

## Section 12. Definitions

A. The following words, when used in this ordinance, shall have the meanings respectively ascribed to them in this section, unless such construction would be inconsistent with the manifest intent of the City Council or where the context of this ordinance clearly indicates otherwise:

1. ACCESSORY BUILDING OR ACCESSORY STRUCTURE shall mean a subordinate building or structure, attached to or detached from the main building, and customarily incidental to the principal building.
- 2a. ACCESSORY USE shall mean a use subordinate to and incidental to the principal use.
- 2b. ADULT ARCADE means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.
- 2c. ADULT BOOKSTORE OR ADULT VIDEO STORE means a commercial establishment which, as one of its principal business purposes, openly advertises or displays or offers for sale or rental for any form of consideration any one or more of the following:
  1. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations which depict or describe specified sexual activities or specified anatomical areas; or
  2. Instruments, devices, or paraphernalia which are designed for use in connection with specified sexual activities.
- 2d. ADULT CABARET means a nightclub, bar, restaurant, or similar commercial establishment which regularly features:
  1. Persons who appear in a state of nudity or seminudity; or
  2. Live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities; or

3. Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.
- 2e. ADULT MOTEL means a hotel, motel or similar commercial establishment which:
1. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas; and has a sign visible from the public right-of-way which advertises the availability of this type of photographic reproductions; or
  2. Offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
  3. Allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than ten (10) hours.
- 2f. ADULT MOTION PICTURE THEATER means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.
- 2g. ADULT THEATER means a theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or seminudity or live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities.
3. AIRPORT shall mean a landing facility for aircraft approved by the United States Federal Aviation Agency.
  4. ALCOHOLIC BEVERAGE shall mean alcohol and any beverage containing more than one-half of one percent of alcohol by volume which is capable of use for beverage purposes, either alone or when diluted.
  5. ALLEY shall mean a public way, public space or thoroughfare which affords only secondary means of access to property abutting thereon.
  6. AMUSEMENT PARK shall mean a lot, tract or parcel of land, or any

improvement thereon, either temporary or permanent, used in whole or in part for the operation and maintenance of any game of skill or chance, any circus, carnival, any riding device or devices, stationary or movable, or any combination thereof, or any animal, any of which is operated for a profit.

7. APARTMENT shall mean a room or suite of rooms arranged, designed or occupied as a residence by a single family, individual or group of individuals.
8. APARTMENT HOUSE shall mean any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied as three (3) or more apartments or which is occupied as the home or residence of three (3) or more families living independently of each other and maintaining separate cooking facilities.
9. AREA OF LOT shall mean the net area of the lot and shall not include portions of streets and alleys.
- 9a. ASSISTED LIVING FACILITY shall mean an establishment that furnishes, in one or more facilities, food and shelter to four or more persons who are unrelated to the proprietor of the establishment and that provides personal care services as defined by Chapter 247 of the Texas Administrative Code. Personal care services include assistance with meals, dressing, movement, bathing, or other personal needs or maintenance; the administration of medication; or the general supervision or oversight of a person's physical and mental well-being.
10. ATTACHED shall mean physical connection above the top of the floor line of the first floor.
- 10a. AUTOMOBILE IMPOUND shall mean a business which provides service of towing, moving or removing wrecked or disabled vehicles for the sole purpose of temporarily storing such wrecked or disabled vehicle. The impound may be used only for temporarily storing wrecked or disabled vehicles and shall not be used for salvaging or scrap, or selling of second-hand parts or selling wrecked or disabled vehicles.
11. AUTOMOTIVE REPAIR GARAGE. A garage or portion thereof in which automotive repair and maintenance takes place, including, but not limited to, automotive mechanical work and automotive body work, but excluding the outdoor storage of automotive parts or inoperative automobiles.
12. BREW PUB is defined in accordance with the definition contained in the Texas Alcoholic Beverage Code, as from time to time amended, and as

defined at the time of passage of this ordinance, in Title 3, Subtitle B, Chapter 74 of the Texas Alcoholic Beverage Code. All authorized activities, requirements and limitations contained within said Chapter 74, as from time to time amended, are hereby incorporated in the body of this ordinance by reference as if copied in their entirety, provided brew pubs shall be authorized and permitted uses in any commercial zoning category zoned for that purpose pursuant to Section 48. This definition of brew pub applies to Chapter 4 of the City Code and throughout the City's applicable ordinances and Code.

- 13-28. RESERVED FOR FUTURE USE.
- 29. BASEMENT shall be defined in the Grapevine Building Code, Chapter 4, Definitions and Abbreviations.
- 29a. BED AND BREAKFAST FACILITY shall mean an accessory use to a single-family dwelling unit in which no more than twelve (12) rooms in the principal residential structure are set aside for guest clients; breakfast is available on-site to only such guest clients at no extra cost; length of stay of guest clients ranges from one (1) to thirty (30) days; and the owner/operator of the principal structure resides on-site. Bed and breakfast homestay does not include uses such as motels, hotels, community residential homes, boarding or lodging houses, apartment dwellings, guest cottages or single-family dwelling transient rental.
- 30. BEDROOMS shall mean a room in an apartment other than a kitchen, dining room, living room, bathroom, or closet. This definition shall include extra dining rooms, living rooms, and all dens, studies, game rooms, sun rooms, or similar extra rooms, all of which are capable of being used as bedrooms.
- 31. BLIND FENCE OR WALL shall mean a fence or wall through which a person is unable to see standing six (6) feet from such fence or wall at ground level.
- 32. BLOCK shall mean an area within the city enclosed by streets and occupied by or intended for buildings; or, if said word is used as a term of measurement, it shall mean the distance along a side of a street between the nearest two (2) streets which intersect said street on said side.
- 33. BREEZEWAY shall mean a covered one story in height connecting a main structure and an accessory building.
- 34. BUILDING shall mean any structure built for the support, shelter and enclosure of persons, animals, chattels, or moveable property of any kind.

35. BUILDING LINE shall mean a line parallel or approximately parallel to the street line and beyond which building may not be erected.
36. BUSINESS SERVICE shall mean a commercial use, other than retail sales and professional services, devoted to:
- (a) The fabrication, processing, assembly, cleaning, or repair of articles of goods, wares, merchandise, foods, liquids or plants, but excluding the manufacturing of such articles and automobile repair garages.
  - (b) The instruction, training, or physical treatment of animals, but excluding animal shelters or places where animals are kept on the premises overnight.
  - (c) The providing of temporary abodes for transient persons, such as a hotel or motel.
  - (d) The providing of food, drink or entertainment to persons.
37. CABANA shall mean a secondary structure on a lot incidental to a swimming pool or recreational area, but excluding sleeping and cooking facilities.
- 38-58. RESERVED FOR FUTURE USE.
59. CALL CENTER: A physical location for the placement and/or reception of telephone calls or internet communication for the purpose of sales, marketing, marketing research, customer service, telemarketing, technical support, fundraising, internet-based retailing or any other specialized business activity.
60. CARNIVAL OR CIRCUS shall mean a temporary traveling show or exhibition usually housed in tents and which has no permanent structure or installation.
61. CHURCH shall mean any building, place, or structure(s) owned and/or used by religious organizations or congregations and providing religious worship, religious training, or education of its members. This definition includes accessory uses such as rectories, convents, monasteries or other congregate residences for the housing of religious organization personnel, meeting halls, offices for administration of the institution, day care facilities, education or schools, recreation associated with schools or day care facilities which are associated or affiliated with a church.

62. CLINIC shall mean an institution or facility for examining, consulting with or treating patients, including offices, laboratories and out-patient facilities, but not including hospital beds and rooms for acute or chronic care.
63. CLUB shall mean an association of persons for promotion of some common object, such as literature, science or good fellowship, and jointly supported by its members and carries the privilege of exclusive use of a club building and premises.
64. COMMERCIAL shall mean any business, other than a customary home occupation or manufacturing business, which involves the exchange of goods or services for the remuneration of a person occupying the premises upon which the transaction or part thereof takes place.
65. COMMERCIAL AMUSEMENT shall mean an amusement enterprise offering entertainment or games of skill to the general public for a fee or charge.
- 65a. COMMERCIAL LAUNDRY shall mean a heavy commercial service in which items such as clothes and linens are cleaned. This definition includes cleaning for hospitals, restaurants, hotels and diaper cleaning services as well as rug and dry cleaning plants where on-premise retail services to individual households are incidental to the operation of the plant. A commercial laundry plant shall exceed (5,000) five thousand square feet of floor area and no plant containing less than five thousand (5,000) square feet shall be considered a commercial laundry.
66. CONDOMINIUM means the separate ownership of single units or apartments in a multiple unit structure or structures with common elements as defined in Article 1301a Texas Revised Civil Statutes Annotated.
67. CONVALESCENT HOME shall mean any structure, other than a hospital, used for or occupied by persons recovering from illness or suffering from the infirmities of old age.
68. CORNER LOT shall mean a lot situated at the junction of two (2) or more streets.
69. COUNTRY CLUB shall mean an area containing a golf course and a club house available only to the membership of the country club and their guests, including facilities for dining and entertainment, swimming, tennis and similar recreational facilities and services.
70. CUSTOMARY HOME OCCUPATION shall mean an occupation customarily

carried on in the home by a member of the occupant's family provided that:

- (a) The home occupation shall be clearly secondary to the residential use of the dwelling and there may be no evidence of the home occupation visible to the neighborhood.
- (b) There shall be no structural alteration to the premises/building or any of its rooms, which changes the residential character of the dwelling.
- (c) There shall be no installation of machinery or additional equipment other than customary to household operations.
- (d) No person other than a member of the family of the owner or the resident of the dwelling shall be employed or work in such home occupation and such employees must also be occupants of the residence.
- (e) A home occupation may not create noise, vibration, glare, fumes, odors, or electrical interference which is detectable off of the premises, and may not cause visual or audible interference in radio or television receivers or fluctuations in line voltage off of the premises.
- (f) A home occupation must be carried on wholly within the principal dwelling, and not in an accessory building.
- (g) No signs or displays advertising the home occupation may be placed on the property where the home occupation is conducted.
- (h) Any activity conducted on the premises shall be of such a nature as to not appreciably increase the vehicular traffic or pedestrian activity in the neighborhood, and shall not encourage queues, browsing of displays, or any similar activity.
- (i) Outside storage of merchandise or equipment is prohibited.
- (j) Parking for the home occupation must be provided on a paved surface off of the street and not in a required front yard.
- (k) A customary home occupation shall not include the physical or medical treatment of persons or animals, retail sales, business services, barber shops, beauty shops, dance studios, carpenter shops, electrical shops, plumber shops, radio shops, auto repairing or painting, furniture repairing, or sign painting.

- (l) Sales of motor vehicles shall be limited to a maximum of two vehicles per calendar year.

71-91. RESERVED FOR FUTURE USE.

- 92. DAY CARE ACTIVITY SPACE shall mean an area or rooms used for children's activities including those separate from a group's classroom, excluding day care single use areas which include, but are not limited to, bathrooms, hallways, storage rooms, cooking areas of kitchens, and indoor swimming pools.
- 93. DAY NURSERY shall mean a place where children are left for care between the hours of 6:00 A.M. and 12:00 midnight.
- 93a. DENSITY shall mean the measure of the degree to which land is filled with residential units designed to accommodate a family group. Measurement excludes public or private streets in calculating density per acre.
- 94. DEPTH OF FRONT YARD shall mean the minimum distance from the front lot line to the front line of a building.
- 95. DEPTH OF LOT shall be defined as the mean distance between the front and rear lot lines.
- 96. DEPTH OF REAR YARD shall be defined as the minimum distance between the rear line of a building other than an accessory building and the rear lot line.
- 97. DETACHED shall mean having no physical connection above the top of the floor line of the first floor with any other building or structure.
- 98. DISTRICT shall mean a section of the City of Grapevine for which the regulations governing the area, height and use of building are uniform.
- 99. DUPLEX shall mean a detached building having separate accommodations for two (2) single-family dwellings or occupied by two (2) families.
- 100. DWELLING shall mean an enclosed building or portion thereof having accommodations for only one family or occupied by one family.
- 101. EFFICIENCY APARTMENT shall mean a dwelling unit in a multifamily structure, consisting of not more than one habitable room, together with

kitchen or kitchenette and sanitary facilities, and having a minimum of six hundred (600) square feet of floor area. A habitable room shall be defined as being a space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas, shall not be considered habitable space.

102-120. RESERVED FOR FUTURE USE.

121. ENCLOSED BUILDING shall mean a structure which is floored, roofed and surrounded by outside walls, which contains no opening larger than one hundred twenty (120) square feet in area normally open to the air and which contains no series of openings forming a divided opening larger than one hundred twenty (120) square feet in area normally open to the air.

122-136. RESERVED FOR FUTURE USE.

137. ESCORT means a person who, for consideration, agrees or offers to act as a companion, guide or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

138. ESCORT AGENCY means a person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes, for a fee, tip or other consideration.

139. ESTABLISHMENT means and includes any of the following;

1. The opening or commencement of any sexually oriented business as a new business;
2. The conversion of an existing business, whether or not a sexually oriented business, to a sexually oriented business;
3. The addition of any sexually oriented business to any other existing sexually oriented business; or
4. The relocation of any sexually oriented business.

140. FAMILY shall mean any number of individuals living together as a single housekeeping unit interdependent upon one another.

141. FLOOR AREA: The sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from

the center line of walls separating two (2) buildings, computed as follows:

- (a) **FOR DETERMINING FLOOR AREA RATIO:** The sum of the following areas: (1) the basement floor area when more than one-half (1/2) of the basement height is above the finished lot grade level where curb level has not been established; (2) elevator shafts and stairwells at each floor; (3) floor space used for mechanical equipment (except equipment, open or enclosed, located on the roof); (4) penthouses; (5) attic space having headroom of seven (7) feet, ten (10) inches or more; (6) interior balconies and mezzanines; (7) enclosed porches; (8) floor area devoted to accessory uses; and (9) space devoted to off-street parking, aisles and ramps when it is located in a parking structure. Space devoted to off-street loading shall not be included in the floor area. The floor area of structures devoted to bulk storage of materials including, but not limited to, grain elevators and petroleum storage tanks shall be computed by counting each ten (10) feet of height, or fraction thereof, as being equal to one (1) floor.
- (b) **FOR DETERMINING OFF-STREET PARKING AND LOADING REQUIREMENTS:** The sum of the following areas (1) floor space devoted to the principal use of the premises, including accessory storage areas located within selling or working space such as counters, racks, or closets; (2) any basement floor area devoted to retailing activities; and (3) floor area devoted to the production or processing of goods or to business or professional offices. For this purpose, floor area shall not include space devoted primarily to storage purposes (except as otherwise noted herein), off-street parking or loading facilities, including aisles, ramps and maneuvering space, or basement floor area other than area devoted to retailing activities, the production or processing of goods, or business or professional offices.

142. **FLOOR AREA RATIO (F.A.R.):** The floor area ratio of the building or other structure on any lot is determined by dividing the floor area of such building or structure by the area of the lot on which the building or structure is located. When more than one building or structure is located on a lot, then the floor area ratio is determined by dividing the total floor area of all buildings or structures by the area of the lot, or in the case of planned developments, by the net site area. The floor area ratio requirements, as set forth under each zoning district, shall determine the maximum floor area allowable for a building or other structure (including both principal and accessory buildings) in direct ratio to the gross area of the lot.

143. FIRST FLOOR shall mean a floor and the space above it between the floor and the next floor or the ceiling or roof, the height of said space being no more than fifty (50) percent below grade and the top of the floor being no higher than six (6) feet above grade. All floors above the first floor shall be numbered in ascending sequence, starting with the second floor.
- 143a. FLOOR - LEVEL - Any occupiable or usable floor space including mechanical rooms, storage areas, and expansion space. Floor Levels may have elevation changes not to exceed 24 inches.
144. FOUR-UNIT APARTMENT HOUSE shall mean a detached building containing four (4) single-family attached dwellings.
145. FRONT YARD shall mean an open, unoccupied space on a lot facing a street and extending across the front of a lot between the side yard lines. On a cul-de-sac, as that term is defined in the city's subdivision rules and regulations, the front building line is to be determined by establishing a thirty-foot setback from the front property pins on the front property or lot lines. A chord connecting these two (2) points shall be the front building line. Where a front property line has a curved section and a straight section, the front building line shall be determined by establishing a thirty-foot setback on the side property lines, thirty (30) feet from the property pins. A line perpendicular to the straight section will be established at the property pin where the curve begins. A point will be established on this line thirty (30) feet behind the property pin. The building line will be established by connecting these two (2) points. The term "property pins" refers to the front corners of the property contiguous to the street right-of-way as shown on the subdivision.
146. FREIGHT FORWARDING WAREHOUSES shall mean warehouses engaged in the storage of goods in transit which are under the control of a direct air or transport carrier or an agency responsible for the transportation of goods via any such carrier.
- 147-167. RESERVED FOR FUTURE USE.
- 168a. GARAGE, FRONT ENTRY, shall mean a structure or portion thereof for the accessory use of storing or parking of private motor vehicles owned by the occupant of the premises, located in front of or beside the living area, the access thereto is from the front property line.
- 168b. GARAGE, REAR ENTRY, shall mean a structure or portion thereof for the

accessory use of storing or parking of private motor vehicles owned by the occupant of the premises, with access or door facing the side or rear property line, said structure shall be located partially or totally behind any portion of the living area.

- 169. GARAGE, PUBLIC STORAGE OR PUBLIC STORAGE GARAGE, shall mean a building or portion thereof, not a private garage, constructed or used for the storage or parking of passenger motor vehicles and trucks of less than one-ton capacity only, where the rental of space is on an hourly, weekly or monthly basis.
- 170. GASOLINE SERVICE STATION shall mean a place or establishment where gasoline, oil, grease, or motor vehicle accessories are sold, supplied or dispensed to the retail motor vehicle trade, or the minor repair of motor vehicles is performed, or the washing of motor vehicles.
- 171a. GRADE shall mean the finished ground level adjoining the building at all exterior walls.
- 171b. GRADE PLANE shall mean a reference plane representing the average of the finished ground level adjoining the building at all exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six (6) foot (1829 mm) from the building between the structure and a point six (6) foot (1829 mm) from the building.
- 172. GRAPHIC PLAN shall mean a map indicating the proposed areas of common land usage by generalized drawing.
- 173. GUEST HOUSE shall mean a secondary structure on a lot which may contain dwelling accommodations for the temporary occupancy by guests and not for rent or permanent occupancy, and such building not having a separate utility meter.
- 174. GROSS LEASABLE AREA (GLA) shall mean the total floor area designed for the tenant's occupancy and exclusive use, including basements, mezzanines or upper floors, expressed in square feet and measured from the centerline of joint partitions and from outside wall faces. It is the space for which tenants pay rent, including sales areas and integral stock areas. Gross leasable area does not include public or common areas such as public toilets, corridors, stairwells, elevators, machine and equipment rooms, lobbies or enclosed mall area.

- 175-192. RESERVED FOR FUTURE USE.
193. HALF STORY shall mean a story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) exterior walls are not more than two (2) feet above the floor of such story.
194. HALF-WAY HOUSE shall mean an institution for criminal rehabilitation.
195. HEIGHT, BUILDING shall mean the vertical distance from grade plane to the average height of the highest roof surface, if a flat surface, to the deck line of mansard roofs and to the mean height level between eaves and ridge for hip and gable roofs. In measuring the height of buildings, the following structures shall be excluded: Chimneys, cooling towers, elevator bulkheads, radio towers, ornamental cupolas, domes or spires, and parapet walls not exceeding four (4) feet in height.
196. HOSPITAL shall mean an institution or place where sick or injured in-patients are given medical or surgical care, at either public or private expense, but excluding institutions where persons suffering from permanent types of illness, injury, deformity or deficiency or age are given care and treatment on a prolonged or permanent basis.
197. HOTEL OR MOTEL shall mean a building or arrangement of buildings, in which there are thirteen or more guestrooms used, designed and occupied as a temporary abiding place of individuals who are lodged with or without meals, in which the rooms are usually occupied singly for hire, in which there are not provisions for cooking in individual rooms or apartments. Access to guest rooms shall be restricted exclusively to interior corridors. These corridors shall be accessed via the main lobby of the building or entryways individually equipped with some form of security controlled access system.
198. HELIPORT shall mean 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 which are used, or intended for use, for heliport buildings and other heliport facilities.
199. HELISTOP shall mean the same as a heliport, except that no refueling, maintenance, repairs or storage of helicopters is permitted.
200. INN shall mean an establishment for the lodging and entertaining of travelers limited to a maximum of twenty rooms with a minimum floor area of 380 square feet per room.

- 201-209. RESERVED FOR FUTURE USE.
210. KINDERGARTEN shall mean school for children of preschool age, in which construction endeavors, object lessons and helpful games are prominent features of the curriculum.
- 211-220. RESERVED FOR FUTURE USE.
221. LOT shall mean a tract of land occupied or to be occupied by a building and its accessory buildings, and including such open spaces as are required under this ordinance, and having its principal frontage upon a public street or officially approved place.
222. LOT, FLAG shall mean a lot which is platted such that a portion of the lot is behind and a portion is beside an adjacent lot, fronts on the same right-of-way or dedicated easement as the adjacent lot, and does not meet the minimum lot width at the required minimum front building setback line for the zoning district in which it is located. Such flag lots shall be prohibited in the “R-20” Single Family District, “R-12.5” Single Family District, “ R-7.5” Single Family District, “R-5.0” Zero Lot Line District, “R-3.5” Two Family District, “R-3.75” Three and Four Family District, and “R-TH” Townhouse District.
- For non-residentially zoned property developed as a flag lot, the front yard setback shall begin at the point where the lot meets the minimum lot width established for the district.
223. LOT COVERAGE shall mean the total area of a lot upon which is placed a building, buildings, or other structures.
224. LOT OF RECORD shall mean a lot which is part of a subdivision, the plat of which has been recorded in the office of the county clerk of Tarrant County, Texas, or a parcel of land, the deed of which was recorded in the office of the county clerk of Tarrant County, Texas, prior to the effective date of this ordinance.
- 225-247. RESERVED FOR FUTURE USE.
248. MANUFACTURED PLANT shall mean an establishment devoted to the fabrication, processing, assembling, cleaning or repair of articles, foods, liquids, and/or plants.
249. MECHANICAL EQUIPMENT shall mean any machinery designed or

manufactured for permanent installation in one place, either outside of a building or inside of a mechanical equipment building or room, driven by a motor or motors of more than five (5) horsepower or more.

250. MINIMUM SQUARE FOOTAGE OF DWELLING UNIT shall mean the minimum square footage of living space required per dwelling unit, excluding porches, patios, or areas designated for automobile parking.
251. MOBILE HOME shall mean any vehicle used or manufactured to be used as a temporary or permanent dwelling or sleeping place for one or more persons, and having no foundation other than wheels, jacks, or skirtings so arranged as to be integral to or portable by the vehicle, and shall include self-propelled and non self-propelled vehicles so designed, constructed, reconstructed, or added to by means of accessories in such manner as will permit the occupancy thereof as a temporary or permanent dwelling or sleeping place for one or more persons.
252. MOBILE HOME SUBDIVISION shall mean any lot, tract or parcel of land used in whole or in part for the parking of mobile homes used for or to be used as a temporary or permanent dwelling or sleeping place for one or more persons by the day or week, or for a longer period of time with or without compensation and where parking facilities are provided for one or more automobiles and mobile homes to be used for temporary or permanent dwellings.
253. MODULAR HOME shall mean a structure or building module that is manufactured at a location other than the location where it is installed and used as a residence by a consumer, transportable in one or more sections on a temporary chassis or other conveyance device, and to be used as a permanent dwelling when installed and placed upon a permanent foundation system. The term includes the plumbing, heating, air conditioning and electrical systems contained in the structure. The term does not include a mobile home as defined in the Texas Manufactured Housing Standards Act, nor does it include building modules incorporating concrete or masonry as a primary component.
254. MOTOR FREIGHT TERMINAL shall mean an establishment which charges for the transportation of goods by motor truck from one city to another, designed for storing and handling of goods so transported or to be transported, and for the parking, storing and maintenance of motor trucks engaged in such transportation.
255. MULTIFAMILY DWELLING shall mean a building or buildings containing or

aggregating more than four single-family dwelling units.

256-274. RESERVED FOR FUTURE USE.

275. NATURAL VEGETATION shall mean living plant material.

276. NEW CAR SHOWROOM shall mean an establishment of a dealer of new automobiles, authorized by the manufacturer of the automobiles.

277. NONCOMMERCIAL shall pertain to an enterprise which provides goods and/or services only to its own members, stockholders or shareholders and their guest, and which returns all profits from the operation, if any, to the members, stockholders or shareholders, in accordance with their share of investment.

278. NONCONFORMING USE shall mean a building, structure or use of land lawfully occupied at the time of the effective date of this ordinance or amendments thereto, and which does not conform to the use regulations of the districts in which it is situated.

278a. NUDE MODEL STUDIO means any place where a person who appears in a state of nudity or seminudity or displays specified anatomical areas is provided, to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any other form of consideration.

278b. NUDITY or a STATE OF NUDITY means and includes either of the following:

1. The appearance of a human bare buttock, anus, male genitals, female genitals or female breast; or
2. A state of dress which fails to opaquely cover a human buttock, anus, male genitals, female genitals or areola of the female breast.

279. NURSING HOME shall mean an institution where persons suffering from generally permanent types of illness, injury, deformity, deficiency of age, are given care and treatment on a prolonged or permanent basis and which is licensed by the State of Texas or the City of Grapevine.

280-299. RESERVED FOR FUTURE USE.

300. OFF-STREET PARKING shall mean asphalt or concrete surface areas upon which motor vehicles may be parked and which area has access to a public

street. The minimum required off-street parking shall be provided to patrons of the associated use free of charge, unless approved with a Special Use Permit in accordance with Section 49 of this ordinance.

- 301. RESERVED FOR FUTURE USE.
- 302. OPEN SPACE shall be all land designated for the recreational enjoyment and/or natural beauty of area.
- 303. OUTDOOR ADVERTISING SIGN shall mean a signboard advertising a service commodity, goods, wares, merchandise or opinion not sold or offered to the public at the site upon which the signboard is located.
- 304. OUTSIDE STORAGE shall mean the storage of commodities, goods, machinery and equipment, and/or refuse outside of an enclosed building.
- 305. OCCUPANCY shall mean the purpose or activity for which a piece of land or its building, part thereof, is used or intended to be used.
- 306-323. RESERVED FOR FUTURE USE.
- 324. PERIMETER PLAN shall mean a map indicating the proposed areas of common land usage on a tract of land three hundred (300) feet in depth adjacent to and within the total perimeter of the district.
- 324a. PERSON means an individual, proprietorship, trust, partnership, corporation, association, or other legal entity.
- 325. PREMISES shall mean a piece of land or real estate owned, rented, leased, used or occupied distinct from those adjacent, by virtue of different ownership, rental, lease, usage or occupancy.
- 326. PRINCIPAL STRUCTURE shall mean a building or structure, the use of which is a principal use.
- 327. PRINCIPAL USE shall mean a use which, in comparison with another use occurring on the same property, has the greatest effective producing power.
- 328. PRIVATE shall mean the exclusion of those who have not been invited.
- 329. PRIVATE CLUB shall mean a social organization to which membership is by invitation only, and its meeting place in which only members and their guests are permitted, but excluding private clubs in which alcoholic beverages are

stored, possessed or consumed.

- 330. PROFESSIONAL SERVICE shall mean work performed by a member of a profession licensed as a profession by the State of Texas.
- 331. PUBLIC shall mean promotion of a public cause or service, including utilities having a franchise from the City of Grapevine, but excluding other profit-making organizations.
- 331a. PUBLIC RAIL STATION shall mean a facility owned by a municipal, state or federal entity or a public transportation authority where passengers may board a type of rail service which may be light rail, commuter rail, or some other form of passenger rail service. Such facilities may include provisions for parking, and other uses such as retail, office, or meeting space.
- 332. PLANNED COMMERCIAL CENTER shall mean a center consisting of one, (1) or more lots having a total site area of a minimum of five (5) acres with a combination of permitted and conditional uses in the zoning district for which the zoning application is made.
- 333. RESERVED FOR FUTURE USE
- 334. PLANNED BUSINESS PARK shall mean a center consisting of one, (1) or more lots having a total site area of a minimum of five (5) acres with a combination of the permitted and conditional uses of the Business Park District.
- 335-359. RESERVED FOR FUTURE USE.
- 360. RAILROAD EQUIPMENT STORAGE YARDS shall mean a place for the storage of railway cars, boxcars and engines and related equipment.
- 361. RAILWAY FREIGHT STATION shall mean an establishment which charges for the transport of goods, by railway from one city to another, designed for storing and hauling of goods so transported or to be so transported, but excluding the outside storage of railway cars, boxcars, and engines.
- 362. REAR YARD shall mean a space unoccupied by a principal structure extending for the full width of the lot between a principal structure and the rear lot line.
- 363. RELIGIOUS INSTITUTION shall be held to include a church as defined herein.

364. RETAIL SALES shall mean the regular sale of general merchandise from existing, on-site inventory to the general public for direct use or consumption.
365. RETAIL STORE shall mean a place where goods, wares, merchandise and commodities are sold and transferred directly to the purchaser or consumer in small quantities such as by the single yard, pound, gallon, single articles as opposed to wholesale trade.
366. REVERSE FRONTAGE LOT shall mean a corner lot, the rear of which abuts the side of another lot.
- 367-387. RESERVED FOR FUTURE USE.
388. SALE AND RENTAL OF HEAVY MACHINERY AND EQUIPMENT shall mean a building or open area, other than a right-of-way or public parking lot, used for the display, sale, rental, maintenance, repair, and storage of heavy machinery. Heavy machinery includes but is not limited to track loaders, excavators, backhoe loaders, skid steers, telehandlers, aerial lifts, tractors, farm machinery, bulldozers, street graders, and paving devices. This definition does not include the sale, storage, lease, or repair of living units such as mobile homes and commercial vehicles such as recreational vehicles (RVs), campers, trailers, trucks, vans, and any other vehicles licensed by the Texas Department of Public Safety.
389. SALVAGE YARD shall mean the outside storage of refuse and the recovery of usable portions of same.
390. SCREENING shall mean a wall or fence, the surface of which does not contain openings more than forty (40) square inches in each one square foot of surface of such wall or fence, and which surface shall constitute a visual barrier. Any wall or fence constructed to comply with any screening provision specified within this ordinance shall be in accordance with the provisions of Section 50 of this ordinance.
- 390a. SEMINUDE means a state of dress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices.
391. SERVANTS' QUARTERS shall mean an accessory dwelling located on a lot with a main residence structure and used as living quarters for persons employed on the premises only, and not for rent or use as a separate domicile of other than persons employed on the premises, and with no

separate utility meters.

- 391a. SEXUAL ENCOUNTER CENTER means a business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:
1. Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
  2. Activities between male and female persons and/or persons of the same sex, when one or more of the persons is in a state of nudity or seminudity.
- 391b. SEXUALLY ORIENTED BUSINESS means an adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio or sexual encounter center, as such terms are defined herein.
392. SIDE YARD shall mean an open unoccupied space on the same lot with a building, situated between the building and the side line of the lot, and extending through from the street or from the front yard to the rear line of the lot. Any lot line not a rear line or a front line shall be deemed a side line.
393. SINGLE-FAMILY ATTACHED DWELLING shall mean a portion of an enclosed building having accommodations for and occupied by only one family, attached to like units, which units may be sold individually provided that the entire building meets all lot area, front yard, side yard, rear yard, height and other zoning requirements.
394. SINGLE-FAMILY DETACHED DWELLING shall mean an enclosed building having accommodations for and occupied by only one family, which building must of itself meet all the lot area, front yard, side yard, rear yard, height and other zoning requirements.
- 394a. SPECIFIED ANATOMICAL AREAS means human genitals in a state of sexual arousal.
- 394b. SPECIFIED SEXUAL ACTIVITIES means and includes any of the following:
1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts; or
  2. Sex acts, normal or perverted, actual or simulated, including

intercourse, oral copulation, or sodomy; or

3. Masturbation, actual or simulated; or
  4. Excretory functions as part of or in connection with any of the activities set forth in 1. through 3. above.
395. STORAGE shall mean a space or place for storing and safekeeping of goods in a warehouse or other depository.
- 396a. STORY shall mean the portion of the building included between the upper surface of a floor and the upper surface of the floor or roof next above.
- 396b. STORY, ABOVE GROUND shall mean any story having its finished floor surface entirely above grade, except that a basement shall be considered as a story above grade where the finished surface of the floor above the basement is:
1. More than six (6) feet (1829 mm) above grade plane.
  2. More than six (6) feet (1829 mm) above the finished ground level for more than 50 percent of the total building perimeter.
  3. More than twelve (12) feet (3658 mm) above the finished ground level at any point.
397. STREET shall mean any public thoroughfare dedicated to the public and not designated as an alley.
398. STREET RIGHT-OF-WAY shall mean a street, including its pavement and all the publicly owned property adjacent to it, dedicated for street purposes.
399. STRUCTURAL ALTERATIONS shall mean any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.
400. STRUCTURE shall mean any building, construction, facility or edifice including, but not limited to an underground or overground utility line, drainage facility, fence, street, or runway.
- 401-422. RESERVED FOR FUTURE USE.
423. TOWING SERVICE shall mean an accessory use which provides the service of towing, moving or removing wrecked or disabled vehicles for the sole

purpose of repairing such wrecked or disabled vehicle in conjunction with a permitted or conditional use.

- 424. TOWNHOUSE shall mean a single-family attached dwelling unit on a separately platted lot which is joined at another dwelling unit on one or more sides by a party wall or abutting walls and occupied by not more than one family.
- 425. TRIPLEX shall mean a detached building containing three (3) single-family attached dwelling units.
- 426. USE shall mean the purpose or activity for which a piece of land or its buildings is designed, arranged, or intended, or for which it is occupied or maintained.
- 427-429. RESERVED FOR FUTURE USE.
- 430. VINEYARD shall mean the cultivation or planting of grapes.
- 431-445. RESERVED FOR FUTURE USE.
- 446. WAREHOUSING shall mean storage in an enclosed building five thousand (5,000) square feet in area or larger, of articles, foods, liquids and/or plants including all necessary office and/or sales space, but not including freight forwarding warehouses, motor terminal facilities or railway freight station facilities.
- 447. WHOLESALE BUSINESS shall mean a commercial use devoted to the sale of goods and commodities in large lots to retail outlets and store and manufacturers.
- 448a. WIDTH OF LOT shall mean the distance between the side property lines measured at a required building setback line, measuring parallel to the front property line, perpendicular to the side property line. At no time, however, shall the front property line be less than twenty (20) feet.
- 448b. WIDTH OF LOT, CUL-DE-SAC, shall mean the distance between the side property lines measured at a required building setback line, measuring parallel to a perpendicular line bisecting the angle between two (2) side property lines. At no time, however, shall the front property line be less than twenty (20) feet. A cul-de-sac street, one end of which is closed and consists of a circular turn around.

449. WIDTH OF SIDE YARD shall mean the least distance between a side wall of a building and the side line of the lot.

450. WINERY, shall mean the manufacturing, bottling, labeling and packaging of wine containing not more than twenty-four (24) percent alcohol by volume from grapes, fruits and berries grown on-premise or imported, and to include the manufacturing and importation of grape brandy for fortifying purposes only. Wine sales may be to holders of wholesaler's permits, winery permits, wine bottlers permits. Retail sales to ultimate consumers in unbroken packages for off-premise consumption may not exceed an amount of 25,000 gallons annually. A winery may include the following accessory uses; a tasting room to dispense wine for on-premise consumption; meeting/banquet facilities; restaurants and retail sales area of wine for off-premise consumption.

B. AMENDMENTS TO THE DEFINITIONS in this section, or additional definitions to be added to this section, may be made by the City Council of the City of Grapevine after receiving the recommendations and report of the Planning and Zoning Commission on such amendments or additions, and after a public hearing before the City Council, as provided by law. Public hearings before the Planning and Zoning Commission on any proposed amendment or addition to the definitions of this section shall be held by the Planning and Zoning Commission after notice of such hearing shall have been given by publication at least one time in a newspaper of general circulation in the City of Grapevine, of the time and place of such hearing at least ten (10) days prior to the date of such hearing.