

Family. One or more persons occupying premises and living as a single, non-profit housekeeping unit, provided that, unless all members are related by blood or marriage, the number of persons shall not exceed five.

Farming, General. The growing of crops, plants, and trees. The term also includes the maintaining of horses, livestock, or poultry for the residents needs or use and the sale of agricultural products grown on the premises.

Fast-Food Restaurant. (See Restaurant, Fast-Food, and Restaurant, Drive-In)

Fence. A structure serving as an enclosure, barrier, or boundary and usually made of post boards, wire, stakes, or rails.

Floor area ratio. The ratio derived by dividing the total floor area of all buildings on a parcel of land by the area of the parcel of land.

Floor area, Useable/Net. The total of all floor areas of a building, excluding stairwells, and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when use or intended to be used for human habitation or service to the public.

Frontage. That side of a lot abutting on a street or public right-of-way.

Front of Building. That facade of the building that abuts the required front yard as stipulated in this Zoning Code.

Garage, Private. An accessory building or a part of a main building used for storage purposes only for automobiles used solely by the occupants and their guests of the building to which it is accessory and not for commercial repair use.

Garage, Public or Repair. A building in which are provided facilities for the care, servicing, repair, or equipping of automobiles.

Gasoline or Service Station. Any building, land area, or other premises, or portion thereof, used for the retail dispensing or sales of vehicular fuels; servicing and repair or automobiles; and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar vehicle accessories. A Convenience Store as defined herein, may also be accessory to a Gasoline or Service Station.

Grandfathering. A phrase commonly used to refer uses that were lawfully in place before the zoning code was in effect.

Greenhouse. A structure largely enclosed with translucent material and used for the

propagation and/or growing of plants.

Halfway House. A licensed home for inmates on release from more restrictive custodial confinement or initially placed in lieu of more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently. Such placement is pursuant to the authority of the State Department of Corrections.

Hedge. A barrier or boundary formed by a dense row of shrubs or low trees.

Home Occupation. Any use customarily conducted within a dwelling and carried on by the inhabitants thereof, which is clearly incidental and secondary to the use of the dwelling and does not change the character thereof.

Hospital. An institution providing health services primarily for human in-patient or medical or surgical care for the sick or injured, and including the related facilities such as laboratories, out-patient departments, training facilities, central service facilities and staff offices which are integral part of the facilities.

Hotel. A building or part thereof occupied as a more or less temporary abiding place for individuals in which the rooms are usually occupied singularly for hire and in which rooms no provisions for cooking is made, and in which building there is usually a kitchen and public dining room for the accommodation of the guests. This definition does not include an recreational vehicle or manufactured home parks or camp, sanatorium, hospital asylum, orphanage, or building where persons are housed under restraint.

Illumination, Direct. Illumination that is so arranged that the light is directed into the eyes of the viewer from the light source.

Illumination, Indirect. Illumination that is so arranged that the light is reflected from the object or sign to the eyes of the viewer.

Illumination, Spot Light. Illumination that comes from lamps, lenses, or devices designed to focus or concentrate the light rays of the source.

Incidental Dwelling. A dwelling that is subordinate to and located on the same lot as main or primary building/structure and is dependent upon the main building/structure for utility service and street access.

Lot. A portion or parcel of land considered as a unit, devoted to a certain use or occupied by a building or a group of buildings that are united by a common interest or use, and the customary accessories and open spaces belonging to same.

Lot of Record. A lot which is a part of a subdivision recorded in the office of the county recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot, Corner. A lot abutting upon two or more streets at their intersection.

Lot, Double Frontage. A lot that is an interior lot extending from one street to another and abutting a street on two ends.

Lot Lines. The lines bounding a lot as defined herein.

Lot Line, Front. In the case of an interior lot, the line separating said lot from that street which is designed as the front street in the request for a building permit.

Lot Line, Rear. The lot boundary opposite and most distant from the front lot line. In the case of a pointed or irregular lot, it shall be an imaginary line parallel to and farthest from the front lot line.

Lot Line, Side. Any lot line other than a front or rear lot line as defined herein.

Lot Width. The width of a lot measured at the front building setback line.

Mansard Roof. Any roof that has an angle greater than 45 degrees and which derives part of its support from the building wall and is attached to, but not necessarily a part of a low slope roof and which extends along the full length of a side building wall or three-quarters ($\frac{3}{4}$) of the length of a side building wall. For purposes of this Code, a low slope roof shall mean any roof with a pitch less than 3 inches rise per 12 inches horizontal.

Manufactured Home. A factory built, single-family dwelling, constructed in a factory pursuant to the Federal Manufactured Home Construction and Safety Standards (24 CFR 3280).

Manufactured Home Park. A tract of land, under one ownership, divided into separate individual spaces for placement of manufactured homes where the individual spaces for manufactured homes are intended for rent or lease. Also referred to as a "land-lease community."

Manufactured Home Subdivision. The division of a tract of land into two (2) or more parcels to be sold for the permanent placement of manufactured homes or other types of factory built homes including modular, panelized, and pre-cut units.

Manufacturing, General. The production, fabrication, processing, or assembling of materials or substances into goods, merchandise and equipment, where the operation

characteristics of the manufacturing process limits the extent of the external impacts to the immediate vicinity.

Mini-warehouse. See "Self- Storage."

Mixed-use structure. A building containing residential in addition to non-residential uses permitted in the zone.

Mobile home. A single family dwelling that was fabricated in an offsite facility prior to the enactment for the Federal Manufactured Home Construction and Safety Standards (24 CFR 3280)(July 1976) the same being no longer permitted in the City of Lavaca.

Modular Home. A residential dwelling, constructed in a factory to a residential construction code other than the Manufactured Home Construction and Safety Standards.

Motel. A business consisting of a building or group of buildings so arranged as to furnish overnight accommodations for motorist or transient guests.

Non-Conforming. A building, structure or use existing at the time of enactment of this code, and which does not conform to the regulations of the District or Zone in which it is situated.

Nursing home or convalescent home. A structure designed or used for residential occupancy and providing limited medical or nursing care for occupants, but not including a hospital or mental health center.

Off-street loading space. An on-lot space exclusive of driveways, available for the loading or unloading of trucks.

Off-street parking space. An on-lot space available for the parking of one motor and having an area of not less than 180 square feet exclusive of space necessary to provide access to a street or alley.

Open Space. Any unoccupied space on a lot that is open and unobstructed to the sky and occupied by no structures or portions of structures whatever.

Park. An area that is open to the general public and reserved for recreational, educational, cultural, or aesthetic use.

Parking Lot. An off-street facility including parking spaces and drives and aisles for maneuvering, and providing access and for entrance and exit, developed in a way to accommodate the parking of automobiles.

Permitted uses. A use that is permitted in a zoning district subject only to the requirements pertaining to all uses in the district.

Personal Services. Establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel.

Principal building. A building which contains the principal uses, not an accessory building.

Principal Use. The main or primary use of a structure, of a lot, or of land.

Professional Office. An office that a member of a recognized profession maintains for the conduct of that profession.

Public Assembly. A space, room, or structure designed or used for occupancy by 20 or more persons who are gathered for a non-commercial purpose. Clubs, lodges, halls, and churches are places of public assembly

Public building. A building owned by a governmental agency.

Public Utility. Any person, firm, corporation, municipal department, or board, duly authorized to furnish and furnishing under regulations to the public, electricity, gas, telephone, television cable, telegraph, transportation, drainage, water, or sanitary sewage.

Recreational Vehicle. A vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven and primarily designed as a temporary living accommodation for recreational, camping, and travel use and including, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Recreational Vehicle Park. Any lot or parcel of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.

Restaurant. An establishment where food and drink are prepared, served, and consumed primarily within the principal building.

Restaurant, Drive-In. An establishment that delivers prepared food and/or beverages to customers in motor vehicles, regardless of whether or not is also serves prepared food and/or beverages to customers who are not in motor vehicles, for consumption either on or off the premises.

Restaurant, Fast Food. Any establishment whose principal business is the sale of foods,

frozen desserts, or beverages in ready-to-consume individual servings, for consumption either within the restaurant building or for carry-out, and where the establishment includes a drive-up or drive-through service facility or offers curb service.

Retail Sales. A commercial activity involving the sale of goods or merchandise to the general public, with the intent to attract the general public to buy.

Right-of-Way. A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or other special use.

School. A facility that provides a curriculum of elementary and secondary academic instruction, including kindergartens, elementary schools, junior high schools, and high schools.

Scrap Iron. Discarded or rejected metals that result from manufacturing or fabricating operations.

Second Dwelling. A detached single-family dwelling that is located on the same lot as another single-family dwelling and which functions in all aspects independently of the other dwelling, but is under one common ownership.

Self-Storage. A structure containing separate, individual, and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time.

Service Station. (See Gasoline or Service Station)

Setback. The required minimum horizontal distance between the building line and the related front, side, or rear property line.

Shopping Center. Two or more retail stores and/or service establishments, or one retail store and one service establishment, sharing customer-parking areas, regardless of whether said stores and/or service establishments occupy separate structures or are under separate ownership.

Sign. The term "sign" shall mean and include every device, frame, letter, figure, character, mark, plane, point, design, picture, stroke, stripe, trademark, or reading matter which is used or intended to be used to attract attention or convey information when the same is placed out of doors in view of the general public. In addition, any of the above, which is not placed out of doors, but which is illuminated with artificial or reflected light placed near the inside surface of a window in such a way as to be in view of the general public and used or intended to be used to attract attention or convey information to motorists.

Sign Area. The area within a line including the outer extremities of all letters, figures,

characters, and delineations, or within a line including the outer extremities of the framework or background of the sign, whichever line includes the larger area. The support for the sign background, whether it is columns, a pylon, or a building or part thereof, shall not be included in the sign area.

Sign, Area Identification. A sign which identifies a common area containing a group of structures, or a single structure, such as a residential subdivision, apartment complex, industrial park, manufactured home park, or shopping center, located at the entrance or entrances of the area.

Sign, Banner-style. Any sign printed or displayed upon cloth or other flexible material, with or without frames.

Sign, Building Marker. Any sign indicating the name of a building and date and incidental information about its construction, which sign is typically cut into a masonry surface or made of bronze or other permanent material.

Sign, Bulletin Board. A sign portraying a non-commercial message for the purpose of announcing an event to be held on the same premises upon which the sign is placed.

Sign, Flashing. An illuminated sign on which artificial or reflected light is not maintained stationary and constant in intensity and color at all times when in use.

Sign, Free Standing. A sign that is attached to or a part of a completely self-supporting structure. The supporting structure is set firmly in or below the ground surface and is not attached to any building or other structure whether portable or stationary.

Sign, Identification. A sign that serves as an identification for a person or business operating on the premises where the sign is located. Such sign may name the person, organization or business, but does not portray any other commercial or non-commercial message.

Sign, Illuminated. Any sign that has characters, letters, figures, designs or outline illuminated by electric lights or luminous tubes as a part of the sign proper.

Sign, Incidental. A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking," "entrance," "loading only," "telephone," and other similar directives.

Sign, Joint Identification. A sign which serves as common or collective identification for a group of persons or businesses operating on the same lot (e.g., shopping center, office complex, etc.) and shall include a sign which identifies architects, engineers, contractors and other individuals or firms involved with the construction on the premises. Such sign may name the persons, organizations or businesses included but does not portray any other commercial or non-commercial message.

Sign, Non-conforming. A sign existing at the effective date of the adoption of this Code, which could not be built under the terms of this Code.

Sign, Portable. Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, included, but not limited to, signs designed to be transported by means of wheels, signs converted to A-or T-frames, menu and sandwich board signs, balloons used as signs, umbrellas used for advertising, and signs attached to or painted on vehicles or trailers parked and visible from the public right-of-way in the normal day-to-day transportation operations of the business.

Sign, Projecting. Any sign that shall be affixed at an angle or perpendicular to the wall of any building in such a manner as to read perpendicular or at an angle to the wall on which it is mounted.

Sign, Public. A sign erected by or on behalf of a governmental body to post a legal notice, identify public property, convey public information or to direct or regulate pedestrian or vehicular traffic.

Sign, Residential. Any sign located in a district zoned for residential uses that contains no commercial message except such sign may contain a representation advertising the sale or lease of the residential premises.

Sign, Roof. A sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top walk or edge of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof.

Sign, Temporary. Any sign that is used only temporarily and not for an extended period of time and which is not permanently mounted.

Sign, Wall. Any sign that shall be affixed parallel to the wall or printed on the wall of any building in such a manner as to read parallel to the wall on which it is mounted; provided, however, said wall sign shall not project above the top of the wall or beyond the end of the building. For the purpose of this Code, any sign display surface that is affixed flat against the sloping surface of a mansard roof shall be considered a wall sign. Any sign that is affixed to the face of a building marquee, building awning, or a building canopy, shall be considered a wall sign.

Specialty Shop. A retail store specializing in a specific type of good or service that caters to a specific market and that consists mostly of one-of-a-kind merchandise.

Spot zoning. Spot zoning is the zoning of a small land area for a use which differs measurably from the zoned land use surrounding this area. Land may not merely be so zoned in the interest of an individual or small group, but must be in the general public

interest. Such zoning does not conform to the Comprehensive Plan and is not otherwise necessary in order to protect the health, safety, welfare, or morals of the community.

Street. A public way which affords the principal means of access to abutting properties.

Story. That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it or, if there is not floor above it, the space between the floor and ceiling next above it. A half story is a partial story under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than 4 feet above the floor of each story.

Structure. Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, walks, fences, billboards, and poster panels.

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

Trailer park. (See Manufactured Home Park)

Unit. An individual, group, structure, or other entity regarded as an elementary structural.

Variance. Administrative relief from the literal provisions of this Code in instances where enforcement would cause undue hardship due to circumstances unique to the individual property under question.

Wall. An upright structure of masonry, wood, plaster, or other building materials serving to enclose, divide, or protect an area.

Warehousing. A building use primarily for the storage of goods or operated for a specific commercial establishment or group of establishments in a particular industrial or economic field.

Wholesaling. Those operations that are engaged in the business of selling to retailers or rather than consumers.

Yard. The open space between the lot line and the main building line.

Yard, Front. The open space between the front lot line and the main building line, extending from side lot line to side lot line; this being the minimum horizontal distance between the front lot line and the main building or any projections thereof other than the projections of uncovered steps, uncovered balconies, terraces, or uncovered

porches. On corner lots the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

Yard, Rear. The minimum allowable horizontal distance between the rear lot line and the main building, extending across the rear of the lot between the side lot lines. Neither the main building nor any projection thereof other than steps, unenclosed porches, or entranceways may extend into the required rear yard.

Yard, Side. The required open space between the main building line and the sideline of the lot, extending from the front yard to the rear yard.