land. To change the runoff characteristics of a parcel of land in conjunction with residential[,], industrial, commercial, or institutional construction or alteration.

Developable Land (or Area). Land that is unconstrained by such conditions as steep slopes, floodways, floodplains, or adverse soil or water conditions that preclude development, and that does not have a significant environmental resource identified such as wetland, critical environmental features, or critical riparian habitats.

Developer. A person with freehold, possessor, or contractual interest in land proposed for development. See also “Subdivider.”

Development. The construction or substantial alteration of open lands, or agricultural, residential, commercial, industrial, institutional, or transportation facilities or structures including any manmade change to improved or unimproved real estate, including, but not limited to buildings and other structures, dredging, fill, grading, paving, clearing, excavation, dumping, extraction, or storage of equipment or materials. Development includes the process of subdivision.

Development applications. Applications submitted to the City for consideration of a permit for construction.

Development Project Completion. Means, for the purposes of a forestation, reforestation, or payment of “fees-in-lieu” into a fund: A) the release of the development bond, if required; B) acceptance of the project’s streets, utilities, and public services by the responsible Department(s); or C) designation by the City Council (Planning and Zoning Commission) that a development project has been completed, or a particular stage of a staged development project, including a planned unit development, has been completed.

Dilapidated Sign. Any sign that is structurally unsound, has defective parts, or is in need of painting or maintenance.

Directional Sign. A sign that is freestanding and whose primary purpose is to give directions to parking lots, exits, entrances, drive-through windows or similar locations.

Double-Faced Sign. A sign with two faces that are usually, but not necessarily, parallel.

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Drive through (also Drive-up Access). A place of business operated for the retail sale of products, services, or entertainment. It is designed to allow its patrons to be served or accommodated while remaining in their motor vehicles. Such business may also be designed to accommodate pedestrian traffic.

Driveway. A private access road, drive, or lane to an individual residence, which is contained within the lot or parcel and is not intended to serve any other lot or parcel of land.

Dwelling. A building, or portion thereof, designed or used exclusively for residential occupancy, including single-family dwellings, two-family dwellings, and multiple-family dwellings, (not including hotels and motels).

Dwelling, Attached. A dwelling that is joined to another dwelling at one or more sides by a wall or part walls.

Dwelling, Detached. A dwelling that is entirely surrounded by open space on the same lot.

Dwelling, Multiple-family (also "multifamily"). A building, or portion thereof, containing three (3) or more dwelling units.

Dwelling, Single-family. A building containing one (1) dwelling unit only.

Dwelling Unit. One room, or rooms connected together, constituting a separate, independent housekeeping establishment for human occupancy, or rental or lease on a weekly, monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.

Engineer. Unless otherwise specified, any mention of "Engineer" refers to the City Engineer.

Easement. A right to land generally established in a real estate instrument or on a recorded plat to permit the use of land by the public, a legal entity, or particular persons for specified uses.

Ecosystem. A more or less self-contained biological community together with the physical environment in which the community's organisms occur.

Educational Facilities. An education facility is a public or private school (not a day-care) for primary or secondary education. This also includes other educational services such as drivers education, beauty school, etc.

Edwards Aquifer Related Terms.

Contributing Zone. All land generally to the west and upstream of the Edwards Aquifer Recharge Zone that provides drainage into the Edwards Aquifer Recharge Zone.

Recharge Zone. The boundaries of the recharge zone shall encompass all land over the Edwards Aquifer, recharging the same, as determined by the Texas Commission on Environmental Quality (TCEQ formerly TNRCC) and the Barton Springs Edwards Aquifer Conservation District (BSEACD).

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Electric Sign. A self-illuminated or externally illuminated sign or sign structure in which electric wiring, connections and/or fixtures are used, as part of the sign, to provide illumination.

Enclosed Storage. A building with walls on all sides, where items are stored for a fee.

Estoppels. A bar preventing one from making an allegation or a denial that contradicts what one has previously stated as the truth.

Excavation. Any act by which soil or rock is cut into, dug, quarried, uncovered, removed, displaced, or relocated including the conditions resulting therefrom.

Existing Sign. Any sign erected, mounted or displayed prior to the adoption of this subchapter[.]

Exterior Features. The architectural style, design, and general arrangement of the exterior of a historic resource, including the color, nature, and texture of building materials, and the type and style of all windows, doors, light fixtures, signs, or other similar items found on, or related to, the exterior of a historic resource.

Extraterritorial Jurisdiction (ETJ). The unincorporated area that is contiguous to the corporate boundaries of the municipality and that is located within one-half mile of those boundaries (in the case of a municipality with fewer than 5,000 inhabitants). The ETJ increases as population increases.

Facade. The entire building wall (including street wall face, parapet, fascia, windows, doors, canopy and roof) on any completed building.

Facade Easement. Applies to a Certificate of Design Compliance. In the case of a request of a Demolition of a Historical Site, the Front Facade of said historic building may remain after demolition as an easement to protect the facade in perpetuity.

Family Day-care. A private residence where eight (8) or fewer children receive care and supervision for periods of less than 24 hours per day.

Family. Two or more persons occupying a dwelling unit and using common cooking facilities, provided that unless all members are related by blood or marriage, or legal adoption, no such shall contain more than four (4) nonrelated persons. Family members related by blood or marriage shall be a father, mother, son, daughter, grandfather, grandmother, grandson and granddaughter.

Farm Plan. A "Soil Conservation and Water Quality Plan" prepared by the Soil Conservation District.

Fence. A barrier made of wire, wood, metal, masonry, or other material used as a screen or enclosure for a yard or open space. It includes a wall, gate, or structure which that functions to enclose an open space or yard; however, a retaining wall, freestanding sign, or landscape structure is not considered a fence except for that portion which that functions as a fence.

Fill. A deposit of materials of any kind placed by artificial means.

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Final Plat.

A final plat is a subdivision or drawing intended for recordation in the plat records of the county in which the subdivision is located. Final plat submittal will normally be consolidated with construction plan/development permit submittal. There are three types of final plats.

A final plat that requires a preliminary plan and concurrent construction plans for streets and infrastructure of the Land Development Code. The preliminary plan must be approved prior to the final plat approval.

Fiscal Surety. Fiscal surety is for the purpose of securing the estimated cost of completing capital improvements, should the City find it necessary to complete the improvements instead of the landowner or developer. Fiscal surety can be in the form of a line of credit or Assurance of Bonds.

Fixed Projection Sign. A sign, other than a flag sign, that extends outward for more than six inches from the facade of any building, and is rigidly affixed thereto.

Flashing Sign. A sign with flashing, blinking or moving lights, regardless of wattage, whether directly or indirectly illuminated, except for time and temperature signs. This includes a sign that uses traveling lights, traveling lighted messages, or flashing lights.

Flat Sign. A sign erected parallel to, attached within six inches of, and supported throughout its length by the facade of a building. A flat sign does not extend above that building.

Floodplain Related Terms:

Base Flood (Elevation) (BFE). The (flood) elevation of the lowest habitable floor of any building as established in a flood elevation certificate executed by a Texas licensed property line or land surveyor. A floor used only for storage purposes is not a habitable floor, nor is an unfinished area or enclosure usable solely for parking of vehicles or building access considered habitable. Where the boundaries of the flood and mudflow related erosion areas having special hazards have been designated as Zone A, M and/or E.

Flood Insurance Rate Map (FIRM). Map which that depicts the minimum special flood hazard area to be regulated by this Ordinance [Code] (unless a Floodway Map is available).

Floodplain. Land typically adjacent to a body of water with ground surface elevations that are inundated by the base flood.

Flood Protection Elevation (FPE). The base flood elevation plus one foot.

Floodway. The channel of a river or of [sic] other watercourse and adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Floodway Map. Map depicting floodways and special flood hazard areas that are regulated by this Ordinance [Code].

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Floodway Fringe. That portion of the floodplain outside the floodway.

100-Year Floodplain. An area along or adjacent to a stream or body of water that is capable of storing or conveying floodwaters during a 100-year frequency storm event, or a 100-year flood.

Floor Area Ratio, (FAR). See “Rules of Measurement”[.]

Flow Attenuation. Prolonging the flow time of runoff to reduce the peak discharge.

Freestanding Sign. A sign supported by a sign structure secured in the ground, and which is wholly independent of any building, fence, vehicle or other support. Freestanding signs may have more than one section, one of which may be changeable.

Frontage. The length of all the property fronting on one side of a street between the two nearest intersecting streets, measured along the line of the street; or if dead-ended, then all of the property abutting on one side between an intersection street and dead end of the same.

General Development Plan. A map or plat designed to illustrate the general design features and street layout of a proposed subdivision which is proposed to be developed and platted in sections.

GPS (Global Positioning System). A technology used to identify exact geographical coordinates for use in surveying and planning.

Garden Apartments. A type of multifamily housing. Dwelling units share a common outside access. Ownership is not a factor in this type of unit, and may be either rental or condominium.

Geographic Information System (GIS). The City will maintain an electronic mapping system in National Geodetic Vertical Datum (NGVD) of 1929 elevation. Surveys and plats submitted for review and Flood Elevation Certificates are required to be referenced to NGVD. The GIS interface for the City is ArcView (an ESRI Product).

Grade Elevation. A measurement determined by averaging the elevations of the finished ground at all corners and/or other principal points in the perimeter wall of the building.

Grade - Related Terms:

Existing Grade. The vertical location of the existing ground surface prior to excavating or filling.

Finished Grade. The final grade or elevation of the ground surface conforming to the proposed design.

Grading. Any stripping, excavating, filling, including hydraulic fill, stockpiling or any combination thereof. Grading does not include plowing, disking and cultivating for lawn establishment or renovation.

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Gross Floor Area. The total area of all floors of a building measured to the outside surfaces of the exterior walls.

Gross Residential Density. The number of dwelling units allowed per the base zoning district multiplied by the total site acreage. This number will be affected by Lot Standards in Table 5-1 [4-4].

Gross Site Area. The total amount of acreage of raw land.

[Gross Density = Gross Site Area * Maximum Development Density]

Guarantee of Performance. A credit guarantee that a prospective developer provides to the City of Jarrell to provide assurances to the City that the work on the development (particularly infrastructure improvements) will be made according to original plans as approved.

Health Officer. Health Officer for Williamson County.

Height. The vertical dimension measured from finished grade to the highest point of the thing being measured. See also: Building Height.

Historic Area Work Permit. A permit issued, or to be issued, by the City Manager, authorizing work on a historic resource within a designated historic district or landmark.

Historic District. A historic resource comprised of 2 or more properties which that are significant as a cohesive unit and contribute to historical, architectural, archeological, or cultural values, which has been identified by the Historic Preservation Commission and duly classified pursuant to the procedures of the Texas Historical Commission. A historic district includes all property within its boundaries, and may overlay any zoning district.

Historic Landmark. Any individual historic resource that is significant and contributes to historical, architectural, archeological, or cultural values, which has been identified by the Texas Historical Commission and duly classified.

Historic Resource. An area of land, building, structure, or object, or a group or combination thereof, including appurtenances and environmental setting which that may be significant in national, state, or local history, architecture, archeology, or culture.

Home Occupation. An accessory use as a personal service or profession or use customarily conducted within a dwelling carried on by a resident thereof, which does not change the residential character of the dwelling.

House Number. The coordinate number and street name assigned to any structure or parcel of land.

Illuminated Sign, External. Any sign that is directly lighted by an external source.

Illuminated Sign, Internal. Any sign that transmits light through its face or any part thereof[.]

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Immediate family. A person who is either the applicant's father, mother, son, daughter, grandfather, grandmother, grandson, or granddaughter.

Impervious Material. A material, that does not allow infiltration.

Impervious Surfaces. All buildings, roads, parking and driveways, paving, patios, decks, , stoops, porches, steps, walkways, piers, or swimming pools constructed on a lot which that reduce the infiltration capacity of the land or result in increased stormwater runoff.. Wooden decks and walkways (or portions thereof) shall be credited by fifty (50) percent of there [sic] the total square footage.

Impracticable. Not capable of being put into practice or of being done or accomplished.

Industrial Park. A special or exclusive type of planned industrial area designed and equipped to accommodate a community of industries, providing them with all necessary facilities and services in attractive surroundings among compatible neighbors. Industrial parks may be promoted or sponsored by private developers, community organizations or government organizations.

Infiltration. The passage or movement of water into the soil surface. Also means, potable or nonpotable water from dripping or leaking pipes, valves, plumbing or fixtures, or seep water, rain water or stormwater entering in sewer lateral lines on private property through cracks, pipe joints, openings or other defects in the lateral line[.]

Inflatable Sign. A sign that is either expanded to its full dimensions or supported by gasses contained within the sign, or sign parts, at a pressure greater than atmospheric pressure.

Ingress/Egress Sign. A sign designating only the direction of ingress or egress of a parking area or driveway, such as "in," "entrance," "exit," "one way," "do not enter" or "no exit."

Interior Sign. A sign displayed inside a building that is not within five feet of windows or doors.

Intermittent Stream. A stream which that has a period of zero flow for at least one week during most years. Where flow records are available, a stream with a 7Q2 flow of less than 0.1 ft³/s is considered intermittent.

Intrafamily transfer. A "bona fide intrafamily transfer" means a transfer to a member of the owner's immediate family of a portion of the owner's property for the purpose of establishing a residence for that family member.

Joint Use Facilities. Any facilities owned and maintained in common by the inhabitants of the development, including, but not limited to, drives, water systems, sewer systems, parking areas, open space, club houses, amenities, and developed recreation areas.

Junk (or Salvage) Yard. An open area where waste or scrap materials (including but not limited to scrap iron and other metals, paper, rags, rubber tires, and bottles) are bought, sold, exchanged, stored, baled, packed, disassembled, or handled. A "junk or salvage yard" includes an auto wrecking yard, but does not include uses established entirely within enclosed buildings.

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Land Clearing (or Disturbance). Any activity that removes the vegetative ground cover.

Land-Based Aquaculture. The raising of fish or shellfish in any natural or manmade, enclosed or impounded, water body.

Landfills, Sanitary. Any one of the types of landfills regulated by the Texas Commission on Environmental Quality (TCEQ), including but not limited to municipal solid waste, industrial rubble, and land clearing debris landfills.

Landscape. Any combination of trees, ground cover, shrubs, vines, flowers or lawn planted in the ground or in ground level-containers.

Landscaping Plan. A plan, showing dimensions and details for planting in a landscaped area.

Landscaping, Interior. A landscaped area or areas within the shortest line defining the perimeter or exterior boundary of the parking or loading area, or similar paved area, excluding driveways or walkways, providing access to the facility (as applied to parking and loading facilities or to similar paved areas).

Landscaping, Perimeter. A landscaped area adjoining and part of the landscaped interior[.]

Limited Access Highway. A traffic-way including toll roads for through traffic, in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same, except as may be permitted by the public authority having jurisdiction over such traffic-way.

Loading Space or Loading Zone. A space within the main building or on the same lot which that provides for the standing, loading, or unloading of trucks or other vehicles.

Logo. A trademark or company name symbol.

Lot. A portion of a subdivision or tract of land having frontage on a street or road which that is intended for development and which meets the requirements as a legal building site per this Ordinance [Code].

Lot Area, Gross. The area of a horizontal plane bounded by the front, side, and rear lot lines, but not including any area occupied by the waters of a recorded river or stream segment.

Lot Depth. The mean horizontal distance between the front lot line and rear lot line of a lot, measured within the lot boundaries.

Lot Line, Front. That boundary of a lot that is along an existing or dedicated public street, or, where no public street exists, is along a public way.

Lot Line, Rear. Any boundary of a lot that is not a front lot line or a side lot line but generally running parallel to, and opposite of, a front lot line.

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Lot Line, Side. Any boundary of a lot that is not a front lot line or a rear lot line but generally running perpendicular to the front or rear lot lines.

Lot of Record. A parcel of land which that has been legally subdivided and recorded in the official public records of Williamson County.

Lot Width. The horizontal distance between the side lot lines of a lot measured at the narrowest width within the first thirty (30) feet of lot depth immediately in back of the front yard setback line.

Lot, Corner. A lot situated at the intersection of two (2) or more streets. On a corner lot, the front lot line is defined as that lot line which contains the narrowest of all street frontages abutting a public street or public/private right-of-way. However, for lots abutting any street designated as minor collector or higher in classification, all lot lines abutting such higher order streets shall be deemed front lot lines.

Lot, Interior. A lot other than a corner or reversed corner lot.

Lot, Reversed Corner. A corner lot, the street side lot line of which is substantially a continuation of the front lot line of the first lot to its rear.

Lot, Through. A lot having a pair of opposite lot lines along two (2) more or less parallel public streets, and which is not a corner lot. On a “through lot,” both street lines shall be deemed front lot lines.

Lot, Zoning. A single tract of land located within a block under contiguous ownership that meets the lot requirements for a permitted use as set forth in Chapter 4 and 5 of this Code.

Lowest Floor. The lowest floor of the lowest enclosed area of a building or structure, including the basement. An unfinished enclosure constructed of flood resistant materials used solely for parking of vehicles, storage, or building access in an area other than a basement is not the lowest floor, as long as it is supplied with water equalizing vents.

Majority.

Simple majority. The next whole number beyond fifty percent of the members present and voting (e.g., three out of either four or five; four out of either six or seven)[.]

Absolute majority. The next whole number beyond fifty percent of all members authorized to vote, including those not present or present but not voting.

Supermajority. The next whole number beyond a specified percent greater than fifty percent (e.g., two-thirds or three-fourths). A supermajority requirement may be either simple or absolute[.]

Manufactured Home, HUD Code. 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 or more sections, which, in the traveling mode, is eight (8) feet or more in width or forty (40)

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body feet or more in length, or when erected on site, is three hundred and twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems. The term does not include a recreation vehicle as that term is defined by 24 C.F.R. Section 3282.8(g).

Maximum Development Density. Each Zoning District has a maximum number of units per acre that can be placed on a tract. This number ONLY provides the maximum number of units allowed on the site. The Net Yield is the total number of units that can be placed on a site after having factored in (see below) environmental constraints, right-of-way, drainage areas, impervious cover limitations, minimum lot size standards, all setbacks, and maximum lot coverage.

Mining. The act of exploring for or recovering stone, soil, peat, sand, gravel, limestone, coal, granite or other mineral resources from the ground for sale or for use off the property where it is recovered; it does not include removal of loose, surface stone, excavation related solely to agricultural activities or preparation of individual building sites.

Minor Plat. For the purposes of these regulations, a minor plat subdivision is defined as a subdivision:

1. Involving not more than five (5) lots fronting on an existing approved street; and
2. Not involving any new street or prospectively requiring any new street for access to interior property; and
3. Not requiring extension of public sewage or water lines to serve properties at the rear; and
4. Creating no new or residual parcels not conforming to the requirements of these regulations and related ordinances.

Mixed Use Development. A development project that includes two or more types of uses.

Mobile Home Park. Any site, lot, parcel, or tract of land that is improved, used, or intended for the accommodation of mobile homes that are used for living purposes.

Mobile Home. A structure that was constructed before June 15, 1976, transportable in one or more sections, which, transportable in one or more sections, [sic] which, in the traveling mode, is eight (8) feet or more in width or forty (40) body feet or more in length, or when erected on site, is three hundred and twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

Motel, Motor Court, Motor Hotel, Lodge, or Inn. The same as hotel, except it is designed to accommodate any number of guests, the building or buildings are designed primarily to serve tourists traveling by automobile, and ingress and egress to rooms need not be through a lobby or office.

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Motor Vehicle. Any passenger vehicle, truck, truck-trailer, or semi-trailer propelled or drawn by mechanical power.

Moving Message Board. Any electrical sign having a continuous message flow across its surface by utilizing lights or other electrical impulses that form various words and/or designs, including but not limited to time and temperature signs.

Multi-use Sign. A commercial sign identifying more than one business or organization located on the premises.

Natural Features. Components and processes present in or produced by nature, including but not limited to, soil types, geology, slopes, vegetation, surface water, drainage patterns, aquifers, recharge areas, climate, floodplains, aquatic life, and wildlife.

Natural Ground Surface. The ground surface in its original state before grading, stripping, excavation, landscaping, or filling.

Natural Vegetation. Those plant communities that develop in the absence of human activities.

Nature-Dominated. A condition where landforms or biological communities, or both, have developed by natural process in the absence of human intervention.

Net Site Area. Net Site Area includes only the portions of a site that lie in an uplands zone and have not been designated for wastewater irrigation. Net Site Area is the aggregate of:

1. 100 percent of land with a gradient of 15% or less;
2. 40% of the land with a gradient of more than 15% and not more than 25%; and
3. 20% of the land with a gradient of more than 25% and not more than 35%.

(Impervious Cover calculations are based on the Net Site Area.)

Net site area can include floodplains in the calculations (except for areas above the Edwards Aquifer Recharge Zone) if floodplains are used as public space for such uses as public open space, parks, or hike and bike trails.

Net Yield. The total number of units allowed (not yet permitted) based on the Preliminary Yield and Lot Standards for a tract.

NGVD (National Geodetic Vertical Datum of 1929). Elevation reference points set by the National Geodetic Survey based on mean sea level. Surveys submitted for review and Flood Elevation Certificates are required to be referenced to NGVD.

Noise-Related Terms.

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Sound Level. The weighted sound pressure level obtained by the use of the sound level meter and frequency-weighting network, as specified in the American National Standards Institute specifications.

Sound Pressure. The instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space as produced by sound energy.

Nonconforming Structure. A structure that was lawfully erected but which does not conform with the currently applicable requirements and standards prescribed in the regulations for the district in which the structure is located by reason of adoption or amendment of this Code.

Nonconforming Sign. Except as otherwise defined herein, any sign with a valid permit that was erected or displayed prior to the effective date of this subchapter, or any subsequent amendment hereto, and does not conform with one or more of its provisions.

Nonconforming Use. Any use of land, buildings, or structures, lawfully existing at the time of the enactment of this Code, or of any amendment hereto, governing use for the zoning district in which such use is located, which does not comply with all regulations of this [Code and] its amendments.

Nonpoint Source Pollution. Pollution generated by diffuse land use activities rather than from an identifiable or discrete source or facility. It is conveyed to waterways through natural processes, such as rainfall, storm runoff, or groundwater seepage rather than by deliberate discharge. Nonpoint source pollution is not generally corrected by “end-of-pipe treatment,” but rather, by changes in land management practices.

Nonrenewable Resources. Resources that are not naturally regenerated.

Noxious Matter. Material which that is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the physical or economic well-being of individuals.

Noxious Plants. For the purposes of this Ordinance [Code], noxious plants include: poison ivy, poison oak, kudzu and other plants that cause harm either because they are capable of causing harm to humans and animals by chemical reaction or are non-native invasive species which that overwhelm native species and determined to be undesirable by the county or the state.

Nursery, Commercial and/or Gardening Supplies Sales. Any land used to raise or store trees, shrubs, flowers, and other plants for sale, facilities for the display and sale of those items and/or of gardening supplies, and accessory greenhouses, storage buildings, or customer parking areas.

Nuisance. A use of property or course of conduct that interferes with the legal rights of others by causing damage, annoyance, or inconvenience.

Occupancy. Any use of, or activity upon, the premises.

Odorous Matter. Any matter or material that yields an odor which that most persons find to be offensive.

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Off-Premises Sign. Any sign located, or proposed to be located, at any place other than upon the property of the business or other activity identified on such a sign. For purpose of this subchapter, easements and other appurtenances shall be considered outside such property. Community service signs, as approved by the City Council, are exceptions to this definition.

Offsets. Structures or actions that compensate for undesirable impacts.

Off-street Loading Facilities. A site or portion of a site located off of a public road devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives, and landscaped areas.

Off-Street Parking Space. The space located off of a public road, designed, intended, used or required to park one passenger vehicle.

On-Premises Sign. Any sign located or proposed to be located at any place, if otherwise permitted by this subchapter, within the property boundaries for the business or other activity identified on such sign.

Open Space Related Terms.

Common Usable Open Space. Useable open space available for use by the occupants of more than one dwelling unit; controlled and maintained by a property owner or an incorporated nonprofit homeowner's association; or dedicated in fee to, and maintained by, a public agency and devoted to use by residents who will occupy the dwellings. It does not include any space with a dimension of less than ten (10) feet in any direction or an area of less than one hundred (100) square feet.

Open Space. Any land developed or undeveloped, reserved or dedicated, as yards, parks, landscaped green areas, and recreational areas, and is exclusive of areas developed for off-street parking, structures and streets.

Private Open Space. An open area outside of a building adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.

Shared Open Space. An open area within a residential development reserved for the exclusive use of residents of the development and their guests.

Outlot. A piece or tract of land that remains within a subdivision but which that does not meet the minimum requirements of the Ordinance [Code] for a lot and is therefore not useable as a building site.

Outparcel. A tract of land designated on a subdivision plat for future development, or not designated for any specific purpose, that has not been evaluated for compliance with the requirements of this Ordinance [Code] for adequate facilities or zoning requirements and is, therefore, not useable as a legal building site. Outparcels may be the subject of a record plat or

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resubdivided provided the lot(s) created meet all requirements of the Ordinance [Code] prior to plat approval.

Parcel. In the context of subdivision platting, a parcel is either a tract of land platted for a designated purpose other than as a legal building site (e.g. to meet the open space requirements of the Ordinance [Code]; to provide a well site, to provide a sewerage disposal parcel,) or a tract of land that may meet zoning requirements for area, width, depth, etc., but is not intended for development due to environmental constraints, density restrictions or other legal encumbrances.

Parcel of Land. A contiguous legally-created lot, parcel, outlot, outparcel or residue owned and recorded as the property of the same persons, or controlled by a single entity.

Parapet. A vertical false front or wall extension above the roof line.

Party Responsible. The party responsible for a sign shall be:

- (1) The person whose name of business is being identified on the sign, and/or
- (2) The owner of the premises upon which the sign is located.

Permitted Sign. A sign for which a valid permit has been issued.

Perennial Stream. A stream containing surface water throughout an average rainfall year, as shown on the most recent 7.5 minute topographic quadrangle published by the United States Geologic Survey.

Performance Bond. A type of Fiscal Surety that can be used to guarantee site improvements.

Person. The federal government, the State, a county, municipal corporation, or other political subdivision of the State, or any of their units, or an individual, receiver, trustee, guardian, executor, Manager, fiduciary, or representative of any kind, or any partnership, firm, association, public or private corporation, or any of their affiliates, or any other entity.

Phased Project. A project developed pursuant to a subdivision or site plan, proposed to be developed in sections.

Physiographic Features. The soils, topography, land slope and aspect, and local climate that influence the form and species composition of plant communities.

Planned Development or Planned Unit Development (PUD). A Planned Unit Development District (PUD) is intended to provide a development that is more sensitive to the natural environment, creates an improved sense of place, or otherwise enhances the standard pattern of development in Jarrell. Development is required to provide a higher level of amenity to its users or residents than what would be required under the normal standards of this code. A PUD may be used to Unified Development Code, Appendix A, City of Jarrell permit new or innovative concepts in land use not permitted by other zoning districts in this code or to permit development projects that existing districts do not easily accommodate. This district is appropriate in areas where the Comprehensive Plan reflects the specific uses proposed in the PUD or mixed use as a

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land category. Rezoning to the PUD district requires a specific PUD ordinance and a General Development Plan from the property owner. See Section 3.6(6) [3.07.05] for further information on PUD applications and applicability. Generally a PUD is understood as a parcel of land or contiguous parcels of land of a size sufficient to create its own environment, controlled by a single landowner or by a group of landowners in common agreement as to control, to be developed as a single entity, the environment of which is compatible with adjacent parcels and the intent of the zoning district or districts in which it is located; the developer or developers may be granted relief from specific land use regulations and design standards, and may be awarded certain premiums in return for assurance of any overall quality of development, including any special feature which that will be of exceptional benefit to the community as a whole and which that would not otherwise be required by this Ordinance [Code].

Plat. As used in this Ordinance [Code], plat shall be a map of a tract of land showing boundaries of individual lots, outlots, parcels, and outparcels, and streets, easements and rights-of-way prepared in accordance with this Ordinance [Code] as an instrument for recording in the official Public Records of Williamson County.

Plat, Final. A plat prepared by a licensed surveyor or registered engineer and submitted to the City for final approval which that is duly acknowledged by the owners or proprietors of the land, or by some duly authorized agent of such owners or proprietors, in the manner required for the acknowledgement of deeds and which that is to be filed for record in the office of the county clerk of Williamson County.

Plat, Preliminary. A tentative drawing made by a licensed surveyor or registered engineer for inspection purposes only, showing the entire tract of land for which subdivision is sought. The drawing shall accurately describe all of said subdivision or addition by metes and bounds, locating the same with respect to an original corner of the original survey of which it is a part and giving dimensions thereof of said subdivision or addition, and dimensions of all streets, alleys, squares, parks, or other portions of same intended to be dedicated to public use, or for the use of purchasers or owners of lots fronting thereon or adjacent to.

Political Sign. A sign relating to: a political party, the election of a person to public office, or a matter to be voted upon at an election called by a public body.

Portable Sign. Any sign not permanently affixed to a building or structure, or not permanently attached to a mobile vehicle.

Postal Facilities. Postal services, including post offices, bulk mail processing or sorting centers, operated by the United States Postal Service.

Preexisting. In existence prior to the effective date of a specific regulation or Ordinance [Code].

Preliminary Yield. Preliminary Yield is the number of residential units [that] can fit on the Developable Land. This does not yet factor lot standards found in Table 5-1 [4-4].

Premises. A zoning location, together with all buildings and structures thereon.

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Principal Use. A main or primary use of land, as distinguished from an “accessory use.” More than one principal use may exist on a tract if done so completely in accordance with this Ordinance [Code].

Private Harvesting. The cutting and removal of trees for personal use, generally restricted to clearing of fewer than ten (10) trees on a site.

Private Road. A private access, drive, or lane to more than one residence which that is contained within the lot or parcel and which is not dedicated to the public.

Project. Any proposal for new or changed use, or for new construction, alteration, or enlargement of any structure, that is subject to the provisions of this Ordinance [Code].

Project Sign. Any temporary sign, on a premises that may identify the project under construction by providing any of the following information: the project name, address and/or telephone number, the architect, the contractor, the developer, the financing organization, the subcontractor and/or materials vendor.

Property Lines. The lines bounding a zoning area, as defined herein.

Public right-of-way. Any street, avenue, boulevard, highway, sidewalk, alley, drain, or similar place which that is owned or controlled by a governmental entity. Also, a strip of land used, or intended to be used, wholly or in part, by said governmental entity.

Public Sewerage System. The entire system of sewage collection, treatment, and disposal. Also applies to all effluent carried by sewers whether it is sanitary sewage, industrial wastes, or stormwater runoff.

Public Utility. Any transmission line or electric generating station; or water, sewer, electric, gas, telephone, and television or data cable service line.

Public Water - Oriented Recreation. Shore-dependent recreation facilities or activities provided by public agencies which that are available to the general public.

Public Water Supply System. As defined by the Texas Commission on Environmental Quality (TCEQ).

Public Way. See “Right-of-Way.”

Real Estate Sign. A temporary sign erected by the owner, or his agent, advertising for the rental, leasing or sale of the real property upon which the sign is located.

Receiving Parcel. A lot or parcel of land in a zoning district where permitted, on which development rights transferred from a sending parcel, are used.

Reclamation. The reasonable rehabilitation of disturbed land for useful purposes, and the protection of the natural resources of adjacent areas, including waterbodies.

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Recreational Vehicle. A vehicle built on a single chassis that is four hundred (400) square feet or less at the longest horizontal projection, self propelled or tow-able, and designed primarily for temporary living while traveling or camping.

Recycling Centers. An enclosed building where recyclable materials separated from other waste materials, including, but not limited to, scrap metals, paper, textiles, glass, and plastics, are received for the purpose of processing for upgrading, particle size reduction, volume reduction, removal of undesired materials, baling, packing, disassembly, handling, or storage.

Redevelopment. The process of developing land which that is or has been developed.

Renewable Resource. A resource that can renew or replace itself and, therefore, with proper management, can be harvested indefinitely.

Residence. A residential structure occupied as a dwelling place of one or more persons in which the use and management of sleeping quarters and all appliances for cooking, ventilation, heating, or lighting are under one person's control.

Residential Sign. Any sign erected at a private residence identifying its address or the resident's name.

Residential Structure Types.

Apartment Building. A type of multifamily dwelling with a common entrance and common amenities, such as garages, yards, and utilities.

Duplex. A dwelling not a mobile home or manufactured home, on its own lot, and designed, arranged, or used exclusively for the use and occupancy of two families living independently of each other.

Dwelling Attached. A dwelling that is joined to another dwelling at one or more sides by a party wall or walls.

Condominium. A type of ownership arrangement in which an owner has legal title over a single unit in a multifamily dwelling or nonresidential development and over an equal portion of the land upon which the structure stands. A condominium is not a type of structure per se, but rather a form of ownership.

Detached Dwelling. A dwelling that is entirely surrounded by open space on the same lot.

Efficiency Unit. A dwelling unit consisting of 1 principal room exclusive of bathroom, kitchen, hallway, closets, or dining alcove directly off the principal room providing such dining alcove does not exceed 125 sq. ft. in area.

Right-of-way. Any dedicated area where a street, highway, thoroughfare, parkway, road, avenue, alley or other vehicular use facility is or will be constructed for public use.

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Riparian Habitat. A habitat that is strongly influenced by water and which that occurs adjacent to streams and/or wetlands.

Roadside Stand. A permanent structure used for the display and sale of locally produced agricultural products.

Roof Sign. A sign erected over or on, and wholly or partially dependent upon, the roof of any building for support.

Rotating Sign. Any sign that revolves around one or more fixed axis.

Rubbish. Any waste materials, except garbage, including but not restricted to, paper, rags, boxes, cartons, wood excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, dust, and the residue from the burning of combustible materials.

Seasonally Flooded Water Regime. A condition where surface water is present for extended periods, especially early in the growing season, and when surface water is absent, the water table is often near the land surface.

Sediment. Soils or other materials transported by wind or surface water as a product of erosion.

Seedling. An nonbranched woody plant, less than twenty-four (24) inches in height and having a diameter of less than one-half (1/2) inch measured at two (2) inches above the root collar.

Selection. The removal of single, scattered, mature trees or other trees from uneven-aged stands by frequent and periodic cutting operations.

Selective Clearing. The careful and planned removal of trees, shrubs, and plants using specific standards and protection measures under an approved forest conservation plan.

Shopping Center. A grouping of retail business and service uses on a single site with common parking facilities.

Sidewalk or Sandwich Sign. A moveable sign not affixed or attached to the ground or to any building or structure.

Sign. Any device or representation that is used to visually communicate its subject to others. Customary displays of merchandise, objects or materials placed, without lettering, behind a store window are neither signs nor parts of signs.

Sign Area. The square foot area enclosed by the perimeter of the sign. Sign area shall include all lettering, wording, and accompanying designs and symbols, together with the background on which they are displayed, any frame around the sign and “cutouts” or extensions. However, sign area shall not include any sign structures that are esthetically pleasing.

Sign Structure. A supporting structure erected, used or intended for identification or to attract attention, with or without a sign thereon, situated upon or attached to the premises, upon which

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any sign may be fastened, affixed, displayed or applied, provided, however, this definition shall not include a building, fence, wall or earthen berm.

Significantly Eroding Areas. Areas that erode two (2) feet or more per year.

Single Business Use. A business or organization being the sole business occupant of a premises.

Site. Any tract, lot or parcel of land or combination of tracts, lots or parcels of land, which are in one ownership, or are contiguous and in diverse ownership and where development is to be performed as part of a unit, subdivision, or project as shown on an application.

Snipe Sign. A sign (made of any material) that is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences or other objects, with the subject matter appearing thereon not being applicable to the use of the premises upon which such sign is located.

Spoil Pile. The overburden and reject materials as piled or deposited during surface mining.

Stabilization. The prevention of soil movement by any of various vegetative and/or structural means of soil movement.

Stable, Commercial. Any stable for the housing of horses or mules, operated for remuneration, hire, sale, or stabling, or any stable, not related to the ordinary operation of a farm.

Stable, Private. An accessory building, not related to the ordinary operation of a farm, for the housing of horses or mules owned by a person or persons living on the premises and which horses or mules are not for hire or sale.

Start of Construction. The date of issue of the building permit for any development, including new construction and substantial improvements, provided that the actual start of the construction or improvement was within three hundred and sixty-five (365) days of permit issuance. The actual start of construction is the placement of slab or footings, piles, columns, or actual placement of a manufactured home. For substantial improvement, the start of construction is the first alteration of any structural part of the building.

Steep Slope. A slope of over fifteen percent (15%) grade or greater incline, which is characterized by increased runoff, erosion and sediment hazards for slopes.

Stormwater Management. For quantitative control, a system of vegetative and structural measures that control the increased volume and rate of surface runoff caused by manmade changes to the land; and for qualitative control, a system of vegetative, structural, and other measures that reduce or eliminate pollutants that might otherwise be carried by surface runoff.

Story. Part of a building between any floor and the floor next above, and if there be no floor above, then the ceiling above. A basement is a story if its ceiling is five (5) feet or more above the finished grade, or if it is used for business purposes, or if it contains any dwelling units other than one (1) dwelling unit for the caretaker of the premises.

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Stream Buffer. All lands lying within a measured distance from the top of each bank of a perennial or intermittent stream, intended to protect the stream, its water quality, and riparian habitat.

Street. A public or private right-of-way which that affords a primary means of vehicular access to abutting property, whether designated as a street, avenue, highway, road, boulevard, lane[,] throughway, or however otherwise designated, but does not include driveways to buildings.

Structure. Anything constructed or erected, other than a fence or retaining wall, which requires location on the ground or if attached to something having a location on the ground, including but not limited to, buildings, advertising boards, poster boards, mobile homes, manufactured homes, gas and liquid storage tanks, garages, barns, and sheds.

Subdivision, Farmstead. Minor subdivisions in which all lots are fifteen (15) acres or larger.

Subdivision. Subdivision means the division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other division of land for the purpose, whether immediate or future, of sale or of building development provided that this definition of a subdivision shall not include a bona fide division or partition of agricultural land not for development purposes.

Subdivision, Major. Any subdivision not defined as a minor, or farmstead, subdivision.

Subdivision, Minor. The division of a parcel or lot of record which that creates one (1) to five (5) lots or any number of farmsteads, which do not have frontage on a public road, or private right-of-way.

Subdivision Preliminary Plan. Subdivision Preliminary Plan is a map or drawing of a proposed subdivision plan which upon approval establishes an agreement to the layout. This agreement includes the location and width of proposed streets, lots, blocks, floodplains, and easements. A preliminary plan approval is required prior to final plat approval, except under certain conditions[.]

Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

Substantial Improvement. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure (less land value) either: (a) before the improvement or repair is started; or (b) if the structure has incurred substantial damage and been restored, before the damage occurred. Substantial improvement occurs when the first alteration of any wall, ceiling, floor, or other structural part of the building commences. The minimum repairs needed to correct previously identified violations of local health, safety, or sanitary codes, and alterations to historic structures which that do not preclude their continued designation as historic structures are not considered substantial improvements.

Swinging Sign. A sign installed on an arm, mast or spar that is also not permanently fastened to an adjacent wall or an upright pole.

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Temporary Sign. A sign for advertisement more than seven days but less than one hundred eighty days.

Time and Temperature Sign. An electrical sign utilizing lights going on and off periodically to display the current time and temperature in the community.

Traditional Neighborhood Development (TND). A Traditional Neighborhood Development (TND) is a human scale, walkable community with moderate to high residential densities and a mixed use core. Compared with conventional suburban developments, TNDs have a higher potential to increase modal split by encouraging and accommodating alternate transportation modes. TNDs also have a higher potential for capturing internal trips, thus reducing vehicle miles traveled. That the development encourage walking and biking, enhance transit service opportunities, and improve traffic safety through promoting low speed, cautious driving while fully accommodating the needs of pedestrians and bicyclists.

Topography. The existing configuration of the earth's surface including the relative relief, elevation, and position of land features.

Townhouse. One of a group of attached, single-family dwellings that are designed as single structures, with each dwelling unit separated by firewalls, fire separations, or similar party walls. No more than two (2) dwellings units shall be contained within said separation.

Transfer of Development Rights Terms:

Transfer. A transfer of development rights from a transferor parcel to a receiving parcel by instrument(s) of transfer.

Transferee. A person to whom development rights are transferred and all persons who have any lien, security interest, or other interest with respect to development rights held by the transferee.

Transferor. A person who transfers development rights and all persons who have any lien, security interest, or other interest with respect to development rights held by a transferor.

Transferor Parcel. A parcel of land from which development rights may be transferred. A transferor parcel may be less than all of a lot owned by an original transferor.

Transfer Station (or see also "Waste Disposal Services"). An outdoor facility or enclosed building that receives municipal solid waste and/or rubble from collection vehicles and reloads the materials into trailers or other containers for the purpose of transporting it to a processing or final disposal facility.

Transitional Habitat. A plant community whose species are adapted to the diverse and varying environmental conditions that occur along the boundary that separates aquatic and terrestrial areas.

Transportation Facilities. Anything that is built, installed, or established to facilitate or provide a means of transport from one place to another.

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Transportation-Related Terms:

Alley. A narrow roadway for access to an area of commercial, multifamily or industrial structures. Arterial An interregional road conveying traffic between growth areas. Efficient movement is the primary function of arterial roads, hence private access and frontage should be controlled and limited to high-volume generators of vehicle trips.

Major Collector. A principal traffic artery within residential areas that may provide routes to local facilities, serves as the main entrance to a sizeable development, or a combination of developments.

Minor Collector. A street which, in addition to providing access to properties abutting thereon, carries traffic to an activity center or higher classification street. It may be a loop street or may link local and/or collector streets.

Street Direction. The direction any street or road travels the longest in distance (i.e., north-south or east-west).

TxDOT. Texas Department of Transportation[.]

TCEQ. Texas Commission on Environmental Quality (formerly Texas Natural Resources Conservation Commission TNRCC)[.]

Under Canopy Sign. A sign suspended from a building and located under a permanent canopy projecting from a building.

Uplands Zone. All sites above floodplains and away from them.

Upper Story Residential. Upper story residential is a secondary use to a commercial use, where the commercial use is on the first floor and the upper story is used for residential purposes. This is allowed with a Special Use Permit.

Use of Property. The purpose or activity for which the land or building thereon is designed, arranged or intended, or for which it is occupied or maintained.

Utility. A public corporation, company or special district organized to provide a service to the subdivision. As used herein, “utility” shall include, but not be limited to, electric, gas, or telephone companies and water and sanitation districts.

Vacation. The termination of, or termination of an interest in, an easement, right-of-way, or public dedication of land.

Variiances. A grant of relief to a person from the requirements of this ordinance [Code] when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this Ordinance [Code]. The Board of Adjustment (BOA) shall review Variance requests.

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Vehicle. Every device, including major parts thereof, in, on, or by which any person or property is or may be transported or drawn on a transportation facility, except devices moved by human or animal power, or devices used exclusively on stationary rails or tracks.

Vehicle Sign. A permanent or temporary sign affixed to a vehicle. The primary purpose of this display is to attract the public's attention to the subject matter identified on the sign, rather than to serve the customary purpose of a vehicle.

Visible. Capable of being seen (whether or not legible) by a person of normal height and visual acuity while walking or driving on a public road.

Wash Plant. A facility where sand and gravel are washed during processing.

Waste. Ashes, discarded wood, abandoned, discarded, or unused objects or equipment such as furniture, appliances, cans, or containers; garbage or refuse of any kind, whether liquid or solid; or any accumulation of any foul, decaying, or putrescent substances.

Watercourse. Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine or wash, in and including any area adjacent thereto, which is subject to inundation by reason of overflow or floodwater.

Waterfowl. Birds that frequent and often swim in water, nest, and raise their young near water, and derive at least part of their food from aquatic plants and animals.

Watershed. All land lying within an area which that drains into a river, river system, or other watercourse.

Wetlands. Land transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. Classification of areas as wetlands shall follow the "Classification of Wetlands and Deep-water habitats of the United States" as published by the U.S. Fish and Wildlife Service (FWS/OBS-79/3 1).

Wildlife Corridor. A strip of land having vegetation that provides habitat and a safe passageway for wildlife.

Window Sign. Any sign painted on, applied to, projected upon or within the exterior or interior of a building glass area, including doors, or located within five feet of the interior of a building glass area, including doors, whose identification, message, symbol, insignia, visual representation, logo type, or any other form of information can be read from off premises or from the public right-of-way.

Yard. A "yard" extends along a lot line, and to a depth or width specified in the yard requirements for the zoning district in which such zoned area is located. Also, the area between the lot line and the building setback line.

Corner side yard. A side yard on the street side of a corner lot.

Front Yard. A yard extending along the full length of the front lot line of the zoned area.

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Rear Yard. A yard extending along the full length of the rear lot line of the zoned area.

Side Yard. A yard extending along a side lot line measured from the front yard to the rear yard.

Side Yard, Corner. A side yard that adjoins a public street.

Side Yard, Interior. A side yard that is located immediately adjacent to another zoned area or to an alley separating such yard from another zoned area.

Zoning Overlay District. A special district that is placed over the base zoning area which imposes additional restrictions.

Zoning Floating Zone. A district that is fixed on the base zoning area only upon City Council approval of a specific development application meeting the requirement of this Ordinance [Code].

Zoning Permit. A written statement or certificate issued by the City Manager (or his designee) authorizing buildings, structures, or uses in accordance with the provisions of this Ordinance [Code].

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Rules of Measurement

This section shall describe standards and procedures for determining measurements for various items described in this ordinance (Code).

$$\begin{aligned}1 \text{ acre} &= 43,560 \text{ ft}^2 \\1/2 \text{ acre} &= 21,780 \text{ ft}^2 \\1/4 \text{ acre} &= 10,890 \text{ ft}^2 \\1 \text{ mile} &= 5,280 \text{ feet}\end{aligned}$$

Build-to Line. The build-to line shall be measured from an exterior wall to the property line such that the accuracy of the building placement shall be within a foot, as authorized.

Building Height. The building height shall be measured from finished grade to the highest point on a flat roof or a mansard or the midpoint between the cornice and the eave on a pitched roof.

Density, Residential. The number of dwelling units divided by the gross area of the lot reflected as a number of units per acre.

Floor Area Ratio (FAR). The gross floor area of the building or buildings on a zoning area divided by the total area of such zoning area. The “floor area ratio” requirements, as set forth under each zoning district, shall determine the maximum floor area allowable for the building or buildings (total floor area of both principal and accessory buildings) in direct ratio to the gross area of the zoning area.

Floor Area, Gross. The sum of the gross horizontal areas of all floors of the building measured from the exterior faces of the exterior walls, or from the centerline of walls separating two buildings but excluding areas where the floor to ceiling height is less than six (6) feet. The “floor area” of structures devoted to bulk storage of materials, including, but not limited to grain elevators and petroleum storage tanks, multilevel storage racks shall be determined on the basis of height in feet, i.e., ten (10) feet in height shall equal one (1) floor.

Floor Area, Net. The Gross Floor Area minus the area of stairwells, elevator shafts, equipment rooms, interior vehicular parking or loading, areas devoted exclusively to storage; and minus all floors below the first floor level, except when these used for human habitation or service to the public. Net floor area shall be used for calculating parking requirements.

Lot Area. The total horizontal area included within the lot lines of a site.

Lot Coverage. The total land area covered by all principal and accessory structures on a site, including projections, shall be considered in determining lot coverage except the following: Eaves projecting less than 2.5 feet from a building. Trellises and similar structures which that do not have solid roofs. Uncovered and unenclosed decks, porches, landings, balconies, and stairways (the portion of which is less than thirty [30] inches above grade).

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Lot Depth. The horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line or to the most distant point on any other lot line where there is no rear lot line.

Lot Width. The average horizontal distance between the side lot lines measured at right angles to the lot depth from the required front yard setback and from the required rear yard setback or from the rearmost point of the lot depth in cases where there is no rear lot line.

Setbacks. The minimum distance, extending across the full width of the lot, between the property line and the nearest exterior wall or structure. Rules for setback averaging are shown in the diagrams.

Wall area. Wall area shall be measured by calculating the continuous uninterrupted wall area (not including windows) on the elevation where a sign is to be placed.

Yards. Yards include the required setbacks and open space for individual lots. No yard for one lot shall be considered a yard for another lot as well, except in planned developments. Yards shall be measured from the property line of the site or street line to the nearest exterior wall of a structure.