

CITY OF COLLINSVILLE, TEXAS
ORDINANCE NO. 753 - 2023

AN ORDINANCE OF THE CITY OF COLLINSVILLE, TEXAS, AMENDING ORDINANCE NO. 540, COLLECTIVELY, "THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP" OF THE CITY, BY REPEALING SECTION 7-1, "USE REGULATION DISTRICTS" IN ITS ENTIRETY AND ADOPTING A NEW SECTION 7-1, "USE REGULATION DISTRICTS" FOR THE ADDITIONAL REMOVAL OF PERMITTED USES (SCHEDULE OF USES) IN ZONING DISTRICTS; REPEALING SECTION 8-1 "SPECIAL DEFINITIONS" IN ITS ENTIRETY AND ADOPTING A NEW SECTION 8-1 "DEFINITIONS" FOR THE ADDITION AND REMOVAL OF DEFINITIONS; AND REPEALING SECTION 9-1, "PERFORMANCE STANDARDS" IN ITS ENTIRETY AND ADOPTING A NEW SECTION 9-1 "PERFORMANCE STANDARDS", PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AN AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS/CONFLICT CLAUSE; PROVIDING A PENALTY CLAUSE WITH A PENALTY OF FINE UP TO TWO THOUSAND DOLLARS (\$2,000) FOR EACH VIOLATION THAT OCCURS AND FOR EACH DAY SUCH VIOLATION CONTINUES; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Collinsville (the "City Council") is authorized and empowered by law, in accordance with Chapter 211 of the Texas Local Government Code, to adopt zoning regulations governing the use of land within the City; and

WHEREAS, the City Council adopted Ordinance No. 540, the same being the Comprehensive Zoning Ordinance and the Official Zoning Map of the City, which governs the use and development of land in the City (the "Zoning Ordinance"); and

WHEREAS, after public notices were given in compliance with State law and public hearings were conducted, and after considering the information submitted at those public hearings and all other relevant information and materials at its' regular meeting held on December 19, 2022, the Planning and Zoning Commission did consider and make a recommendation to City Council to adopt the amendment to the Zoning Ordinance as set forth in this Ordinance; and

WHEREAS, after complying with all legal notices, requirements, and conditions the City Council held a public hearing at its regular meeting held on the 13th day of February, 2023, during which the City Council considered the recommendation of the Planning and Zoning Commission to adopt Ordinance No. XX-XXXX, amending Zoning Ordinance 540 as set forth in Section X below, and having considered the benefits of enhancing the existing regulations to promote safety, provide the appropriate land uses and definitions for the City, protect the character and stability of property, and enhance the visual image of the City; and

WHEREAS, in order to achieve its goals, the City Council has determined that its existing regulations should be amended to provide suitable and appropriate land use categories and definitions for the City; and

WHEREAS, the City Council has determined it necessary to adopt this Ordinance repealing

Section 7-1, "Use Regulation Districts"; Section 8-1, "Special Definitions", and Section 9-1, "Performance Standards"; and adopting a new Section 7-1, "Use Regulation Districts", Section 8-1, "Definitions", and Section 9-1, "Performance Standards" for the addition and removal of permitted uses (Schedule of Uses), for the addition and removal of definitions, and to amend the performance standards.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLINSVILLE, TEXAS:

SECTION 1
INCORPORATION OF PREMISES

The above and foregoing Recitals constitute legislative findings of the City Council, are true and correct and are incorporated into the body of this Ordinance for all purposes.

SECTION 2
AMENDMENTS

Section 7-1, "Use Regulation Districts"; Section 8-1, "Special Definitions", and Section 9-1, "Performance Standards" of the Comprehensive Zoning Ordinance, Ordinance No. 540 of the City of Collinsville are hereby repealed and a new Section 7-1, "Use Regulation Districts"; Section 8-1, "Definitions", and Section 9-1, "Performance Standards" are hereby adopted and shall be read in its entirety as follows, with all other provisions contained within Section 2.09 not expressly amended hereby remaining in full force and effect:

"Section 7-1 Use Regulation Districts

7-1 USE REGULATIONS

- A. The use of land and/or buildings shall be in accordance with those listed in the following Schedule of Uses. No land or building shall hereafter be used and no building or structure shall be erected, altered, or converted other than for those uses specified in the zoning district in which it is located. The legend for interpreting the permitted uses in the Schedule of Uses is:

	Designates use prohibited in Districted indicated
P	Designates use permitted in District indicated
S	Designates use requires a Specific Use Permit (See Section 11-1)
TU	Designates use requires a Temporary Use Permit (See Section 9-1, E.)
*	Designates use requires a residential adjacency setback and buffer yard (see Section 7-1, B.)

- B. Certain uses (as identified by an asterisk (*) in the following Schedule of Use Tables) that may otherwise be allowed in a district but are deemed incompatible with adjacent residential uses shall observe the following restrictions:
1. A minimum fifty feet (50') separation between the residential property line and any structures, dumpsters, storage, drive-through lanes, loading docks, heavy vehicle parking or lighting fixtures. Separation shall include landscaping buffer with one (1) tree per 30 linear feet and a six (6) foot masonry screening wall.

2. If the minimum separation cannot be established then those uses deemed incompatible shall not be allowed on those lots abutting a residential property line.

C. Any use which is not contrary to city, county, state, or federal laws and which is not listed as a permitted use in the Zoning Ordinance shall hereby be deemed a Specific Use Permit activity in any district and subject to the provisions of this ordinance.

D. Reference Definitions in Section 8-1 for further description of uses.

	Agricultural	Single-Family Residential	Multi-Family Residential	Local Business	Commercial	Central Area Commercial	Light Industrial	Heavy Industrial
PRIMARY RESIDENTIAL USES	A	R-1	R-2	C-1	C-2	C-3	I-1	I-2
Apartment or condominium			P					
Bed and breakfast inn or facility			P	S				
Duplex			P					
Live/Work unit				S	S	P		
Manufactured home, HUD Code								P
Manufactured home park								P
Mobile home								
Modular home								
Patio home			P					
Single-family residence		P	P					
Single family residence above commercial business				P		P		
Townhome			P					

EDUCATIONAL FACILITIES, INSTITUTIONAL, USES, SPECIAL USES	A	R-1	R-2	C-1	C-2	C-3	I-1	I-2
Assisted living senior housing facility			P	P	P			
Cemetery, Animal							P	P
Cemetery or mausoleum					S		P	P
Charitable or philanthropic institution				P	P		P	
Church, rectory, temple, synagogue, mosque or other place of worship	P	P	P	P	P	P	P	P
Civic/Community center	P		P	P	P	P	P	
College or university				P		P		
Continuing care retirement community				P	P			
Day care center				P	P			
Day care center, Accessory				P	P	S	P	
Day care center, Adult				P	P	S	P	
Day care center, In-home/Family home	P	P	P					
Fraternal organization, lodge, civic club			P		P			

Funeral home, mortuary, or crematorium					P		P	P
Hospital, Acute care or Chronic care					P		P	
Household care facility	P	P	P					
Household care institution	P	P	P					
Independent senior living facility			P		P			
Museum/Art gallery				P	P	P	P	
Nursing/Convalescent home or hospice					P		P	
Personal care facility for the elderly	P	P	P					
Recuperative care facility					P			
Rehabilitation care facility	P	P	P					
Rehabilitation care institution					P		P	
School, Boarding					P			
School, Career training				P	P		P	
School, Commercial trade*							P	P
School, Parochial					P		P	
School, Private					P		P	
School, Public	P	P	P	P	P	P	P	P
Surgical outpatient facility					P		P	

ACCESSORY AND INCIDENTAL USES	A	R-1	R-2	C-1	C-2	C-3	I-1	I-2
Accessory building, Commercial					P		P	P
Accessory building, Farm	P						P	P
Accessory building, Residential		P	P					
Amenity/Community center		P	P					
Automated teller machine				P	P	P		
Caretaker's or guard's residence					P		P	P
Garage apartment/Accessory dwelling	P	P	P					
Garage, Commercial					P			
Garage, Residential	P	P	P					
Guest house	P	P						
Home occupation	P	P	P					
Occasional sales				P	P	P	P	
Homebuilder marketing center/Model home		P	P					
Kiosk				P	P	P		
Outdoor display of retail goods and merchandise, Temporary				P	P	P	P	
Swimming instruction as a home occupation		P						
Temporary classrooms for church or school	P	P	P	P	P	P	P	P
Temporary field office or construction yard or office					P		P	P

RECREATIONAL AND ENTERTAINMENT USES	A	R-1	R-2	C-1	C-2	C-3	I-1	I-2
Amusement, Commercial indoor				P	P		P	
Amusement, Commercial, Outdoor*					S		P	
Arena*					S		P	
Athletic field or stadium, Private*					S		P	

Athletic field or stadium, Public*	P	P	P	P	P	P	P	P
Carnival, festival, circus or special event				T	T		T	
Country club		P	P				P	
Dance hall					P		P	
Event venue*					P		P	
Fairgrounds or exhibition area							P	P
Fitness center or sports club				P	P		P	
Golf course		S	P		P		P	P
Gun range, indoor*					S		S	S
Gun range, outdoor*					S		S	S
Park or playground, Public	P	P	P	P	P		P	P
Private club				S	S	S	S	
Recreational vehicle (RV) park							P	P
Sexually oriented business							S	
Stable, Commercial*							P	P
Stable, Private	P							
Swimming pool, Commercial					P		P	
Swimming pool, Private	P	P	P					
Tennis court, Private with lights	P	S	S				P	
Tennis court, Private without lights	P	P	P		P		P	
Theater or playhouse					P			

OFFICE AND PROFESSIONAL USES	A	R-1	R-2	C-1	C-2	C-3	I-1	I-2
Bank, savings and loan, or credit union with drive-thru service*				P	P		P	
Bank, savings and loan, or credit union without drive-thru service				P	P	P	P	
Massage therapy, Licensed				P	P			
Massage therapy, Unlicensed				P	P			
Medical office or clinic				P	P	S	P	
Medical laboratory							P	P
Office, Business and professional				P	P	P	P	
Public agency office, Municipal	P	P	P	P	P	P	P	P
Public agency office other than municipal					P		P	
Radio or television studio with tower*					S		S	
Radio or television studio without tower					P		P	
Surgical outpatient facility					P		P	
Telemarketing center							P	

RETAIL AND SERVICE USES	A	R-1	R-2	C-1	C-2	C-3	I-1	I-2
Antique shop and sales				P	P	P		
Automated teller machine only					P		S	
Bakery or confectionary, Retail				P	P	P		
Bar or tavern				S	S	S		

Building material sales, hardware/ home improvement store, Indoor				P	P	P	P	
Building material sales, hardware/ home improvement store, Outdoor*					S		P	
Consignment shop				P	P	P	P	
Convenience store with fuel sales*				S	P		P	P
Convenience store without fuel sales				P	P		P	P
Drug store/Pharmacy				P	P	P	P	
Florist shop				P	P	P	P	
Food truck park*				P	P		P	P
Furniture, home furnishings, and appliance stores				P	P		P	P
Grocery store*				P	P		P	
Landscape nursery, Major w/outside display (retail)*					S		P	P
Landscape nursery, Minor					P		P	
Laundromat/Washateria, Self-service				P	P	P	P	
Laundry/Dry cleaning shop				P	P	P	P	
Locksmith					P		P	
Pawnshop					P		P	
Personal service use				P	P	P	P	
Pet shop and animal grooming				P	P	P	P	
Print shop, Major							P	P
Print shop, Minor				P	P	P	P	
Produce stand					P		P	
Recycling collection point/donation box				S	S		S	
Recycling kiosk*				S	S		S	
Restaurant with drive-through service*				S	P		P	
Restaurant without drive-through service				P	P	P		
Retail or service use, incidental				P	P		P	
Retail store, general merchandise				P	P	P	P	
Seasonal/Temporary uses				T	T	T	T	T
Studio for decorator, artist, or photographer				P	P	P	P	
Studio for dance, music, drama, gymnastics, or martial arts					P		P	P
Studio for tattoo or body piercing					P	S	P	
Used merchandise/Second-hand store				P	P	P	P	
Veterinary clinic with indoor kennels				P	P		P	P
Veterinary clinic with outdoor kennels*					S		P	P

AUTOMOBILE/MOTOR VEHICLE /RELATED USES	A	R-1	R-2	C-1	C-2	C-3	I-1	I-2
Auto/Motorcycle financing and leasing with storage*							P	P
Auto/Motorcycle financing and leasing without storage					P		P	P
Auto parts and accessory sales					P		P	P

Auto rental*					S		P	P
Auto repair, Major*							P	P
Auto repair, Minor					S		P	P
Auto sales, New*					S		P	P
Auto sales, Used*							S	P
Auto storage or auto auction*								S
Boat and personal watercraft sales and repair*							P	P
Car wash, Attended*				P	P		P	P
Car wash, Unattended*				S	S		P	P
Motor fuel service station*				S	P		P	P
Motorcycle sales and repair*					S		P	P
Recreational vehicle (RV)/Camper sales*							P	P
Tire dealership with outside storage*							P	P
Tire dealership without outside storage*					P		P	P
Truck and bus leasing*							S	P
Truck and bus repair*							S	P
Truck terminal*							S	P
Truck yard*							S	P
Wrecking yard/Auto salvage yard*								P

COMMERCIAL USES	A	R-1	R-2	C-1	C-2	C-3	I-1	I-2
Bakery or confectionery, Wholesale or commercial					P		P	P
Drapery making or furniture upholstery shop					P		P	P
Feed and grain store*					S		P	P
Hotel*					P		P	
Hotel, Extended stay*					P		P	
Kennel, Indoor pens					P		P	P
Kennel, Outdoor pens*					S		P	P
Mini-warehouse/Self storage facility*					S		P	P
Research and development laboratory					S		P	P
Manufactured/Modular home display or sales*								S
Motel*								
Portable building sales (outdoor display)*								S
Security system company							P	P
Small engine repair shop*					S		P	P
Taxidermist							P	P
Tool and machinery rental shop*							P	P
Trailer rental*							P	P
Winery					P		P	P

TRANSPORTATION USES RELATED USES	A	R-1	R-2	C-1	C-2	C-3	I-1	I-2
Airport or landing field							S	P
Ambulance service*					S		P	P
Bus station or terminal*					S		S	P

Contractor's shop with outdoor storage yard*							S	P
Concrete or asphalt batch plant, Permanent*							S	P
Concrete or asphalt batch plant, Temporary	P	P	P	P	P		P	P
Distribution center*							P	P
Food/Beverage processing plant*							P	P
Heavy machinery/Heavy load vehicle repair*							S	P
Heavy machinery/Heavy load vehicle sales, leasing or rental*							S	P
Industrial park*							S	P
Laundry/Dry cleaning, Commercial plant*							S	P
Machine shop*							S	P
Manufacturing, Heavy*							S	P
Manufacturing, Light							P	P
Mining and mineral extraction*								S
Motor freight company*							S	P
Office showroom							P	P
Outdoor/Open storage of equipment or materials, Accessory use*							S	P
Outdoor/Open storage of equipment or materials, Primary use*							S	P
Paint shop*							S	P
Petroleum distribution/storage/wholesale facilities*								P
Propane sales*							S	P
Propane sales, accessory*							P	P
Recycling center*								P
Recycling plant*								P
Salvage or reclamation yard*								P
Salvage, reclamation, or recycling of electronic equipment*								P
Sand, gravel, stone, or soil storage or sales*								P
Truck sales, Heavy load vehicles*								P
Truck stop*							S	P
Truck yard*								P
Warehouse							P	P
Wholesale business					S		P	P
	A	R-1	R-2	C-1	C-2	C-3	I-1	I-2

Section 8-1 Definitions

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

ACCESSORY BUILDING, COMMERCIAL - In the nonresidential districts, a subordinate building to the main building that does not exceed the height of the main building and does not exceed fifty percent (50%) of the floor area of the main building, and that is used for purposes directly accessory and incidental to the main use. A main building is required prior to a permit being issued for an accessory building.

ACCESSORY BUILDING, FARM - A structure, other than a dwelling, on a farm, as herein defined, for the housing, protection, or storage of the usual farm equipment, animals, or crops.

ACCESSORY BUILDING, RESIDENTIAL - In a residential district, a subordinate building that is attached or detached and is used for a purpose that is customarily incidental to the main structure but not involving the conduct of a business. Examples may include, but are not limited to, a private garage for automobile storage, tool shed, greenhouse as a hobby (no business), home workshop, children's playhouse, storage building, garden shelter, etc. A main building is required prior to a permit being issued for an accessory building and the total area of all accessory buildings shall not exceed 25% of the total area of the main building.

ACCESSORY USE - A use that is customarily incidental, appropriate, and subordinate to the principal use of land or building(s) and that is located upon the same lot therewith and where the total area of the accessory use shall not occupy more than 25% of the total area of the principal use or building(s).

ACCESSORY DWELLING UNIT – See “Garage Apartment/Accessory Dwelling Unit”

AIRPORT OR LANDING FIELD - A place where aircraft can land and take off that is usually equipped with hangars, facilities for aircraft refueling and repair, and various accommodations for passengers.

ALLEY - A minor public right-of-way which provides a secondary means of access to abutting lots, which is used primarily for vehicular service access to the backs or sides of properties that derive primary access from a street, and which connects between two public streets. An alley is not a street as defined in this article and any lot frontage on an alley cannot be used for meeting lot frontage requirements. The length of an alley segment is to be measured from the right-of-way lines of the streets from which the alley is provided access, or from the center point of an intersection with another alley which connects to a street.

AMBULANCE SERVICE - A private emergency transportation service, not operated by the City of Collinsville, which may include medical care and the storage and maintenance of vehicles and boarding rooms for ambulance drivers at the dispatch office location.

AMENITY/COMMUNITY CENTER, PRIVATE - A park, playground, private swimming pool as defined herein, or building or portion thereof, or other similar accessory use, for recreational, social, educational, and cultural activities that is generally owned, maintained, and operated by a homeowners' association for the use of its members.

AMUSEMENT, COMMERCIAL INDOOR - An enterprise providing indoor recreational activities, services, amusements, and instruction for an admission fee. Uses may include, but are not limited to, archery ranges, bowling alleys, ice- or roller-skating rinks, bingo parlors, amusement arcades, and/or practice areas.

AMUSEMENT, COMMERCIAL OUTDOOR - An enterprise offering entertainment and/or games of skill to the general public for a fee wherein any portion of the activity takes place outdoors and including, but not limited to, a golf driving range, archery range, miniature golf course, batting cages, go-cart tracks, amusement parks, and other similar types of uses.

ANIMAL SHELTER, PUBLIC – A facility owned and operated by the municipal government or other

public agency where stray, lost, abandoned, or surrendered domestic animals (primarily dogs and cats) are housed, cared for and rehomed, if possible.

ANIMAL SHELTER, NON-PROFIT - A facility owned and operated by a non-profit agency or organization where stray, lost, abandoned, or surrendered domestic animals (primarily dogs and cats) are housed, cared for and rehomed, if possible.

ANTENNA, COMMERCIAL - An antenna or antenna tower/support structure used for the purpose of transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals primarily for the purpose of operating a business and/or for financial gain (e.g., commercial broadcasting, cellular/wireless telecommunications, etc.), and where the antenna tower/support structure shall be set back from all adjacent property lines a distance equal to its height. A satellite dish antenna that exceeds six feet (6') in diameter shall also be considered as a commercial antenna.

ANTENNA, NON-COMMERCIAL/AMATEUR - An antenna and antenna support structure used for the purpose of transmission, retransmission, and/or reception of radio, television, electromagnetic, shortwave or microwave signals for private or personal use, but not for the purpose of operating a business and/or for financial gain, and which shall be limited to thirty-five feet (35') in height when located in a residential district and shall be set back from all adjacent property lines a distance equal to the height of the antenna. A satellite dish antenna not exceeding six feet (6') in diameter shall also be considered a non-commercial antenna provide it serves no business or commercial purpose.

ANTIQUÉ SHOP AND SALES, INDOORS - A retail establishment engaged in the selling of works of art, furniture and/or other artifacts of an earlier period, with all sales and storage occurring inside a building.

APARTMENT OR CONDOMINIUM - Three (3) or more attached dwelling units on a single lot designed to be occupied by three (3) or more families living independently of one another, exclusive of hotels or motels, sometimes referred to as "Multifamily Dwellings". Apartments are rental units, often in a single building or complex of buildings, owned by a single entity. Condominiums are units on a single lot, typically built in an apartment style and often in a single building or complex of buildings, where each unit is individually owned.

ARENA - An outdoor area or building place where sports, concerts, plays, and other entertainment and events take place, designed with a large central area surrounded by seating for spectators.

ART GALLERY OR MUSEUM - An institution for the collection, display and/or distribution of objects of art or science, and which is typically sponsored by a public or quasi-public agency and generally open to the public.

ASSEMBLY PROCESSES, INDOOR - The process of combining individual components into a finished product during manufacturing.

ASSISTED LIVING SENIOR HOUSING FACILITY - A congregate residential facility for seven (7) or more elderly 55 years of age or older or disabled persons, regardless of legal relationship, who need limited assistance with daily living activities. A limited number of support services such as meals, laundry, housekeeping, transportation, social/recreational activities, hairdressing, etc. may be provided or associated with the assisted living facility. Units may be attached or detached, single- or double-occupancy, and may include limited kitchen facilities. Full-time medical or nursing care is not typically provided by the facility but may be privately arranged for by individual residents on a part-time or temporary basis (e.g., visiting nurses, etc.). (See also "Independent Living Facility")

ATHLETIC FIELD OR STADIUM, PRIVATE - An athletic field or stadium owned and operated by an agency other than the City of Collinsville or the Collinsville Independent School District, which may be lighted for nighttime play.

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

AUTO/AUTOMOBILE - A self-propelled mechanical vehicle designed for use on streets and highways for the conveyance of goods and people, including but not limited to, passenger cars, light duty trucks and sport utility vehicles, vans and mini-vans, motor scooters and motorcycles. Also referred to as a motor vehicle.

AUTO/MOTORCYCLE FINANCING AND LEASING WITHOUT STORAGE - Office performing the administrative functions for the long-term leasing of automobiles, motorcycles, and light load vehicles, excluding outdoor storage and display of vehicles.

AUTO/MOTORCYCLE FINANCING AND LEASING WITH STORAGE – Office performing the administrative functions for the long-term leasing of automobiles, motorcycles, and light load vehicles, including the outdoor storage and display of a maximum of ten (10) vehicles.

AUTO PARTS AND ACCESSORY SALES - The use of any building or other premises for the primary indoor display and sale of new or used parts for automobiles and/or recreational vehicles as defined herein.

AUTO RENTAL - Short-term renting or leasing of automobiles, motorcycles, and light load vehicles with outdoor storage of vehicles for rental or lease.

AUTO REPAIR GARAGE - An establishment providing major or minor automobile repair services to all motor vehicles except heavy load vehicles.

AUTO REPAIR, MAJOR – An auto repair garage providing general repair or reconditioning of engines, air-conditioning systems, and transmissions for motor vehicles; wrecker service; collision repair services including body, frame or fender straightening or repair; customizing; painting; welding, vehicle steam cleaning; undercoating and rust proofing; upholstery repair/seat cover replacement, those uses listed under “Automobile Repair, Minor”; and other similar uses.

AUTO REPAIR, MINOR - Minor repair or replacement of parts, tires, tubes and batteries; diagnostic services; minor maintenance services such as grease, oil, spark plug and filter changing; tune-ups; emergency road service; replacement of starters, alternators, hoses, mufflers, and brake parts; automobile washing and polishing; paintless dent repair; auto glass repair/replacement; installation of minor automobile accessories such as car alarms, radio and stereo equipment, window tinting, pin striping, cellular telephones and similar accessories; performing state inspections and making minor repairs necessary to pass said inspection; normal servicing of air-conditioning systems; and other similar minor services for motor vehicles except heavy load vehicles, but not including any operation named under “Automobile Repair, Major”; or any other similar use.

AUTO SALES, NEW - Retail sales, or offering for sale, of new automobiles or light load vehicles, including, as a minor part of the business, the sales of used automobiles or light load vehicles and the service of new or used vehicles.

AUTO SALES, USED - Retail sales, or offering for sale, of used automobiles or light load vehicles, excluding the service of vehicles.

AUTO STORAGE OR AUTO AUCTION - The storage or impoundment, on a lot or tract, which is paved in accordance with parking lot paving requirements set forth in the Zoning Ordinance, of operable automobiles for the purpose of holding such vehicles for sale, distribution, and/or storage, but excluding the storage of wrecked or inoperable vehicles in a "Wrecking Yard" as defined herein.

AUTOMATED TELLER MACHINE - An electronic banking machine that dispenses cash, accepts deposits, and performs other services when a customer inserts a plastic card and enters the proper identity code on a keypad.

BAKERY OR CONFECTIONERY, RETAIL - A facility of less than 2,000 square feet for the production and/or sale of baked goods and/or confections.

BAKERY OR CONFECTIONERY, WHOLESALE OR COMMERCIAL - A manufacturing facility of over 2,000 square feet for the production and distribution of baked goods and confections to retail outlets.

BANK, SAVINGS AND LOAN, OR CREDIT UNION - An establishment for the custody, loan, exchange and/or issue of money, the extension of credit, and/or facilitating the transmission of funds and which may include an automated teller machine as described herein. See also "Automated Teller Machine".

BAR OR TAVERN - An establishment primarily devoted to the serving of alcoholic beverages for on-premises consumption, in which the sale of such beverages represents the minimum percentage of gross revenue required by law, and the sale of food is incidental and limited to the percentage of gross revenue allowed by law, and where such business is subject to these and other limitations under state and local alcoholic beverage regulations.

BARN - A structure intended for the purpose of storing farming and ranching related equipment and/or housing livestock.

BASEMENT (OR CELLAR) - A portion of a building that is partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half (1/2) of its height is above the average level of the adjoining ground or when subdivided and used for commercial or dwelling purposes by other than a janitor employed on the premises.

BED AND BREAKFAST INN OR FACILITY - A dwelling occupied as a permanent residence by an owner or renter which serves meals and provides or offers sleeping accommodations in not more than five (5) rooms for transient guests for compensation.

BLOCK - A piece or parcel of land surrounded by public highways or streets, other than alleys. In cases where the platting is incomplete or disconnected, the Director of Planning and Development or his designee shall determine the outline of the block. The term "Block" also refers to part of the legal description of platted subdivisions which contain one or more lots of record.

BOAT SALES AND REPAIR - The display, sale and/or servicing, including repair work, of boats.

BUILDING - Any structure intended for shelter, occupancy, housing, or enclosure for persons, animals, or chattel. When separated by dividing walls without openings, each portion of such structure so separated shall be deemed a separate building.

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

BUILDING LINE - A line parallel, or approximately parallel, to any lot line at a specific distance there from, marking the minimum distance from the lot line that a building may be erected.

BUILDING MATERIAL SALES AND HARDWARE/HOME IMPROVEMENT STORE, INDOOR - A facility selling materials, tools, paint, appliances, and/or hardware customarily used in the construction of buildings and other structures, including facilities for the storage of materials for retail sales, and which may sell plants and landscape materials for individual use. A large facility of this type is sometimes referred to as a "home improvement center". Outdoor storage shall be prohibited for a facility of this type.

BUILDING MATERIAL SALES AND HARDWARE/HOME IMPROVEMENT STORE, OUTDOOR - A facility selling materials, tools, paint, appliances, and/or hardware customarily used in the construction of buildings and other structures, including facilities for the storage of materials for retail sales, and which may sell plants and landscape materials for individual use. A large facility of this type is sometimes referred to as a "home improvement center". Outdoor storage shall be permitted for a facility of this type.

BUILDING OFFICIAL - The inspector or administrative official charged with responsibility for issuing permits and enforcing the Zoning Ordinance and Building Code of the City of Collinsville.

BUILDING SITE - See "Lot".

BUS STATION OR TERMINAL - Any off-road premises, where motor-drive buses arrive or depart to load and unload passengers and which may include the transient parking of said buses and accommodations for passengers.

CAR WASH, ATTENDED - A facility where the owner/driver of a vehicle leaves an automobile or light-duty truck to be cleaned and comes back to retrieve it later or waits in a designated area while employees of the car wash facility vacuum, wash, wax, and/or detail the vehicle for a fee.

CAR WASH, UNATTENDED - A facility where the owner/driver of a vehicle either pays a fee and performs the washing of an automobile or light duty truck by driving into an automated self-service (drive-through/rollover) wash bay with the necessary apparatus, and waits in the vehicle while it is being washed or, in an alternative type of facility, drives the vehicle into the wash bay, exits the vehicle, pays a fee, and hand washes the vehicle with a wand-type apparatus. Self-service bays may also be provided for vacuuming and drying of the vehicle after the washing is complete.

CARETAKER'S OR GUARD'S RESIDENCE - A residence located on a premises with a main residential or nonresidential use and occupied only by a caretaker or guard, and his/her family, employed on the premises.

CARNIVAL, FESTIVAL, CIRCUS, OR SPECIAL EVENT, (TEMPORARY) - Outdoor or indoor commercial amusement provided on a temporary basis.

CARPORT - A structure that is open on a minimum of two (2) sides and designed or used to shelter not more than three (3) vehicles and not to exceed twenty-four feet (24') on its longest dimension. Also called "covered parking area."

CEMETERY, ANIMAL - Same as "Cemetery or Mausoleum" as defined herein except for the purpose of burying dead animals only, and which may include facilities for the preparation for burial of the animal's body.

CEMETERY OR MAUSOLEUM - Land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes, including columbariums and mausoleums, and which may include a mortuary, crematory or funeral home when operated in conjunction with and within the boundaries of such cemetery.

CERTIFICATE OF OCCUPANCY - An official certificate issued by the City through the Fire Official, Building Official, or his designee which indicates conformance with the zoning regulations, fire and safety codes, and building codes and which authorizes legal use of the premises for which it is issued.

CHARITABLE OR PHILANTHROPIC INSTITUTION - A nonprofit, nongovernmental entity that utilizes donated assets and income whose objectives are philanthropy, promoting social wellbeing, and providing benevolent services.

CHURCH, RECTORY, TEMPLE, SYNAGOGUE, MOSQUE, OR OTHER PLACE OF WORSHIP - A building for regular assembly for religious worship which is used primarily and designed for such purpose and those accessory activities which are customarily associated therewith, and which may include the place of residence for ministers, priests, nuns, rabbis, imams, or other religious personnel on the premises. The use must be tax exempt as defined by State law. For the purposes of this ordinance, activities such as small group meetings of members for the purpose of studying religious texts and doctrine, which occur in a person's primary residence, shall not be governed by this definition.

CITY - References to the "City" shall mean the City of Collinsville, Texas.

CITY COUNCIL - The governing body of the City of Collinsville, Texas.

CIVIC/COMMUNITY CENTER - A building or complex of buildings housing municipal offices and services, and which may include cultural, recreational, athletic, food service, convention, and/or entertainment facilities owned and/or operated by a municipality or private nonprofit agency.

CLEAR-CUTTING - Any indiscriminate cutting, plowing, or grubbing of trees for the purpose of clearing an area of land of these trees without regard to their type or size.

COLLEGE OR UNIVERSITY - An academic institution established for educational purposes offering courses for study beyond the secondary education level. Dormitories may be offered for students and employees only in conjunction with these uses.

COMPREHENSIVE PLAN - Document adopted by the City that consists of graphic and textual policies which govern the future development of the City and which consists of various components governing specific geographic areas and functions and services of the City.

CONCRETE OR ASPHALT BATCHING PLANT, PERMANENT - A permanent manufacturing facility for the production of concrete or asphalt.

CONCRETE OR ASPHALT BATCHING PLANT, TEMPORARY - A temporary manufacturing facility for the production of concrete or asphalt during construction of a project, to be removed when the project is completed.

CONSIGNMENT SHOP - A store selling secondhand items (typically clothing, accessories or furniture) on behalf of the original owner, who receives a percentage of the selling price with all activities being conducted indoors.

CONTINUING CARE RETIREMENT COMMUNITY - A housing development designed to provide a full range of accommodations for older adults (55 years of age or older), including any combination of independent living, assisted living, and skilled nursing or hospice care, and where residents may transition from one level of care to another over time as their needs change, and subject to applicable state and local licensing requirements, if any.

CONVENIENCE STORE WITH FUEL SALES – A retail establishment selling food, beverages and other consumable and non-consumable products, such as groceries and sundries, for off-premise use or consumption along with the sale of gasoline or other motor fuel, but excluding any auto repair services.

CONVENIENCE STORE WITHOUT FUEL SALES - A retail establishment selling food, beverages, and other consumable and non-consumable products, such as groceries and sundries, for off-premise use or consumption, and excluding the sale of gasoline or other motor fuel.

CONTRACTOR'S SHOP WITH OUTDOOR STORAGE YARD - A building, part of a building, or land area for the storage of materials, equipment, tools, products, and vehicles that are then transported off site for the performance of maintenance, repairs, installation, assembly, or construction by various tradesmen.

COPY SHOP – See “Print Shop, Major”, “Print Shop, Minor”.

COUNTRY CLUB - A land area of three (3) acres or more which may include buildings, a golf course, clubhouse, dining room, swimming pool, tennis courts and similar recreational or service uses available only to members and their guests.

COURT - An open, unobstructed space, bounded on more than two sides by the walls of a building. An inner court is entirely surrounded by the exterior walls of a building. An outer court has one side open to a street, alley, yard, or other permanent open space.

COVERAGE - The percentage of lot area covered by all buildings located thereon, determined by dividing the square footage of the footprint of all buildings and covered structures by the total square footage of the lot.

DANCE HALL - An establishment such as a room or building open to the general public and suitable for dancing.

DAY CARE CENTER - An operation other than a public, parochial, or private school, providing care on a daily or regular basis for seven (7) or more children under 14 years of age, for less than 24 hours per day, at a location other than a residence, and subject to state and local licensing requirements, if applicable.

DAY CARE CENTER, ACCESSORY - An accessory use providing care for children of employees, customers, or patrons of a principal use, which shall be completely contained within the building housing the principle use and constitute no more than 15% of the area of the principal use, and subject to state and local licensing requirements, if applicable.

DAY CARE CENTER, ADULT - A facility that provides care services on a daily or regular basis, but not overnight, to four (4) or more elderly or handicapped persons who are not related by blood, marriage, or

adoption to the owner of the facility and subject to state and local licensing requirements, if applicable.

DAY CARE, IN-HOME/FAMILY HOME - An operation providing care on a daily or regular basis, in the caretaker's residence, for less than 24 hours a day, for up to six (6) children under the age of 14, plus six (6) additional school-age children, before and after the customary school day, and provided that the total number of children, including the caretaker's own children, is no more than 12 at any given time, and subject to state and local licensing requirements, if applicable.

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

DETACHED - Having no physical connection above the top of the floor line of the first floor with any other building or structure.

DISTRIBUTION CENTER - Building or facility used for the storage, warehousing, and distribution of goods, merchandise, supplies, and equipment. Accessory uses may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed from the storage and warehousing areas.

DRAPERY MAKING OR FURNITURE UPHOLSTERING SHOP - A warehouse/showroom establishment for the production, display, sale and repair of draperies and soft coverings for furniture.

DRUG STORE/PHARMACY - An establishment engaged in the retail sale of prescription medications, non-prescription medicines, cosmetics, a limited selection of household items, and various sundries and related items.

DUPLEX - A detached residential structure having separate accommodations for and occupied by not more than two (2) households, with each unit located on a separate lot, the lot line located coincident with the common firewall separating the units. A duplex is sometimes referred to as a "two-family dwelling".

DWELLING - Any building or portion thereof, which is designed or used as living quarters for one (1) or more families.

EASEMENT FOR ACCESS, UTILITY, OR DRAINAGE - A grant of one (1) or more of the property rights by the property owner to and/or for the use by the public, a corporation, or another person or entity, in order to prevent land from becoming isolated without access or utilities or to allow storm water to properly drain without causing flooding or standing water.

EDUCATIONAL FACILITIES - Public and private primary, secondary, and post-secondary educational facilities offering instruction in the branches of learning and study required to be taught by the Texas Education Agency and such federally-funded educational programs for preschool children.

ELECTRICAL SUBSTATION - A subsidiary station which is used to switch generators, equipment, and circuits or lines in and out of a system and in which high voltage electric current is transformed to lower voltage current or the reverse and/or change alternating current to direct current or direct current to alternating current.

EVENT VENUE - A building, facility, room, or portion thereof, which is rented, leased, or otherwise made available to any person or group for a private event or function, including weddings, wedding receptions, meetings, parties, and banquets, and that is not open to the general public, whether or not a fee is charged.

EVENT VENUE, RESIDENTIAL DISTRICT - A location in a residential zoning district for the hosting

of weddings, wedding receptions, meetings, and private parties, with food provided by the facility or catered and typically available at such functions. Events requiring parking for more than six (6) vehicles on public streets shall require a temporary use permit issued by the Director and shall be limited to four (4) permits per location per calendar year. A venue of this type excludes commercial facilities that cater for profit or rent space for private parties or wedding receptions, which shall be allowed only in those nonresidential districts as indicated in the Use Chart.

FAIRGROUNDS OR EXHIBITION AREA - An area or space, either outdoors or within one or more buildings, for the display of livestock, agricultural products, handicrafts, or other topic-specific goods, products, or information, and which may include an Arena as defined herein.

FAMILY - One (1) or more persons related by blood, marriage, or adoption, or a group not to exceed four (4) persons, not all related by blood or marriage, adoption, or guardianship, plus any minor children related as noted above to the four (4) persons living together as a household, or persons residing in a care facility subject to the limitations herein, occupying a dwelling unit.

FARM, RANCH, GARDEN, OR ORCHARD - An area used for growing usual farm products, vegetables, fruits, trees, and grain and for the raising thereon of the usual farm animals such as horses, cattle, and sheep, and including the necessary accessory uses for raising, treating, and storing products raised on the premises, but not including the commercial feeding of offal or garbage to swine or other animals and not including any type of agriculture or husbandry specifically prohibited by ordinance or law.

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

FITNESS CENTER OR SPORTS CLUB - A public or private facility operated to promote physical health and fitness or a particular sport with activities which may include exercise, physical therapy, training, and education pertaining to health and fitness and which provides facilities which include, but are not limited to, one or more of the following: game courts, weightlifting and exercise equipment, aerobics, swimming pools and spas, and running or jogging tracks, and provided that all activities take place inside the building. Such facilities may include such accessory uses as food service, sales of sundries and apparel, and childcare services, provided that such accessory uses are clearly incidental to the primary use and are for the use of studio patrons only and not the general public and that no exterior signage may be used to advertise these accessory uses

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

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

FLOOR AREA RATIO (FAR) - The total gross square feet of floor space within the outside dimensions of a building, including each floor level of the building or buildings on a lot, divided by the total lot area.

FLORIST SHOP - An establishment for the display and retail sale of flowers, small plants, and accessories, and which may include delivery services and one delivery vehicle stored on-site.

FOOD TRUCK - See "Mobile Food Unit".

FOOD TRUCK PARK - An area paved to support truck parking and designed to accommodate two (2) or more mobile food units as defined herein and offering food and/or beverages for sale to the public as the primary use of the property and which shall provide access to refuse collection containers and restroom facilities. Such use is subject to state and local alcoholic beverage regulations, if applicable.

FOOD/BEVERAGE PROCESSING PLANT - A manufacturing or light industrial use that primarily deals with the processing and packaging of food (such as dairy or grain) products that are intended for human consumption, but which are not typically sold in volume to end users on the premises and excluding the slaughter of animals. Incidental retail sales of food products (e.g., bread and baked goods, dairy products such as cheese, etc.) or beverage items created and packaged on the premises may be allowed as an accessory use, except the sale of alcoholic beverage must meet state and local requirements.

FRANCHISE UTILITY - A utility such as one distributing electricity, natural gas, water, telecommunications, or similar service not provided by the City and which requires a franchise agreement to operate in the City of Collinsville.

FRATERNAL ORGANIZATION, LODGE, OR CIVIC CLUB – A building or other location for meetings and activities for an organized group having a restricted membership and specific purpose related to the welfare of the members, such as Elks, Masons, Knights of Columbus, or a labor union.

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

FURNITURE, HOME FURNISHINGS, AND APPLIANCE STORE – A retail establishment selling new goods for furnishing the home, including but not limited to, furniture, floor coverings, window coverings, glass and chinaware, domestic stoves, refrigerators, and other household electrical and gas appliances.

GARAGE APARTMENT/ACCESSORY DWELLING UNIT - A residential dwelling unit attached to or over a garage, or a unit or apartment that is separate from and accessory to the main residential structure, which cannot be leased, rented, occupied by or sold to a person or family different than that which occupies the main residential structure, and for which one paved parking space must be provided in addition to the spaces required for the main residential structure.

GARAGE, COMMERCIAL – A primary or accessory structure, enclosed on all sides, or a part of a main building or accessory structure, used solely by the occupants or patrons of the business or activity in the main building for the storage of automobiles.

GARAGE, RESIDENTIAL – An accessory structure enclosed on at least three (3) sides, or a part of a main building, used solely by the occupants of the main building and their guests, for the storage of automobiles. Also called "enclosed parking space."

GAS LINE AND REGULATING STATION - A facility that receives natural gas from a high-pressure transmission pipeline, Liquefied Natural Gas storage, or natural gas processing plant and from where distribution of natural gas begins.

GASOLINE SERVICE STATION – See "Motor Fuel Service Station".

GOLF COURSE – Land area designed and maintained for playing the sport of golf, including trees, greens, fairways, driving range, and associated maintenance and retail facilities and which may include be part or a private country club as defined herein, and which may be publicly or privately owned.

GROCERY STORE - A retail business establishment, excluding a convenience store, for the displays and sale of food products such as meat, produce, dairy items, and bakery goods, that are not to be eaten on the premises products, as well as household products such as cleaning supplies, paper goods, health and beauty products and similar items for human consumption as well as pet supplies, A bakery, delicatessen, prescription pharmacy, or retail bank outlet may be included as a secondary or accessory use.

GUEST HOUSE - An accessory building used to house guests of the owner(s) of the main residential structure on a temporary basis.

GUN RANGE, INDOOR - An indoor facility open to the public and occupying all or a portion of a building where firearms are discharged for testing or recreation purposes. Outdoor shooting or discharging of firearms shall be prohibited.

GUN RANGE, OUTDOOR – An outdoor area or structure specially designed for the safe discharge and use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any similar firearm.

HEAVY LOAD VEHICLE - A self-propelled vehicle having a manufacturer's recommended Gross Vehicle Weight (GVW) of greater than 11,000 pounds (including trailers), such as large recreational vehicles (originally as RVs, not converted), tractor-trailers, buses, vans, and other similar vehicles. The term "truck" shall be construed to mean "Heavy Load Vehicle" unless specifically stated otherwise.

HEAVY MACHINERY/HEAVY LOAD VEHICLE REPAIR - A building used for the repair of heavy machinery, trucks, tractors, trailers, or similar equipment, including a group of machines which function together as a unit and including outdoor storage.

HEAVY MACHINERY/HEAVY LOAD VEHICLE SALES AND STORAGE - A building or open area used for the display, sale, rental or storage of heavy machinery, trucks, tractors, trailers or similar equipment and including a group of machines which function together as a unit.

HELIPORT - An area of land or water or a structural surface which is used, or intended for use, for the landing and taking off of helicopters, and any appurtenant areas or services, which are used, or intended for use for heliport buildings and other heliport facilities, such as facilities for refueling, maintenance, repairs, or storage of helicopters, said facility to meet the applicable FAA guidelines.

HELISTOP/HELIPAD - The same as a heliport, except that no refueling, maintenance, repairs or storage of helicopters is permitted, said facility to meet the applicable FAA guidelines.

HOME OCCUPATION - An occupation carried on in a dwelling unit, or in an accessory building to a dwelling unit, by a resident of the premises, to which the occupation is clearly incidental and secondary to the use of the premises for residential purposes. The home occupation shall not produce any alteration or change in the exterior appearance of the residence which is inconsistent with the typical appearance of a residential dwelling, to include any signage advertising the business, and shall not involve the outdoor storage of materials, goods, supplies, or equipment or generate traffic or parking in greater volumes than expected in a residential neighborhood. It shall not involve any toxic, flammable, or hazardous materials and shall not include the repair of any motor vehicles, internal or external combustion engines, or large equipment or appliances. The home occupation shall not create a fire hazard, explosion, or an accumulation of pests, rodents, flies, or vermin, or any condition that is offensive by reason of odor, noise, smoke, vibration, dirt, or heat in excess of that normally found in residential areas. "Swimming instruction as a home occupation" is defined separately herein.

HOMEBUILDER MARKETING CENTER - A building or structure used for the marketing and sale of

residential lots or homes during the development and initial occupancy of a residential neighborhood.

HOSPITAL, ACUTE CARE OR CHRONIC CARE - An institution licensed by the *Texas Department of State Health Services* providing health services primarily for human inpatient medical or surgical care for the sick or injured, including related facilities such as laboratories, outpatient departments, training facilities, central services facilities, and staff offices as an integral part of the operation. Patients in an acute care hospital are given medical and/or surgical treatment intended to restore them to health and an active life. Patients in a chronic care hospital are suffering from illness, injury, deformity and/or deficiencies pertaining to age are given care and treatment on a prolonged or permanent basis.

HOTEL - A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen service and housekeeping are provided along with guest amenities such as a swimming pool, fitness room, or office center, which may include food and beverage service, meeting space, and other incidental or accessory uses, and for which financial consideration for guest rooms is generally calculated on a nightly basis and each guest room is accessed through doorways into an internal hallway, courtyard, or lobby.

HOTEL, EXTENDED STAY - A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration, where customary hotel services such as linen service and housekeeping are provided. Extended stay hotel rooms are designed to be suitable for long-term occupancy with financial consideration being calculated on a nightly, weekly, and/or monthly basis. Typical Residence Hotel attributes include, but are not limited to, kitchen facilities, two-story design, and external doorways into room units.

HOUSEHOLD CARE FACILITY - A dwelling unit, constructed with an exterior to be compatible with the surrounding dwellings, that provides residence, care, rehabilitation, and support to not more than six (6) persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, or neglected children; victims of domestic violence; or rendered temporarily homeless due to fire, natural disaster, or financial setbacks, living together, with no more than two (2) caregivers, as a single household. Where applicable, a household care facility shall have appropriate licensing and/or registration by the State of Texas. Household care facilities shall not convert garages into additional living or sleeping area or locate within one (1) mile of another Household Care Facility and/or Household Care Institution.

HOUSEHOLD CARE INSTITUTION - A facility that provides residence, care, rehabilitation, and support to seven (7) or more persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, or neglected children; victims of domestic violence; convalescing from illness; or rendered temporarily homeless due to fire, natural disaster, or financial setback. Where applicable, a household care institution shall have appropriate licensing and/or registration by the State of Texas. Household care institutions shall not convert garages into additional living or sleeping area or locate within one (1) mile of another Household care facility or Household care institution.

INCIDENTAL OR ACCESSORY RETAIL AND SERVICE USES - Uses different from the primary use but which complement and/or supplement the primary use (for example, a sandwich shop or sundries shop that serves tenants of an office building or hospital). Incidental shall mean an area which constitutes not more than fifteen percent (15%) of the main use.

INDEPENDENT SENIOR LIVING FACILITY - A development, including any accessory and support uses, providing self-contained dwelling units specifically designed for the needs of the elderly who do not need assistance with the activities of daily living or long-term or permanent skilled nursing care. Units may be rented or owner-occupied. To qualify as retirement housing, a minimum of 85% of the total units shall have at least one resident 55 years of age or older.

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

INFILL DEVELOPMENT - The development of structures within previously developed areas, typically on relatively small, vacant parcels which utilize the existing infrastructure.

INSTITUTIONAL USE - A use that provides health, social, or community services, including uses such as hospitals, churches, schools, public recreational centers, or rehabilitation care facilities.

KENNEL, INDOOR - An establishment with indoor pens/runs in which domesticated animals are housed, groomed, bred, boarded, trained, and/or sold for commercial purposes.

KENNEL, OUTDOOR - An establishment with outdoor pens/runs in which dogs or domesticated animals are housed, groomed, bred, boarded, trained, and/or sold for commercial purposes.

KIOSK - A small, free-standing, one (1) story accessory structure having a maximum floor area of one hundred square feet (100 SF) and used for retail purposes, such as automated teller machines, or for the posting of temporary information and/or posters, notices and announcements. An occupied kiosk shall have a minimum floor area of fifty square feet (50 SF) and shall include an employee restroom. An off-site restroom may be permitted if located within 200 feet of the kiosk, open at the same operating hours as the kiosk business, and shall require a use agreement with the landowner/tenant. Should the business providing the required restroom close, the kiosk business shall close until another restroom agreement is secured.

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

LANDFILL - A tract of land where farm, residential, institutional, industrial, or commercial waste that is not hazardous, medical, or radioactive is buried and covered with one or more layers of soil.

LANDSCAPE ARCHITECT - A person who holds a license to practice landscape architecture in the State of Texas.

LANDSCAPE NURSERY, MAJOR - An establishment for the cultivation and propagation, display, storage, and sale (retail and wholesale) of shrubs, trees, ornamental plants, flowers, seeds, garden and lawn supplies, and other materials used in indoor and outdoor planting and other materials used in indoor or outdoor plantings; and which may include attached or detached greenhouses and the contracting for installation and/or maintenance of landscape material as an accessory use. Outdoor display and storage is permitted.

LANDSCAPE NURSERY, MINOR - A retail business for the display and/or sale of trees, shrubs, ornamental plants, flowers, seeds, garden and lawn supplies, and other materials used in indoor and outdoor planting, without outdoor storage, display, or detached greenhouses.

LANDSCAPE PLAN - A plan prepared and stamped by a licensed Landscape Architect, including but not limited to, a planting plan, landscape specifications, hardscape details, irrigation plans (stamped by a

licensed irrigator) and irrigation specifications.

LANDSCAPING – Material, including but not limited to, grass, ground covers, shrubs, vines, hedges, trees or palms, and non-living, durable hardscape materials, commonly used in landscaping such as rocks, pebbles, sand, paving stones, walls, or fences, but excluding paving except for enhanced paving materials, such as stained/dyed/integrally colored and stamped concrete as an accent material. Artificial turf and plants are excluded as landscape material.

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

LAUNDRY/DRY CLEANING, COMMERCIAL PLANT - An industrial facility operated on a commercial basis and not open to the public where fabrics are laundered, dry cleaned, and pressed.

LAUNDRY/DRY CLEANING SHOP - A shop for the custom laundering or dry cleaning of clothing or other textiles not exceeding two thousand five hundred square feet (2,500 SF) of floor area, which may include a drive-up/drive-through window for drop-off service but excludes any self-service operations.

LIGHT LOAD VEHICLE - A self-propelled vehicle having a manufacturer's recommended gross vehicle weight (GVW) not greater than 11,000 pounds and having no more than two (2) axles, such as pick-up trucks, sport utility vehicles, vans and mini-vans, recreational vehicles (less than thirty- two feet (32') in length), campers and other similar vehicles but not including automobiles and motorcycles.

LIGHT POLLUTION - The shining of artificial light produced by luminaires such as building exterior and interior lighting, advertising, site lighting on commercial and industrial properties, and illuminated sporting venues, where the light shines above the height of the luminaires and into the, sky at night.

LIGHT TRESPASS - The shining of light produced by luminaires beyond the boundaries of the property on which it is located.

LIVE/WORK UNIT - A residence that includes up to fifty percent (50%) of its total floor area as a business with work area for a photographer, artist, musician, architect, or similar occupation, or for office or retail uses, where the primary occupant of the business must also be a permanent resident of the dwelling unit, and all activities associated with the business shall take place in the primary structure as opposed to an accessory building or yard. Should the business use be discontinued for a period of 60 days or more, permission for this activity shall be revoked, and the building shall revert to its original use unless appealed and approved City Council for a maximum of 30 additional days. Live/Work Units are only permitted in the Central Area Commercial District only.

LOADING AREA/ZONE - *An off-street area, space, dock, door, or berth used for the loading or unloading of cargo, products, or materials from commercial motor vehicles.*

LOADING SPACE - *An off-street space or berth used for the delivery and loading/unloading of cargo, products, or materials from a motor vehicle.*

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

LOCKSMITH - Establishments primarily engaged in providing, installing, repairing, and/or maintaining locks and related items and services.

LOT - A parcel of land that is platted in accordance with Chapter 212 of the Texas Local Government Code and intended to be used, developed, or built upon as a unit, and which has its principal frontage on a public street or access easement which may not be sold, subdivided, or its ownership transferred without prior approval of a plat by the Planning and Zoning Commission and City Council, and which shall be filed of record with Grayson County.

LOT AREA - The total area, measured on a horizontal plane, included within the lot lines of a property.

LOT, CORNER - A lot which has at least two (2) adjacent sides abutting for their full lengths upon a street, provided that the interior angle at the intersection of such two (2) sides is less than one hundred thirty-five degrees (135).

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

LOT, DOUBLE FRONTAGE - A lot having frontage upon two (2) non-intersecting streets, as distinguished from a corner lot. Residential double frontage lots are only permitted adjacent to a major thoroughfare/arterial with a screening wall and landscape buffer. Any access/drive to the residential lot shall be from the residential/local/collector street.

LOT, FLAG - A lot having access to a street by means of a narrow parcel of land generally having a depth greater than its frontage, but not less than thirty-five feet (35'). Flag, or panhandle, lots are typically discouraged.

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

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

LOT LINE, FRONT - The narrower side of the lot abutting a street. For a corner lot where two (2) lot lines are abutting streets are of equal length, the owner shall have a choice in designating which shall be the lot frontage. For a lot which has a boundary line which does not abut the front street line, is not a rear lot line, and lies along the same general directional orientation as the front and rear lot lines, said line shall be considered a front lot line in establishing minimum setbacks.

LOT, KEY - A corner lot whose exterior side is adjacent to the front lot line of another lot not separated by an alley on the side with a common property line, where each lot shall have two (2) front yard setbacks.

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

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

LOT LINES OR PROPERTY LINES - The lines bounding a lot as defined herein; *a common line between a lot and an abutting lot, lane, street, parcel of land or body of water.*

LOT OF RECORD - A lot which is part of a subdivision, the plat of which has been recorded in the office of the County Clerk of Grayson County.

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

LUMEN - *The unit of measure used to express the visible light output emitted by a lamp, fixture, or other source.*

LUMINARY - A complete lighting unit consisting of a light source and all necessary mechanical, electrical and decorative parts.

LUMINOUS TUBE LIGHTING - Gas-filled tubing which, when subjected to high voltage, becomes luminescent in a color characteristic of the particular gas used (e.g. neon, argon, etc.).

MACHINE SHOP - A workshop where metal fabrication tools, including but not limited to, lathes, presses, and mills, are used for making, finishing, or repairing machines or machine parts.

MAJOR THOROUGHFARE - A six-lane divided roadway as identified on the Thoroughfare Plan of the Comprehensive Plan.

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

MANUFACTURED HOME, HUD CODE - A factory-built structure, constructed after June 15, 1976, designed for human habitation as a single-family dwelling, which is manufactured or constructed under authority of 42 U.S.C. Sec. 5403, Federal Manufactured Home Construction and Safety Standards, for assembly at its ultimate location. A HUD-Code manufactured home is constructed with a permanent chassis, connected to the required utilities, and displays a red HUD certification label.

MANUFACTURED HOME PARK - A parcel of land not less than five (5) acres, which is designed, platted, improved, and intended for the long-term placement of individually owned HUD-Code manufactured home units or modular homes on platted lots which can be leased, rented, or purchased outright by the owners of the manufactured home units. The facility may include a residence for the owner/manager of the premises, utility hook-ups, accessory structures, playgrounds and open space areas, fenced yard areas for pets, and other similar amenities.

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

MANUFACTURING - The production by hand or machinery from raw or prepared materials, by transforming these materials into new forms, qualities, properties, or combinations in a process frequently characterized by the repetitive production of items made to the same or similar specifications.

MANUFACTURING, HEAVY - Manufacturing activities involving the basic processing and manufacturing of products from extracted or raw materials or engaged in the storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous conditions.

MANUFACTURING, LIGHT - Manufacturing of finished products or parts, predominantly from previously prepared materials, including fabrication, assembly, and packaging of such products, and incidental storage, sales and distribution of such product, but excluding basic industrial processing. Includes fabrication of products by various trades such as welders, sheet metal workers, wood workers, machinists, etc. Such operations shall be conducted entirely within an enclosed building and shall be determined by

Health, Fire, and Building Departments to be in compliance with City of Collinsville performance standards and not to be a hazard or nuisance to adjacent property or the community at large due to the possible emission of excessive smoke, noise, gas, fumes, dust, odor, or vibration, or the danger of fire, explosion, or radiation.

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

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

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

MEDICAL OFFICE OR CLINIC - A facility or group of offices for one (1) or more physicians or other licensed health care practitioners, including dentists, optometrists, psychologists, and other specialties, for the examination and treatment of ill and afflicted human outpatients, provided that patients are not kept overnight except under emergency conditions.

MEDICAL LABORATORY - An indoor establishment that includes laboratories and/or experimental equipment for medical testing, experimentation, research, prototype design and development, and product testing.

MINING AND MINERAL EXTRACTION – The act or process by which mineral substances, including sand and gravel, are extracted from the earth, but excluding oil or gas wells.

MINI-WAREHOUSE/SELF STORAGE – A building or buildings containing separate, individual self-storage units for rent or lease, restricted solely to the storage of items. The conduct of sales, business, or any activity other than storage shall be prohibited within any individual storage unit.

MOBILE FOOD UNIT – A unit designed to be readily movable and from which food and beverages are prepared and offered for sale, subject to state and local alcoholic beverage regulations if applicable.

MOBILE HOME - A manufactured HUD-Code home built prior to June 15, 1976, the location of any such unit not already in the City of Collinsville being prohibited for the purpose of its use as a dwelling or

accessory building.

MODEL HOME - One or more dwellings in a developing subdivision, located on a legal lot of record, which is used temporarily as a sales office for the subdivision and provides an example of the dwellings which have been built, or which are proposed to be built, within the same subdivision.

MODULAR HOME - A residential structure, per Section 1202 of the Texas Occupations Code or as may be amended, designed for the occupancy of one or more families, constructed at a location other than the permanent site, in one or modularity or using modular components, and transported to the permanent site and installed on a permanent foundation and includes the structure's plumbing, heating, air conditioning, and electrical systems. Modular (or "industrialized") housing does not include a residential structure that exceeds three stories or 49 feet in height to the peak of the roof, housing constructed of a sectional or panelized system rather than a modular system, or a ready-built home constructed so that the entire living area is contained in a single unit or section at a temporary location prior to selling and moving the home to another location. The term is sometimes referred to as "Industrialized Housing" and does not include mobile homes or HUD-Code manufactured homes as defined herein.

MOTEL - A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services, such as linen service and housekeeping service, are provided, along with limited guest amenities such as a swimming pool., and for which financial consideration for guest rooms is generally calculated on a nightly basis and each guest room has direct access to the exterior of the building.

MOTOR FREIGHT COMPANY - A company using trucks or other heavy load vehicles to transport commercial goods, residential belongings, merchandise, equipment, manufacturing commodities, agricultural products, and other goods.

MOTOR FUEL SERVICE STATION - Any building, land area or other premises, or portion thereof, used or intended to be used for the retail dispensing or sales of automotive fuels, lubricants, and automobile accessories, and which may include those operations listed under "Auto Repair, Minor", and excluding the parking of vehicles at the facility which are inoperative or are being repaired for a period greater than forty-eight (48) hours. (See also "Convenience Store with Gasoline Sales")

MOTOR VEHICLE - Any vehicle designed to carry one (1) or more persons which is propelled or drawn by mechanical power, such as automobiles, vans, trucks, motorcycles, and buses.

MOTORCYCLE - A self-propelled vehicle, usually two-wheeled, having one (1) or two (2) saddles or seats, and which may have a sidecar attached. For purposes of this ordinance, motorbikes, all-terrain vehicles (ATVs), motor scooters, mopeds and similar vehicles are classified as motorcycles. Operation of a vehicle designed for off-road use or otherwise not licensed and "street legal" on City streets and sidewalks is prohibited by City Ordinances.

MOTORCYCLE SALES AND REPAIR - The display, sale, and/or servicing, including repair work, of motorcycles.

MUSEUM/ART GALLERY - A building serving as a repository for a collection of natural, scientific, artistic, or literary objects of interest, and designed to be used for viewing, with or without an admission charge, and which may include as an accessory use a gift shop and/or limited food and beverage service.

NATURAL LANDSCAPE ZONE - A landscape zone composed of native and adapted plants that do not require irrigation after establishment.

NET ACREAGE/AREA, LOT - The acreage or land area within the platted lot, excluding publicly dedicated land and private streets that meet local standards.

NET ACREAGE/AREA, SUBDIVISION - The total remaining acres of a subdivision after subtracting land dedicated for perimeter roadways, 100 year floodplain, public parkland, and school district facilities.

NONCONFORMING USE/STRUCTURE - A building, structure, or use of land lawfully occupied as of the effective date of this Zoning Ordinance or amendments thereto, but which does not conform to the use regulations of the district in which it is situated upon adoption of the new ordinance.

NURSING HOME OR HOSPICE CARE – See “Skilled Nursing/Hospice Care Facility”

OCCASIONAL SALES - A sale of goods or anything of value on any premises not considered a retail business establishment and zoned accordingly, lasting less than 72 hours, such as garage sales, estate sales, rummage sales, yard sales, etc.

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

OFFICE, BUSINESS AND PROFESSIONAL - A room or group of rooms in a building or group of buildings used for the provision of executive, management, and/or administrative services. Typical uses include administrative offices and services, including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, and business offices of public utilities, organizations, and associations, but excluding medical offices, and which may include incidental or accessory retail or uses and services for office workers such as a coffee shop, newspaper stand, sundries shop, hair/nail salon, etc. as defined herein.

OFFICE SHOWROOM - An establishment with no more than 50 percent (50%) of its total floor area devoted to storage and warehousing, not accessible to the general public, the remaining area of which may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed from the storage and warehousing areas.

OIL/GAS WELL - Area used for development and production and all operational activities associated with oil and gas for any well drilled, to be drilled, or used for the intended or actual production of oil or natural gas, or a well classified as an oil or gas well under the laws of the State of Texas.

OUTDOOR DISPLAY OF RETAIL GOODS AND MERCHANDISE, TEMPORARY – Temporary outdoor display of finished retail goods, merchandise, or materials being sold by the retail business that occupies the main building on the lot during the business’ operating hours and excludes overnight display. Displays may be located on a designated sidewalk and shall not occupy any required parking space or be placed in any street or alley right-of-way nor obstruct accessibility for passage in accordance with the Americans with Disabilities Act (ADA). Outdoor display areas are not intended as additional sales space area or as outdoor storage, but as a way to exhibit a selection of items sold inside the store

OUTDOOR LIGHTING - The nighttime illumination of an outdoor area or object by any man-made device located outdoors that produces light by any means

OUTDOOR/OPEN STORAGE OF EQUIPMENT OR MATERIALS, ACCESSORY USE – The placement of any goods, materials, merchandise, or equipment in an unenclosed area on a lot, parcel, or tract in a nonresidential zoning district for a period of more than twenty-four (24) hours as an accessory or incidental use to a business on the same lot, parcel, or tract.

OUTDOOR/OPEN STORAGE OF EQUIPMENT OR MATERIALS, PRIMARY USE - A primary land use providing outdoor storage or display of commodities, materials, goods, equipment, vehicles, or merchandise as part of normal day-to-day business activities, excluding the storage and display of new and used automobiles, motorcycles recreational vehicles, boats, or watercrafts for sale or lease and temporary outdoor merchandise display, such as a sidewalk sale. (See also "Outdoor Sidewalk Displays of Retail Goods and Merchandise")

PAINT SHOP - A commercial establishment where surfaces or components are painted or coated, excluding automotive-related painting (See "Auto Repair, Major") or a retail paint store (See "Building Materials, Hardware/Home Improvement Store").

PARCEL - Any tract of land, or any portion of a tract of land (See also "Tract").

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

PARK OR PLAYGROUND, PUBLIC - Publicly owned and operated parks, recreation areas, playgrounds, swimming pools, and open spaces that are available for use by the general public without membership or affiliation. This land use shall include school facilities, state or county open space lands. Uses such as rodeos, concerts, festivals, and other special events may require special event permits per the City of Collinsville, Texas adopted regulations.

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

PARKING LOT OR STRUCTURE, OFF-SITE - Off-street parking spaces located on private property on a different lot from the main use being served when the lot on which the use is located cannot provide sufficient spaces to meet the parking requirement and when the use being served is within one thousand feet (1,000') of the parking lot or structure. Off-site parking must be approved by the City Council. Shared off-site parking requires evidence of adequate spaces based on uses being shared along with landowners' agreement.

PARKING LOT OR STRUCTURE, OFF-STREET - Parking spaces provided in accordance with the requirements of this Ordinance which are located on the same lot or tract occupied by the main use and which are not within the public right-of-way or accessed directly from a public right-of-way (head-in parking).

PARKING LOT OR STRUCTURE, ON-STREET - Parking spaces located within the public right-of-way, allowed only in the Central Area Commercial District, excluding areas where "No Parking" ordinances are in effect or on any State controlled right-of-way.

PARKING LOT OR STRUCTURE, PUBLIC - A ground level parking lot paved in accordance with City of Collinsville parking lot standards, or a structure designed to accommodate motor vehicles, which is not located on a public street or alley and is used for the short- or long-term storage of motor vehicles and open to the public without charge.

PARKING LOT OR STRUCTURE, RECREATIONAL VEHICLES (RV)/TRUCKS - An area or

structure designed for the short or long-term parking or storage of recreational vehicles, boats, or heavy load vehicles.

PARKING SPACE - An area or surface reserved for the parking of a motor vehicle, which may be enclosed or unenclosed and excludes maneuvering and access area.

PATIO HOME - A single-family residence on a lot which is designed with open space in the front, rear, and on one side of the structure, with the dwelling placed on the side property line on the remaining side and which is sometimes referred to as a "zero-lot-line home".

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

PERMIT - A license, certificate, approval, registration, consent, permit, contract or other agreement for the construction or provision of service from a utility owned, operated, or controlled by the City, or other form of authorization required by law, rule, regulation, order, or ordinance, which has been approved by the City, that a person or entity must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought, and for which the application for the permit or information required to be submitted for consideration provides fair notice of the project to the City. Notwithstanding, an ordinance establishing or changing a zoning district, including but not limited to an ordinance establishing or amending a Planned Development District or Specific Use Permit is not considered a permit.

PERSONAL CARE FACILITY FOR THE ELDERLY - An established residence for up to six (6) unrelated residents, regardless of legal relationship, licensed by the State, which provides care for the elderly in the following areas: food and shelter; assistance with meals, dressing, bathing, or other personal needs; administration of medication by licensed personnel; and general supervision of the physical and mental wellbeing of persons needing assistance in the facility, in order to maintain a private and independent residence or assistance in order to manage an individual's personal life. Such facilities shall be subject to applicable state and local licensing and registration requirements and shall be allowed in all residential districts by State law.

PERSONAL SERVICE USE - Establishments primarily engaged in providing services generally involving the care of the person or his apparel, including but not limited to, barber/beauty shops, dressmaking, shoe shining and repair, tailor or seamstress services, and other similar types of, which shall include no outdoor storage.

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

PHOTOMETRIC PLAN - A point-by-point plan depicting the intensity and location of lighting on the property.

PLAN FOR DEVELOPMENT OF REAL PROPERTY OR A PLAN FOR DEVELOPMENT - An administratively complete application for a Preliminary Site Plan or Site Plan. An application for a Preliminary Site Plan or Site Plan shall be considered administratively complete when all information required to be submitted for a Preliminary Site Plan or Site Plan has been received by the City, in addition to any required fees.

PLANNED DEVELOPMENT DISTRICT - A distinct zoning district that provides flexibility in zoning

regulations to allow for desirable development. Planned developments are governed by a base zoning district in the City of Collinsville Zoning Ordinance and deviations/exceptions from base requirements are outlined and illustrated in the planned development ordinance. A planned development district is not intended to be used to circumvent the base zoning requirements and should be based on merit providing for a unique and well-planned development.

PLANNING AND ZONING COMMISSION - The agency appointed by the City Council as an advisory body to it and which is authorized to recommend changes in the zoning and other functions as delegated to it by the City Council.

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

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

PORTABLE BUILDING SALES - An establishment which displays and sells small structures which can be carried and transported to another location for placement, not including manufactured or modular homes and including the outdoor storage and display of such buildings.

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

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

PRINT SHOP, MAJOR - An establishment specializing in long-run printing operations including, but not limited to, book, magazine, and newspaper publishing using engraving, die cutting, lithography, and thermography processes.

PRINT SHOP, MINOR - An establishment specializing in short-run operations to produce newsletters, flyers, resumes, maps, construction documents and plans, and similar materials using photocopying, duplicating, and blue printing processes. This definition shall include mailing and shipping services but excludes the on-site storage of heavy load fleet vehicles.

PRIVATE CLUB - An establishment holding a Private Club permit under state and local alcoholic beverage regulations and requirements, excluding a fraternal or veteran's organization and the holder of a food and beverage certificate as defined in the applicable state regulations. Unless the person owning or operating the use supplies the Chief Building Official with records to prove otherwise, an establishment holding a Private Club permit is presumed to derive the minimum required percentage of its gross revenue from the sale or service of alcoholic beverages for on-premise consumption.

PRIVATE STREET DEVELOPMENT - A development of two (2) or more lots sharing private gated vehicular access ways that are not dedicated to the public and are not publicly maintained. Private streets and alleys may be established only under the terms of the Subdivision Ordinance. The term "Private Street" shall be inclusive of alleys.

PRIVATE UTILITY OTHER THAN LISTED - A non-public utility requiring special facilities in residential areas or on public property, such as electricity, natural gas, or telecommunications not customarily provided by the municipality or public utilities. All equipment must comply with current applicable State and Federal regulatory agency requirements and guidelines for human safety.

PRODUCE STAND - A permanent use for which the primary purpose and design is to sell fruit, nuts,

vegetables, and similar foods with outdoor displays (if totally indoors then use is defined as a grocery store). No cooking or on-premises consumption of produce occurs on the site.

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

PROJECT - An endeavor over which the City exerts its jurisdiction and for which one or more permits are required to initiate, continue, or complete the endeavor.

PROPANE SALES - Retail sales of gaseous substances commonly used for household purposes, such as propane and/or butane, as the primary use on a property, excluding the storage, sale, or distribution of other types of combustible substances or alternative fuels such as containerized natural gas, liquid propane, etc.

PROPANE SALES, ACCESSORY - Retail sales of gaseous substances commonly used for household purposes, such as propane and/or butane, as an accessory use, excluding the storage, sale, or distribution of other types of combustible substances or alternative fuels such as containerized natural gas, liquid propane, etc.

PUBLIC AGENCY OFFICE, MUNICIPAL - A building used for the provision of governmental executive, management, or administrative services which is owned, leased, primarily used, and/or occupied by the City of Collinsville.

PUBLIC AGENCY OFFICE OTHER THAN MUNICIPAL - A building used for the provision of governmental executive, management, administrative, and/or postal services which is owned, leased, primarily used, and/or occupied by any subdivision or agency of the State of Texas, the United States, or other public utility or agency. Governmental offices include those facilities owned and/or operated by special district, county, state, and federal agencies.

PUBLIC FACILITY OR USE, MUNICIPAL - Any area, land, building, structure, and/or facility owned, used, leased, or operated by the City of Collinsville, including but not limited to, administrative offices, maintenance facilities, fire station, library, sewage treatment plant, police station, animal shelter, water tower, service center, park, civic/community center, recreation/community center, heliport, helistop, and golf course.

PUBLIC FACILITY OR USE OTHER THAN MUNICIPAL - Any building, land, area, and/or facility (including a variety of uses such as executive and administrative offices, maintenance/storage yards and shops, health clinics, utility installations, parks and others) which is owned, leased, primarily used and/or occupied by any subdivision or agency of the State of Texas, the United States, or other public utility or agency. Any facility which is owned, leased, used and/or occupied by the City of Collinsville is defined as "Public Facility or Use, Municipal".

PUBLIC VIEW - An area or areas that can be readily seen using normal unaided vision from any public street or public place.

RADIO OR TELEVISION STUDIO WITH TOWER - A building or portion of a building used as a place for radio or television broadcasting, and which may include a broadcasting tower.

RADIO OR TELEVISION STUDIO WITHOUT TOWER - A building or portion of a building used as a place for radio or television broadcasting, and which shall not include a broadcasting tower.

RAILROAD TRACK AND RIGHT-OF-WAY - The right-of-way and track used by a railroad, but not

including railroad stations, sidings, team tracks, loading facilities, dockyards, or maintenance areas.

RAILYARD - *An area having a network or series of railway tracks and sidings for the storage, sorting, loading, unloading, and maintenance of railroad cars and engines.*

RECREATION CENTER - A public or private facility place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities.

RECREATIONAL VEHICLE (RV) - A portable or mobile living unit used for temporary human occupancy away from the place of permanent residence of the occupants and self-propelled (motorized). (See also "Heavy Load Vehicle")

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

RECREATIONAL VEHICLE (RV) PARK - A parcel of land not less than five (5) acres nor greater than twenty-five (25) acres in size used as a commercial campground for recreational vehicles, travel trailers, and similar vehicles to reside, park, rent, or lease spae on a temporary basis and which may include a residence for the owner/manager of the premises, utility hook-ups, accessory structures, playgrounds and open space areas, fenced yard areas for pets, and other similar amenities.

RECYCLING KIOSK - A small, portable, and uninhabited structure, a maximum of one hundred twenty square feet (120 SF) in size, or a temporary container (e.g., dumpster-type container) or bin , excluding large trailers or manned collection centers, which provides a self-service location for the depositing of recyclable materials, such as aluminum cans, glass bottles, magazines/newspapers, metal or plastic containers, used clothing, etc., where recyclables are picked up periodically from the site and excluding the processing of such items.

RECYCLING CENTER - A facility in which recoverable resources, such as newspapers, glassware, and metal cans, are collected, stored, flattened, crushed, or bundled, essentially by hand, within a completely enclosed building.

RECYCLING COLLECTION POINT/DONATION BOX - An incidental use that serves as a neighborhood drop-off point for temporary storage of recoverable resources such as aluminum cans, glass bottles, magazines/newspapers, metal or plastic containers, used clothing, etc., with the processing of such items prohibited. This facility would generally consist of a temporary container (e.g., or dumpster-type container) or bin, excluding large trailers or manned collection centers, located in a shopping center parking lot or in other public/quasi-public areas such as on church or school property.

RECYCLING PLANT - A facility that is not a junkyard and in which recoverable resources, such as newspapers, magazines, books, and other paper products; glass; metal cans; and other products, are recycled, reprocessed, and treated to return such products to a condition in which they may again be used for production.

RECUPERATIVE CARE FACILITY - A short-term residential care facility for persons who no longer require hospitalization but need assistance in the process of healing from surgery, an injury, or illness, including behavioral conditions.

REDEVELOPMENT - Any manmade change or alteration to a design and/or layout of an existing Development(s) including repair, expansion and/or removal and replacement of existing building and/or structure, paving drainage, utilities, storage and/or agricultural uses.

REHABILITATION CARE FACILITY - A dwelling unit which provides residence and care to not more than six (6) persons, regardless of legal relationship, who have demonstrated a tendency towards, or a conviction for, drug or alcohol abuse, mental illness, or antisocial or criminal conduct, living together with not more than two (2) supervisory personnel as a single housekeeping unit, subject to applicable state and local licensing and registration requirements.

REHABILITATION CARE INSTITUTION - A facility which provides residence and care to seven (7) or more persons, regardless of legal relationship, who have demonstrated a tendency toward alcoholism, drug abuse, mental illness, or antisocial or criminal conduct, together with supervisory personnel, subject to applicable state and local licensing and registration requirements.

RESEARCH AND DEVELOPMENT LABORATORY - A facility that includes laboratories and experimental equipment for testing, research, prototype design and development, and product testing operations which may involve compounding or testing of materials, equipment, or products, but excluding medical testing and research and any facility that is determined by Health, Fire, or Building officials to be a hazard or nuisance to adjacent property or the community at large, due to the possible emission of excessive smoke, noise, gas, fumes, dust, odor, or vibration, or the danger of fire, explosion, or radiation. See also "Medical Laboratory".

RESIDENCE - Any building or portion thereof, which is designed or used as living quarters for one (1) or more households.

RESIDENTIAL DISTRICT – Zoning district where the primary purpose is residential use.

RESTAURANT WITH DRIVE-THROUGH SERVICE - An establishment, including a cafeteria, selling food and beverages, subject to state and local alcoholic beverage regulations, where vehicular traffic is a primary source of business and which may have indoor dining facilities as well as drive-in service where customers consume food in their vehicle and/or drive-through windows for picking up food for off premise consumption.

RESTAURANT WITHOUT DRIVE-THROUGH SERVICE - An establishment. Including a cafeteria, selling food and beverages, subject to state and local alcoholic beverage regulations, where customers are primarily served at tables or are self-served, and where food is consumed on the premises, and which do not have a drive-through window or drive-in service.

RETAIL STORE, GENERAL MERCHANDISE – A general category of retail stores offering for sale a variety of products used by the public for everyday general use not specifically itemized herein, such as dry goods, apparel and accessories, housewares, electronics, decorator items, and others for use off the premises, but not including food or alcoholic beverages.

RETAIL OR SERVICE USE, INCIDENTAL - Any use different from the primary use but which complements and/or supplements the primary use. Said use shall be operated for the benefit or convenience of the employees, visitors, or customers of the primary use. "Incidental" shall mean an area that constitutes not more than fifteen (15) percent of the area occupied by the main use.

SALVAGE OR RECLAMATION YARD – Any lot or building where the reclamation and storage of used products or materials takes place for the purpose of obtaining parts for recycling or resale, including outdoor storage of materials but excluding the salvage or reclamation of automobiles/auto parts. (See also "Wrecking Yard/Auto Salvage Yard")

SALVAGE, RECLAMATION, OR RECYCLING OF ELECTRONIC EQUIPMENT - A facility where only the salvage, reclamation, or recycling of used electronic equipment takes place, provided all such activities occur within a totally enclosed building and there is no outdoor storage associated with the operation.

SAND, GRAVEL, STONE, OR SOIL STORAGE OR SALES LOT - A location where sand, gravel, soil, or stone is stored for sale or use.

SCHOOL, BOARDING - An academic institution established for educational purposes offering primary and secondary level courses and providing dormitories for students, and possibly for employees, only in conjunction with these uses.

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

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

SCHOOL, PAROCHIAL - A school operated by a religious organization providing elementary and/or secondary curriculum, excluding a commercial trade school, and which may be a boarding school where students live during the semester.

SCHOOL, PRIVATE - A school under the sponsorship of a private agency or corporation, other than a public or religious agency, which offers a curriculum that is generally equivalent to that of public elementary and/or secondary schools, and which may be a boarding school where students live during the semester.

SCHOOL, PUBLIC - A school operated by an independent school district and providing elementary and/or secondary curriculum, excluding a commercial trade school.

SCHOOL DISTRICT BUS YARD - Any premises owned and/or operated by an independent school district used for the parking and storage of motor-driven buses.

SCREENING - A method of shielding, concealing, and effectively hiding from the view of a person standing at ground level on an abutting site, from a public street or right-of-way, or outside the area or feature so screened, by a fence, wall, hedge, berm, or similar architectural or landscape feature. Dumpsters, outdoor storage, and loading docks must be screened from view from a public roadway and screening walls are required between nonresidential uses and residential uses.

SEASONAL/TEMPORARY USES - The sale of products by individuals on private property in those zoning districts designated in the Use Chart, including items such as Christmas trees, pumpkins, snow cones, fresh produce, and others which are typically only available at certain times of the year. These sales shall not be an accessory to businesses existing on the site where the sales occur and shall require a Temporary Use Permit in accordance with the Collinsville Zoning Ordinance.

SECURITY SYSTEM COMPANY - An establishment primarily engaged in providing, installing, repairing, and/or monitoring electronic security and surveillance systems.

SERVANT'S QUARTERS - An accessory dwelling in a residential district for the sole use and occupancy of a member of the immediate family or a person or persons employed on the premises by the occupant on

a full-time basis as domestic help.

SEWAGE TREATMENT PLANT/PUMPING STATION, PRIVATE - A facility owned and/or operated by a private entity that is designed for the collection, removal, treatment, and/or disposal of waterborne sewage.

SEWAGE TREATMENT PLANT/PUMPING STATION, PUBLIC - A facility owned and/or operated by a private entity that is designed for the collection, removal, treatment, and/or disposal of waterborne sewage.

SEXUALLY ORIENTED BUSINESS - A business whose principal purpose is the offering of a service, or the selling, renting, or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customer, or that distributes or manufactures sexually oriented materials, including uses such as an adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio, sexual encounter center, or other similar commercial enterprise.

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

SINGLE-FAMILY RESIDENCE ABOVE COMMERCIAL BUSINESS - A dwelling located above and in the same building as a commercial business, designed and constructed to be occupied by one (1) family.

SINGLE-FAMILY RESIDENCE - A detached dwelling designed and constructed as a free-standing structure for occupancy by one (1) family and located on a lot or separate building tract having no physical connection to a building located on any other lot or tract.

SKILLED NURSING/HOSPICE CARE FACILITY - An institutional facility providing in-patient health care, personal care, or rehabilitative services over a long period of time, generally exceeding thirty (30) days, to persons who are chronically ill, aged, or disabled and who need on-going health supervision, or a facility providing hospice care, but not including hospitals and excluding the provision of surgical or emergency medical services. Such facilities shall be subject to the applicable licensing and registration requirements.

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

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

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

STORAGE YARD FOR PUBLIC/PRIVATE UTILITY - A facility or location used by a public utility company in the provision of services to customers, and which may include a maintenance shop, administrative office and/or an outdoor storage yard for equipment and materials.

STORY - That portion of a building above grade, excluding a basement, that is included between the surface

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

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

STREET - Any dedicated public thoroughfare which affords the principal means of access to the abutting property.

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

STREET YARD - The area between the building front line and the front property (i.e., right-of-way) line.

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

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

STUDIO FOR DANCE, MUSIC, DRAMA, GYMNASTICS, OR MARTIAL ARTS - A building or portion of a building used as a place of work or a location for instructional classes in dance, music, drama, gymnastics, or martial arts.

STUDIO FOR DECORATOR, PHOTOGRAPHER, OR ARTIST - A building or portion of a building used as a place of work for a decorator, artist, or photographer or as a location for instructional classes in interior decoration, photography, or the fine arts, such as painting, sculpture, or pottery.

STUDIO FOR RADIO AND TELEVISION BROADCASTING - A building or portion of a building used as a place for radio or television broadcasting which may include a broadcast tower as permitted by this ordinance.

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

SURGICAL OUT-PATIENT FACILITY - An establishment offering any type of surgical procedures and related care which, in the opinion of the attending physician, can be performed safely without requiring inpatient overnight hospital care and exclusive of such surgical and related care as licensed physicians ordinarily may elect to perform in their private offices.

SWIMMING INSTRUCTION AS A HOME OCCUPATION - The teaching of swimming in a private swimming pool. Within a residential district, this use is subject to the approval and issuance of a conditional use permit, which may specify operating conditions and standards and which may limit the number of students and operating times.

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

SWIMMING POOL, PRIVATE - A swimming pool constructed or the exclusive use of the residents of a one-family, townhouse or multiple-family dwelling and located, fenced and constructed in accordance with the City of Collinsville regulations and International Building Codes as adopted. Such a facility may be part as part of an Amenity center/Community center as defined herein. A private swimming pool shall not be operated as a business nor maintained in a manner to be hazardous or obnoxious to adjacent property owners.

TAXIDERMIST - An establishment whose principal business is the practice of preparing, stuffing, and mounting the skins of dead animals for exhibition in a lifelike state.

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

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

TEMPORARY - A word describing short-term or seasonal uses, activities, or conditions that would not be appropriate on a permanent basis and which typically require a Temporary Use Permit.

TEMPORARY CLASSROOM - A HUD Code modular, manufactured, or portable building used to house students of a church or school on a temporary basis until permanent classroom facilities can be constructed. Such facilities require a temporary permit which may be issued by the Director for a period of one (1) year from a specific date and for a specific location and shall be subject to review and renewal for reasonable cause. Exterior facade materials shall meet the fire retardant specifications of the International Fire Code.

TEMPORARY FIELD OFFICE OR CONSTRUCTION YARD OR OFFICE - A building, structure, and/or storage/assembly yard located on a construction site used in connection with a development or building project which functions as a temporary location for administrative and supervisory functions and for sheltering employees and equipment related to development, construction, or the sale of real estate properties within the development. Such office or yard shall be subject to removal upon completion of construction and shall require a temporary permit, which may be issued by the Director for a period of one (1) year from a specific date and for a specific location, said permit subject to review and renewal for reasonable cause.

TEMPORARY OUTDOOR LIGHTING - The specific illumination of an outdoor area or object by any man-made device located outdoors that produces light by any means for a period of less than four (4) calendar days with at least one-hundred and eighty (180) calendar days passing before the next use on the same lot, parcel or tract.

TENNIS COURT, PRIVATE WITH LIGHTS - A surface designed and constructed for playing the game of tennis, along with all fencing, nets, and related appurtenances, with lighting for nighttime play in residential areas, except as may otherwise be provided or restricted by a specific use permit or planned development district. Tennis courts in nonresidential areas may include lighting for nighttime play.

However, any lighted tennis courts adjacent to single family zoned property may not exceed .2 footcandles at the property boundary.

TENNIS COURT, PRIVATE WITHOUT LIGHTS - A surface designed and constructed for playing the game of tennis, along with all fencing, nets, and related appurtenances, but excluding lighting for nighttime play in residential areas except as may otherwise be provided or restricted by a specific use permit or planned development district.

THEATER OR PLAYHOUSE - An indoor space in a building or part of a building devoted to the showing of motion pictures or for dramatic, musical, or live performances, with a maximum of ten screens, stages, or combination thereof or a combined seating capacity of 2,500 or less. (See also "Arena" and "Fairgrounds or Exhibition Area" for outdoor performance space)

TIRE DEALER WITH OUTDOOR STORAGE - A retail establishment engaged in the sale and/or installation of tires and related accessories for vehicles, including the open storage of tires.

TIRE DEALER WITHOUT OUTDOOR STORAGE - A retail establishment engaged in the sale and/or installation of tires and related accessories for vehicles, but without open storage.

TOOL AND MACHINERY SALES AND/OR RENTAL SHOP - A building or a portion of a building used for the display, sales, and rental of hand tools, gardening equipment, small construction equipment items and which shall permit outdoor display associated with the use.

TOWNHOME - A structure containing three (3) to eight (8) dwelling units, each on its own lot, with each unit designed for occupancy by one household and attached to another unit by a common firewall. No unit shall be located above any other unit and each shall have its own front and rear access.

TRACT - An area, parcel, site, piece of land, or property.

TRAILER - A vehicle to be pulled behind an automobile or truck which is designed for hauling animals, produce, goods or commodities, including boats.

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

TRANSIT CENTER - Any premises, including train or bus stations, for the loading and unloading of passengers and the temporary parking of transit vehicles between routes or during stopovers, and excluding overnight parking and storage of transit vehicles.

TREE - A plant having a permanently woody main stem or trunk, ordinarily growing to a considerable height, and usually developing branches at some distance from the ground.

TREE, STREET - A tree planted between the back of the curb and the sidewalk.

TRUCK - A light load vehicle or heavy load vehicle as defined herein.

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

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

performed.

TRUCK STOP - A facility for the parking, refueling, and/or minor repair of heavy load tractor-trailer trucks. These facilities may also include retail sales of food and/or other items, restaurant(s), restroom/shower facilities, and/or temporary sleeping quarters.

TRUCK TERMINAL - An area and building where cargo is stored and where trucks, including tractor and trailer units, load and unload cargo on a regular basis. May include facilities for the temporary storage of loads prior to shipment.

TRUCK SALES, HEAVY LOAD VEHICLES - The display, sale or rental of new or used heavy load vehicles as described herein, said trucks to be in operable condition.

TRUCK YARD - A principal use of land for the parking or storage of trucks in active use, with or without servicing or repairing of trucks as an incidental use thereto.

USABLE OPEN SPACE - An open area or recreational facility which is designed and intended to be used for outdoor living and/or recreation purposes. An area of usable open space shall have a slope not exceeding ten percent (10%), shall have no dimension of less than ten feet (10'), and may include landscaping, walks, recreational facilities, water features, and decorative objects such as artwork or fountains.

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

USED MERCHANDISE/SECOND-HAND STORE - *A store or shop where used or second-hand goods, usually acquired by donation, are stored, purchased, sold, or exchanged.*

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

VARIANCE - An adjustment in the application of the specific regulations of the Zoning Ordinance to a particular parcel of property which, because of special conditions or circumstances of hardship peculiar to the particular parcel, is necessary to prevent the property from being deprived of rights and privileges enjoyed by other parcels in the same vicinity and zoning district. Only the Board of Adjustment of the City of Collinsville can grant a variance.

VETERINARY CLINIC WITH INDOOR KENNELS - An establishment, not including outdoor pens/kennels, where animals and pets are admitted for examination and medical treatment, or where domesticated animals are housed, groomed, bred, boarded, trained, or sold for commercial purposes.

VETERINARY CLINIC WITH OUTDOOR KENNELS - An establishment with outdoor pens/kennels, where animals and pets are admitted for examination and medical treatment, or where domesticated animals are housed, groomed, bred, boarded, trained, or sold for commercial purposes

WAREHOUSE - A building used primarily for the storage of manufactured products, supplies, or equipment, excluding manufactured or modular homes.

WATER TREATMENT PLANT - A facility owned and/or operated by a private entity that is used to alter the physical, chemical, or biological quality of water.

WATER WELL - *An excavation or structure created in the ground by digging, driving, or drilling to access water.*

WHOLESALE BUSINESS – A business primarily engaged in the sale or distribution of merchandise to retail, industrial, commercial, institutional, or professional business users or to other wholesalers rather than to end users.

WIND ENERGY CONVERSION SYSTEMS, FARM OR UTILITY – A principal use of land for the commercial production of energy through one or multiple wind energy conversion systems (WECS).

WIND ENERGY CONVERSION SYSTEMS, SMALL - Any device such as a wind charger, windmill, or wind turbine, which converts wind energy to a form of usable energy and is an incidental use to the primary use of a property.

WIND ENERGY SYSTEM TOWER HEIGHT - The height above grade of the fixed portion of the tower (to the center of the hub), excluding the wind turbine itself.

WINERY - An establishment holding a "Winery Permit" issued by the Texas Alcoholic Beverage Commission in accordance with the Texas Alcoholic Beverage Code, as amended.

WRECKING YARD/AUTO SALVAGE YARD - Any lot upon which two (2) or more motor vehicles of any kind, which are incapable of being operated due to condition or lack of license, have been placed for the purpose of obtaining parts for recycling or resale.

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

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

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

YARD, SIDE - The area between the building and side lot line and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the exterior wall of the side of the main building.

ZONING APPLICATION - A request to consider an ordinance establishing or changing a zoning district, including but not limited to, an ordinance establishing or amending a Planned Development District or Specific Use Permit.

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

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

ZONING DISTRICT MAP - The official map upon which the boundaries of the various zoning districts are drawn and which is an integral part of the Zoning Ordinance. The Official Zoning District Map is maintained by the City Secretary; all other copies are for reference only and are not official.

Section 9-1 Performance Standards

A. C-1 Local Business

In addition to the allowed uses set forth in the use regulations for districts, the following conditions apply to District C-1, Local Business:

- a. No wholesale sales shall be conducted.
- b. No merchandise or equipment shall be stored or displayed outside a building unless permitted in the Schedule of Uses, Section 7-1, B.
- c. No noise, smoke, radiation, vibration or concussion, heat, or glare shall be produced that is perceptible outside a building; and no dust, fly ash, or gas that is toxic, caustic, or obviously injurious to humans, animals or property shall be produced.

B. C-2 Commercial

C-3 Central Area Commercial

In addition to the allowed uses set forth in use regulations for districts, the following conditions apply to Districts C-2 and C-3:

- a. No noise, smoke, radiation, vibration or concussion, heat, or glare shall be produced that is perceptible outside a building; and no dust, fly ash, or gas that is toxic, caustic, or obviously injurious to humans, animals, or property shall be produced.

C. I-1 Light Industrial

In addition to the allowed uses set forth in the use regulations for districts, the following conditions apply to District I-1:

- a. All operations shall be conducted within a fully enclosed building.
- b. Where permitted in Section 7-11 Use Regulation Districts, open storage/yards shall be screened so that said materials, products or equipment are not visible at eye level within 1,000 feet of the property line.
- c. No use shall be permitted or so operated as to produce or emit:
 - (1) Smoke or particulate matter of a No. 1 or darker on the Ringelmann Chart.
 - (2) Dust, fly ash, radiation, gases, heat, glare or other effects which are obviously injurious to humans at the property line.
 - (3) Vibration or concussion perceptible without instruments at the property line.
 - (4) The noise level shall not exceed the following levels at any point along the property line:

Octave band:

Zero cycles per second to 75 cycles per second (CPS)	55 db.
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0-75-1, 200 CPS	40 db.
1,200-4,800 CPS	25 db.
Above 4,800 CPS	22 db.

- (1) Industrial wastes shall be of such a quantity and nature as to not overburden the public sewage disposal facilities or to cause odor and unsanitary effects beyond the property line.

D. I-2 Heavy Industrial

Performance standards:

- a. Vibration or concussion shall not be perceptible without instruments at the property line.
- b. The noise level shall not exceed the following levels at any point along the property line:

Octave band:

Zero cycles per second to 75 cycles per second (CPS)	55 db.
0-75-1, 200 CPS	40 db.
1,200-4,800 CPS	25 db.
Above 4,800 CPS	22 db.

E. Temporary Use Permits

The following temporary uses may be allowed under the conditions and for the time specified upon permit application review by the Director or his designee and payment of the required fee. Applications must be submitted ten (10) days prior to the proposed start date of the Temporary Use.

a. Temporary Use Defined

Temporary uses shall include short-term or seasonal uses that would not be appropriate on a permanent basis. Temporary uses are identified in Section 7-1, B., Schedule of Uses and in Section 8-1 Definitions. In addition, the following uses and activities shall be considered temporary uses:

1. Fundraising Activities by Not-for-Profit Agencies. Fundraising or noncommercial events for nonprofit educational, community service or religious organizations where the public is invited to participate in the activities and which last longer than 24 hours. Temporary uses of a religious or philosophical nature, including tents, by organizations not normally conducting business for profit may be allowed for a period of their actual duration, up to a maximum of thirty (30) days, except that two (2) extensions of up to fifteen (15) days may be possible upon application and approval. An alternate method for permitting fundraising or other non-profit temporary activities is to submit an annual schedule of proposed events to be held on noncontiguous days (such as certain weekends or Holidays, etc.) for a total not to exceed thirty (30) days in any one (1) calendar year.
2. Special and Seasonal Sales Events. Significant commercial activities lasting not longer than thirty (30) days (except that a maximum of two (2) extensions of up to thirty (30) days may be granted upon application and approval) intended to sell, lease, rent or promote specific merchandise, services or product lines, including but not limited to warehouse sales, tent sales, trade shows, flea markets, farmer's markets, Christmas tree

lot sales, product demonstrations or sales of food, produce, art work or other goods. (This does not include peddlers and solicitors or occasional sales such as garage, estate, rummage, or yard sales which may regulated under separate Ordinances.)

3. Entertainment or Amusement Events. Short-term cultural and entertainment events including public or private events lasting more than 48 hours but not longer than fifteen (15) days (except that a maximum of two (2) extensions of up to five (5) days may be granted upon application and approval) intended primarily for entertainment or amusement, such as concerts, plays or other theatrical productions, circuses, fairs, carnivals or festivals.
 4. A City of Collinsville sponsored (City, Economic Development Corporation, Main Street USA, or other municipal organization) farmer's market may operate in the Central Area Commercial District (C-3) or City of Collinsville park property(ies).
 - (1) A City of Collinsville sponsored farmer's market is allowed to operate on Thursdays from 3:00 p.m. and ending at 8:30 p.m. and on weekends starting on Friday at 5:00 p.m. and ending on Sunday by 6:00 p.m. throughout the entire year.
 - (2) A City of Collinsville sponsored farmer's market may operate on City owned property or right-of-way. Temporary street closures shall be reviewed and approved by the Fire, Emergency Services, and Police Departments.
 5. Central Area Commercial District (C-3). Special and Seasonal Sales Events allowed with specified locations and time limitations.
 - (3) Farmer's market including: plants, food, and produce in accordance with the Texas Health and Sanitation Regulations.
 - (4) Farmer's markets are allowed on Thursdays from 3:00 p.m. and ending at 8:30 p.m. and on weekends starting on Friday at 5:00 p.m. and ending on Sunday by 6:00 p.m. throughout the entire year.
 - (5) An association may apply for a group Temporary Use Permit or an individual may apply for an individual Temporary Use Permit. A date and time schedule of the farmer's market shall be included with the Temporary Use Permit.
 - (6) A farmer's market shall be located on a private lot or parcel.
- b. Homemade arts and craft works market:
- (1) Homemade arts and craft works markets are allowed on Thursdays from 3:00 p.m. and ending at 8:30 p.m. and on weekends starting on Friday at 5:00 p.m. and ending on Sunday by 6:00 p.m. throughout the entire year.
 - (2) An association may apply for a group Temporary Use Permit or an individual may apply for an individual Temporary Use Permit. A date and time schedule of the homemade arts and craft works market shall be included with the Temporary Use Permit.
 - (3) A homemade arts and craft works market shall be located on a private lot or parcel.
 - (4) Pumpkin patch, Christmas tree lots, Valentine's Day flowers sale lots, etc.
 - (1) Such lot sales are allowed for a maximum of thirty (30) days.
 - (2) Such lot sales shall be located on a private lot or parcel.
- c. Special Food and Drink Sales.
Significant commercial activities related to the sale, lease, or promotion of sales of food and/or

drinks (collectively in this subparagraph "Food Sales") may operate under the authority of a Temporary Use Permit issued by the City for a maximum period of six (6) consecutive months during a twelve (12) month period, except that one (1) extension of time for a period up to six (6) months during a twelve (12) month period may be granted upon submission of an application to the City Council and the Council's subsequent approval.

- (1) All applications for permit submitted for Sales utilizing mobile food units, trailers and/or push carts shall include a written letter of permission from the owner of the property upon which such Food Sales are to take place evidencing that the applicant has obtained the consent of the property owner to operate from that location.
- (2) Food Sales shall be conducted only on private property. Food Sales shall not be permitted upon public property, including without limitation, parks, rights of way and medians, unless otherwise authorized in writing by the City.
- (3) All owners and/or operators of mobile food units, trailers and/or push carts from which Food Sales occur or which are utilized in conjunction with Food Sales shall first obtain a health permit from the City prior to receiving a Temporary Use Permit.
- (4) No mobile food unit, trailer and/or push cart, portions thereof, or related accessories, including without limitation, benches, tables or chairs, shall be located in any sight visibility triangle as that term is defined in the City's Subdivision Regulations or other ordinance.
- (5) Mobile food unit, trailer and/or push cart shall not be allowed to utilize flashing, strobing or blinking lights at any time of day or night.
- (6) Mobile food units, trailers and/or push carts shall not be operated by any person during a City event without such person first obtaining written permission from the City of Collinsville and all applicable permits.
- (7) No person owning or operating a mobile food unit, trailer and/or push cart shall utilize any sound amplification device that, when operated, violates City of Collinsville Ordinance No. 208, as amended from time to time.
- (8) Mobile food units and towing vehicles may park on an unimproved surface, including grass or some other non-impervious surface). Disconnected towing vehicles and/or employee vehicles associated with the operation of a mobile food unit shall only park on an approved paved surface. Customer vehicles shall not be operated or parked on an unimproved surface.
- (9) Garbage storage containers shall be maintained in an accessible location for each mobile food unit, trailer or push cart at such location and in such number sufficient to contain all trash and garbage generated by the vendor. All garbage storage containers shall be removed from the site daily by the owner/operator.
- (10) No mobile food unit, trailer and/or push cart shall be located within one hundred (100) feet of an existing fixed business that sells, distributes, or offers for sale or distribution any food or beverages similar to those to be sold, distributed, or offered for sale by the owner or operator of a mobile food unit, trailer, and/or push cart.
- (11) Toilet facilities shall be designated and shall be conveniently located and accessible to employees of each mobile food unit, trailer and/or push carts during all hours of operation of such business. Each owner or operator of a mobile food unit, trailer and/or push cart shall provide the City with a written letter of permission from the owner of the toilet facilities designated by such person as required by this section evidencing that the owner or operator has obtained the consent of the property owner

authorizing the shared use of the toilet facilities and that also states the hours of availability of the toilet facilities.

d. Application

An application for a Temporary Use Permit shall be submitted to the Director or his designee at least 10 working days before the requested start date for a temporary use and shall include the following:

1. A written description of the proposed use or event, the duration of the use or event, the hours of operation, anticipated attendance, and any building or structures, signs or attention-attracting devices used in conjunction with the event.
2. A written description of how the temporary use complies with the review criteria in ii., below.
3. A plan showing the location of proposed structures, including onsite restrooms and trash receptacles, parking areas, activities, signs and attention attracting devices in relation to existing buildings, parking areas, streets and property lines.
4. A letter from the property owner agreeing to the temporary use.
5. Any additional information required by the Director.

i. Review and Action by the Director

The Director shall make a determination whether to approve, approve with conditions, or deny the permit within five (5) working days after the date of application. Any applicant denied a permit by the Director shall be notified in writing of the reasons for the denial and of the opportunity to appeal to the Zoning Board of Adjustment.

ii. Review Criteria

Temporary uses shall comply with the following requirements:

1. Land Use Compatibility. The temporary use must be compatible with the purpose and intent of this ordinance. The temporary use shall not impair the normal, safe and effective operation of a permanent use on the same site. The temporary use shall not endanger or be detrimental to the public health, safety or welfare, or injurious to property or improvements in the immediate vicinity of the temporary use, given the type of activity, its location on the site, and its relationship to parking and access points.
2. Compliance with Other Regulations. The temporary use shall conform in all respects to all other applicable City regulations and standards.
3. Restoration of Site. Upon cessation of the event or use, the site shall be returned to its previous condition, including the removal of all trash, debris, signage, attention attracting devices or other evidence of the special event or use. The applicant shall be responsible for ensuring the restoration of the site.
4. Hours of Operation and Duration. The hours of operation and duration of the temporary use shall be consistent with the intent of the event or use and compatible with the surrounding land uses and shall be established by the Director at the time of approval of the temporary use permit.
5. Traffic Circulation. The temporary use shall not cause undue traffic congestion given anticipated attendance and the capacity of adjacent streets, intersections and traffic controls.
6. Off-street Parking. Adequate off-street parking shall be provided for the temporary use, and it shall not create a parking shortage for any of the other existing uses on the site(s).
7. Public Conveniences and Litter Control. Adequate onsite rest room facilities and litter control may be required. The applicant shall provide a written guarantee that

- all litter generated by the event or use shall be removed at no expense to the City.
8. Appearance and Nuisances. The temporary use shall be compatible in intensity, appearance and operation with surrounding land uses in the area, and it shall not impair the usefulness, enjoyment or value of adjacent property due to the generation of excessive noise, dust, smoke, glare, spillover lighting, or other forms of environmental or visual pollution.
 9. Signs. The Director shall review all signage, although a sign permit is not required. The Director may approve the temporary use of attention attracting devices.
- e. Additional Conditions
The Director may establish additional conditions to ensure land use compatibility and to minimize potential adverse impacts on nearby uses, including, but not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, requirements for screening or buffering, and guarantees for site restoration and cleanup following the temporary use.”

SECTION 3 CUMULATIVE REPEALER

This Ordinance shall be cumulative of the City of Collinsville Zoning Ordinance and all other Ordinances of the City of Collinsville and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance or where expressly repealed hereby. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

SECTION 4 SEVERABILITY

If any section, subsection, clause, phrase, or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void, or unconstitutional, the remaining sections, subsections, clauses, phrases, and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

SECTION 5 SAVINGS/CONFLICT

In the event of a conflict between the provisions of this Ordinance and any other regulation or rule prescribed by charter, another ordinance, resolution or other authorization of the City, the provisions of this ordinance shall control. Notwithstanding the foregoing, all rights and remedies of the City are expressly saved as to any and all complaints, actions, claims, or lawsuits, which have been initiated or have arisen under or pursuant to such conflicting Ordinance, or portion thereof, on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the conflicting Ordinance shall remain in full force and effect.

SECTION 6 PENALTY

Any person, firm or corporation who violates any provision of this Ordinance or the Code of Ordinances, as amended hereby, shall be subject to a fine not to exceed the sum of five hundred (\$500.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a

separate offense, provided, however, that in all cases involving an intentional, knowing, reckless or criminally negligent violation of any provision of this ordinance or the Collinsville Zoning Ordinance, as amended hereby, governing public health shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 7
PUBLICATION/EFFECTIVE DATE**

This Ordinance shall take effect upon its publication as required by law. The City Secretary is directed to publish the caption and penalty of this Ordinance as required by state law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COLLINSVILLE,
TEXAS on this the 13th day of ~~February~~, 2023.
March

APPROVED: 

Derek Kays, Mayor

ATTEST:


Deborah Hale, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Patricia A. Adams, City Attorney

