Contents

24.10.1 General Rules of Interpretation 427
24.10.2 Definitions 427
"A" 427
Abut. 428
Access point. 428
Access Street 428
Accessory Building or Accessory Structure 428
Accessory Dwelling Unit 428
Accessory Use 428
Adult Bookstore 428
Adult Day Care 428
Adult Day Health Care Facility 428
Adult Entertainment 428
Adverse Impact 428
Agricultural Sales 428
Agriculture Sales and Service 428
Agricultural Use 428
Air Installation Compatible Use Zone 429
Aircraft Repair 429
Airport Elevation 429
Airport Hazard 429
Airport Obstruction 429
Airport 429
Airspace Height 429
Alcohol Sales 429
Alley 429
Alluvial Fan Flooding 429

DRAFT

Alternative tower structure 429
Amusement Redemption Machine Establishment 429
Amusement Redemption Machine 429
Animal Hospital (Indoor) 430
Animal Hospital (Outdoor) 430
Antenna 430
Antique Store 430
Apartment Building 430
Apartment garage 430
Apartment 430
Apex 430
API 430
Appeal 430
Applicant 430
Appurtenant Structure 431
Aquaponics: 431
Architectural, historic, or scenic area 431
Area of Future Conditions Flood Hazard 431
Area of Shallow Flooding 431
Area of Special Flood Hazard 431
Art establishment 431
Art gallery 431
Art studio 431
Art, artwork or work of art 431
Arterial 431
Artist live/work space 432
Artist 432
As-built Plan 432
Auto and Truck Repair 432
Auto Repair, Minor 432

DRAFT

Automated Teller Machine (ATM) 432
Automobile or Vehicle Sales 432
Automotive Repairs 432
Automotive sales 432
Automotive wrecking and salvage 432
Automotive, Mobile Home, Travel Trailer and Farm Implement Sales 432
Awning 432
A-Zones 432
"B" 433
Backwater Effect 433
Bail Bond Services 433
Bar 433
Base Flood Elevation (BFE) 433
Base Flood 433
Base Floodplain 433
Basement 433
Bed and Breakfast 433
Best Management Practices or "BMP" 433
Block 434
Board 434
Breakaway Wall 434
Buffering 434
Buildable Width 434
Building Line 435
Building Materials Sales and Storage 435
Building 435
Building, Accessory 435
Building Permit Application 435
Building Plane, Front 435
Building Plane 435

DRAFT

Buildings or Home Services 435
Business College / Technical or Trade School 435
Business Support Services 435
"C" 436
Car Wash 436
Carnival 436
Cemetery/Mausoleum 436
Cemetery 436
Certificate of Compliance 436
Certificate of No Plat Required 436
Certificate of title 436
Child Day Care 436
Child-Care Home 436
Registered Child-Care Home 436
Licensed Child Care Home 436
Children's Amusement Services (Outdoors) 437
City Engineer 437
City Manager 437
City Petroleum Superintendent 437
City Tree Official 437
City 437
Civic Building 437
Civic Club 437
Civic Space 437
Clear vision area 437
Clearing 437
Clinic (Dental or Medical) 437
Club 438
Coin Operated Machine 438
College / University 438

DRAFT

Collocation 438
Commencement of Construction 438
Commercial Condominium 438
Commercial Dead Storage Parking Lot 438
Commercial Parking Lot 438
Commission 438
Communication Tower 438
Community Garden 438
Community Housing 439
Community 439
Completion 439
Composting: 439
Comprehensive Plan 439
Conditional Use Permit 439
Conditional Use 439
Construction 439
Construction Yard 440
Contaminated 440
Contractor 440
Convenience Store (with Gasoline Sales) 440
Convenience Store 440
Conversion 440
Corner clip 440
Corner lot 440
Correctional Facilities 440
Council 440
Crematorium 440
Critical Feature 441
Cul-de-sac 441
Cultural Facility 441

DRAFT

"D" 441
Damage 441
Day Camp 441
Day Care Center 441
Day Labor Service 441
Day-Night Average Sound Level (Ldn) 441
Decibel (db) 442
Density 442
Department 442
Design Flood 442
Design Report 442
Designated Floodway 442
Detention Structure 442
Developed Residential or Commercial Area 442
Development 442
Director 442
Discharge 442
Discharger 443
District 443
Dormitory 443
Double-Front Lot 443
Drainage Area 443
Drainage Channel 443
Drilling Block 443
Drilling Unit 443
Drinking Water 443
Drive-In Restaurant 443
Drive-Through Restaurant 443
Drive-Through Store 443
Drug And Tobacco Paraphernalia Shop 443

DRAFT

Drug and Tobacco Paraphernalia Shop (Head Shop) 443
Drug paraphernalia means equipment 444
Duplex 445
Dwelling Unit 445
Dwelling, Multi-Family 445
Dwelling, Single-Family Detached 445
Dwelling, Two-Family (Duplex) 445
Dwelling, Two-Family 445
"E" 445
Easement 445
Economically Distressed Area 445
Effective Grain Size 445
Electrical sign contractor 446
Elevated Building 446
Elevation 446
Eligible Tree 446
Emergency Care Clinic (Outpatient) 446
Engineer 446
Entertainment establishment 446
Entertainment Facility 446
Environmental Protection Agency or EPA 446
Environmentally Sensitive Area 446
Erosion 446
Escort Agency 446
ESD Director 447
Essential Services 447
Exempt signage 447
Exhibition, Convention, or Conference Facility 447
Existing Construction (for section 447
Existing Manufactured Home Park or subdivision 447

DRAFT

Expansion to an Existing Manufactured Home Park or Subdivision 447
Extraction 447
Extraterritorial jurisdiction (ETJ) 447
Extraterritorial jurisdiction 447
"F" 448
FAA 448
Façade 448
Facility 448
Family Home 448
Family 448
Farming and Ranching 448
FCC 448
Federal Emergency Management Agency (FEMA) 448
Federal Insurance Administration (FIA) 448
Fee Owner 448
Fence 448
Filing date 448
Fill 448
Filtration or "To Filter" 448
Final Stabilization 448
Financial Institution 449
Fire Department 449
Fire Protection Water 449
First Order Stream 449
Five-Year Frequency Storm 449
Flag Lot 449
Flash Flood 449
Flea Market 449
Flood Boundary Floodway Map (FBFM) 449
Flood Control 449

DRAFT

Flood Crest 449
Flood Elevation Study 449
Flood Frequency 449
Flood Fringe 450
Flood Hazard 450
Flood Insurance Rate Map (FIRM) 450
Flood Insurance Study 450
Flood or Flooding 450
Flood proofing 450
Flood Protection System 450
Flood Warning 450
Flood Zones 450
Floodplain Management Regulations 450
Floodplain Management 450
Floodplain or Flood-Prone Area 451
Floodway 451
Floor Area: Gross 451
Floor Area: Net 451
Food Market 451
Food Preparation 451
Food Processing 451
Food Service 451
Foundation 451
Fourth Order Stream 451
Freeboard 451
Frontage 451
Functionally Dependent Use 451
Funeral & Interment Services 452
"G" 452
Garage or Yard Sale 452

DRAFT

Garage 452
Gasoline or Diesel Fuel Sales 452
General Animal Services 452
General Development Plan 452
General Personal Services 452
General Retail 452
Grades 453
Grading 453
Grandfather clause (sign) 453
Greenbelt 453
Green House 453
Ground Passenger Transportation 453
"H" 453
Halfway House (Criminal) 453
Hazardous Waste Disposal 453
Hazardous Waste Transfer 454
Health/Fitness Club 454
Heavy Equipment Sales and Service 454
Hedge 454
Height 454
Heliport and Miscellaneous Air Transportation 454
Highest Adjacent Grade 454
Historic District 454
Historic Structure 456
Home Occupation 456
Home Occupation A 456
Home Occupation B 456
Hoophouse or High Tunnel: 456
Hospital 456
Hotel / Motel 456

DRAFT

HUD-Code Manufactured Home 456
Hydrodynamic Loads 457
Hydroponics 457
Hydrology 457
Hydrostatic Loads 457
"I" 457
Illegal Dumping 457
Impervious 457
Imperviousness 457
Imported Crafts (retail sale) 457
Improvement 457
Indoor Amusement 457
Industrial Launderer 458
Industrial Park 458
Infiltration 458
Insurance 458
Interior Lot 458
Interior Noise Level 458
Interior Street 458
International Bridge Facility 458
"J" 458
Junkyard 458
"K" 458
Kennel 458
Kiosk 458
"L" 458
Land Disturbing Activity 458
Land Filling 459
Landscape Easements (Landscape Reserve) 459
Landscaping 459

DRAFT

Legal Non-conforming Use 459
Levee System 459
Levee 459
Licensed Professional Engineer or P.E. 459
Life Care or Continuing Care Services 459
Live/Work Dwelling 460
Livestock Sales 460
Local Street 460
Location Map 460
Logo 460
Lot Front 460
Lot Line 460
Lot of Record 460
Lot 460
Lounge 460
Lowest Floor 460
"M" 461
Machinery and Equipment Sales, Rental, and Leasing 461
Main Stem 461
Maintenance and Repair Services 461
Maintenance and Storage Facilities 461
Maintenance 461
Major Road 462
Major Thoroughfare Plan 462
Manufactured Home 462
Manufactured Home 462
Manufactured Home Park or Subdivision 462
Manufactured Home Park 462
Manufactured Home Rental Space 462
Manufacturing, Artisan 462

DRAFT

Manufacturing, Heavy 462
Manufacturing, Light 462
Massage Parlour 463
Master sign coordination plan or unified development sign plan 463
Mean Sea Level 463
Median 463
Mixed-Use Building 463
Mobile Home 463
Mobile Vendor 463
Model Home 463
Modular Structure 463
Mulch 463
Municipal Separate Storm Sewer System or MS4 464
"N" 464
National Flood Insurance Program (NFIP) 464
Nationalization/"Nacionalizacion" of Vehicles Enterprise 464
Native Plant 464
Natural Waterways 464
Naturalized Plant 464
New Construction 464
New Manufactured Home Park or Subdivision 464
Nightclub 464
Noise control areas 464
Noise 464
Non-conforming Use 465
Non-erodible 465
Nonpoint Source Pollution 465
Non-public Water System 465
Non-Residential Use 465
Notice of Intent (NOI) 465

DRAFT

Notice of Termination (NOT) 465
NPDES General Permit for Storm Water Discharges Associated with Industrial Activity or Baseline Industrial General Permit 465
NPDES Permit 465
Nude Model Studio 465
Nursery 465
"O" 465
Office Use 465
Office 465
Off-Site Storm Water Management Facility 466
Off-street Parking and Loading Requirements 466
Oil and Gas Storage 466
One Hundred Year Frequency Storm 466
One Hundred-Year Floodplain 466
On-Site Storm Water Management Facility 466
Open Space 466
Operating Rights 466
Operator 466
Ordinary High Water Mark (OHWM) 467
Orient 467
Outdoor Amusement 467
Outdoor Storage 467
"P" 467
Parapet 467
Park and Open Space Master Plan 467
Park Trees 467
Parking Facility 467
Parking garage, private 467
Parking Garage 467
Parking Layout and Design Standards 468

DRAFT

Parking Lot 468
Parking Lot 468
Parking Space, Off-Street 468
Parkway 468
Passenger Terminal 468
Pawnshop 468
Payday Lender 468
Performance 468
Perimeter Buffer 469
Permit 469
Person Responsible for the Land Disturbing Activity 469
Person 469
Personal Instructional Services and Display 469
Planned Development (PD) 469
Plant Nursery 469
Plat, Amending 469
Plat, Final Subdivision 469
Plat 469
Plat, Preliminary Subdivision 469
Plat, Street Dedication 469
Plug Back 470
Point of purchase display 470
Point Source 470
Pole cover 470
Postal Services 470
Post-Development 470
Pre-Developed Conditions 470
Preliminary Plat 470
Private Street 470
Protected Tree 470

DRAFT

Protected Waters 470
Public Safety Facility 471
Public Service Facility 471
Public Street 471
Public Uses 471
Public Water System 471
Public Way 471
Purchaser 471
"Q" 471
Qualified Personnel 471
"R" 471
Radial lots 471
Railroad Commission or R.R.C. 471
Railroad Facilities 471
Railroad Freight Depot 472
Railroad Right-of-Way 472
Recompletion Operations 472
Recreation Camp 472
Recreational Vehicle Park 472
Recreational Vehicle 472
Recycling Drop-off Center 472
Recycling Plant 472
Re-entry or re-enter 472
Regional Storm Water Management 472
Registered Land Surveyor 472
Registered Landscape Architect 473
Regulatory Floodway 473
Rehabilitation Facility and Services 473
Release 473
Relief Well 473

DRAFT

Religious Land Use 473
Replacement Trees 473
Replat 473
Representation of Value 473
Reserve 473
Residential Care Facilities 473
Responsible Personnel 473
Restaurant 473
Retention Structure 474
Retirement Home 474
Return Map Agreement 474
Reworking 474
Right of Way (ROW) 474
Riverine 474
Road 474
Rooftop and Vertical Farming 474
Rooming/Boarding House 474
"S" 474
Salvage Yard 474
Sanitarian 474
School (Public or Private) 475
Screening Fence 475
Screening 475
Searchlight or skylight 475
Second Order Stream 475
Sediment 475
Self-Service Storage Facility 475
Semi-Trailer 475
Setback 475
Setback Line 475

DRAFT

Sewerage Facilities 475
Sewers, Central or Group 475
Sewers, On Site 475
Sexually Oriented Business 475
Shooting Range 475
Short-Term Rental 476
Shrub 476
Sidewalk 476
Sidewalk Café 476
Sidewalk Café License 476
Site 476
Size (sign) 476
Smoking establishment 476
Snack or Beverage Bar 476
Social Assistance, Welfare, and Charitable Services 476
Solid Waste Facility 477
Special areas 477
Special Event 477
Special Drainage Easement 477
Special Flood Hazard Area 477
Stabilization 477
Stage Work or Stage Construction 477
Standard Building Code 477
Start of Construction 477
Start of Development 478
State 478
Storm Water 478
Storm Water Concept Plan 478
Storm Water Discharge Associated with Construction Activity 478
Storm Water Discharge Associated with Industrial Activity 478

DRAFT

Storm Water Management 478
Storm Water Management Guidance Manual 478
Storm Water Management Facilities 478
Storm Water Management Plan 479
Storm Water Management Plan 479
Storm Water Management Quality Controls 479
Storm Water Pollution Prevention Plan 479
Storm Water Runoff 479
Story 479
Story, Half 479
Stream Order 479
Streams 479
Stream System 479
Street 479
Alley 480
Arterial Street 480
Collector Street 480
Cul-de-sac 480
Dead-End Street 480
Expressway 480
Local Street 480
Loop Street 480
Marginal Access Street 480
Street Tree 480
Structure 480
Structure 480
Stub Street 480
Studio 481
Subdivider 481
Subdivision 481

DRAFT

Submittal date 481
Substantial Damage 482
Substantial Improvement 482
Swale 482
"T" 482
TAC 482
TCEQ 482
Telecommunications Facility 482
Ten-Year Frequency Storm 482
Theater 482
Third Order Stream 482
Tite well 483
Tobacco Shop 483
Townhouse Condominium 483
Townhouse 483
Traffic lights and signage 483
Trailer 483
Transfer Station 483
Transit Shelter 483
Trauma Treatment Center (also called Emergency Treatment Center) 483
Tree 484
Truck 484
Truck Lot 485
Truck Stop 485
"U" 485
Uniformity Coefficient 485
Unitize 485
Urgent Care Clinic (Outpatient) 485
Use 485
Use Chart 485

DRAFT

Use, Principal 485
Utility (Major) 485
Utility (Minor) 485
"V" 486
Variance 486
Vegetative Buffer 486
Vehicle / Equipment Maintenance Facility 486
Vehicle Towing and Storage Facility 486
Venting 486
Veterinary Animal Hospital or Clinic 486
Violation 486
Visibility Triangle 486
"W" 487
Waiver 487
Warehouse 487
Water Conservation 487
Water facilities 487
Water Quantity 487
Water Surface Elevation 487
Watercourse 487
Watershed 487
Weather / Environmental Monitoring Station 487
Well Abandonment 487
Well Service Operations 487
Well 488
Wetland 488
Wholesale business 488
Wholesale Distribution and Sales, Warehousing, and Storage (Vehicular) 488
Wholesale Distribution and Sales, Warehousing, and Storage 488
Workover 488

DRAFT

"X" 488
Xeriscape 488
"Y" 488
Yard 488
"Z" 488
Zero Lot Line House 488
Zoning, District Map 488
Alteration 489
Certificate of Appropriateness 489
Certified historic structure 489
Certified rehabilitation 489
Construction 489
Demolition 489
Depreciable structure 489
Exterior Architectural Appearance 489
Historic District 489
Certified historic structure 490
Inventory 490
Locally significant historic landmark 490
Non-depreciable structure 490
Preservation 490
Registered Historic District 490
Rehabilitation 490
Removal 490
Repair 490
Restoration 491
Secretary of the Interior's Standards 491
Secretary of the Interior's Standards for Evaluating Significance within Registered Historic Districts 491
Structure 491

DRAFT

Substantial rehabilitation 491
Sign 491
Sign Area (Maximum) 491
Sign Distance Separation From Another Sign 491
Sign (Clearance) 491
Sign (Clearance) 492
Sign Face 492
Sign Height 492
Sign Projection (Maximum 492
Sign Setback from Property Line 492
Sign structure 492
Sign: Time Limit 492
Sign Types 492
Abandoned Sign: 492
Attached Sign 492
Audible Sign 492
Awning Sign 492
Awning Sign 492
Back lit awning/electric awning sign 492
Balloons and other floating devices 493
Banner 493
Beacon (or Searchlight) 493
Bench Sign 493
Billboard 493
Canopy Sign 493
Changeable copy signs 493
Changeable electronic variable message sign (CEVMS) 493
Clearance 493
Cloud buster balloon and air devices 493
Conforming Sign 494

DRAFT

Copy 494
Dilapidated or deteriorated sign 494
Double-faced sign 494
Electric sign 494
Electronic message display (EMD) 494
Electronically energized 494
Feather banner 494
Festoons 494
Flag 494
Flashing signs 494
Flyers 494
Freestanding sign 495
Ground Sign 495
Ground Sign 495
Human Sign 495
Illegal Sign 495
Illuminated sign 495
Illusionary movement signs 495
Impounded sign 495
Incidental sign 495
Inflatable device sign (IDS) 495
Marquee sign 495
Monument sign 496
Motion sign 496
Mechanically energized 496
Multiple-faced Sign 496
Mural 496
Naturally energized 496
Neglected sign 496
Nonconforming sign 496

DRAFT

Pennant 496
Plaque 496
Pole sign 496
Portable signs 496
Projecting sign 497
Roof sign 497
Roof (secondary) sign 497
Stake sign 497
Subdivision Entrance Sign 497
Under awning sign 497
Urban Orchard: 497
V-shaped sign 497
Vehicle sign 497
Wall Sign 497
Window Sign 497
24.10.3 Interpretation of Zoning Map 498

DRAFT

Article 10 Definitions

24.10.1 General Rules of Interpretation

(a) **Authority to Interpret**. The Planning Director, in consultation with the City Attorney, has the authority to interpret any provision of this Chapter. This interpretation is appealable to the Board of Adjustment.

(b) **Rules of Interpretation**.

(1) Specific provisions control over general provisions.

(2) If a conflict exists between different provision of this Chapter, the most restrictive standard applies.

(3) If there are multiple interpretations of this Chapter because the meaning of a provision is unclear, these restrictive interpretation applies.

(4) Any reference to a number in this Chapter includes a fraction of that number, unless otherwise provided.

(5) Any reference to a building, structure, tract, block, or lot, includes any portion or portions of those features, unless otherwise indicated.

(6) The present tense includes the future, the singular includes the plural and the plural includes the singular.

(7) The words "shall," 'required" or "will" are mandatory and the words "may" or "should" are permissive.

(8) The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."

(9) "Includes" means "includes but not limited to," unless otherwise indicated.

(10) Unless otherwise provided, reference to a building, structure, time period includes part of the thing referenced. (*For example: a reference to "building" includes part of a building, and a reference to "day" includes part of a day.*)

(11) A reference to an official includes a designee of that official. (For example: a reference to the city manager includes any designee of the city manager – i.e., "city manager" means "city manager or his/her designee".)

(12) The headings of the several sections or articles of this Chapter are inserted for convenience only and do not have any operative effect and do not control or affect the meaning or construction of any of the provisions of this Chapter.

24.10.2 Definitions

(a) **Words and Terms Defined**. For purposes of this Chapter, the following words, terms and phrases have the meanings assigned below. Words not specifically defined below are interpreted as having the meaning of general usage.

"A"

DRAFT

Abut: Having property lines in common; to adjoin at an end; to be contiguous.

Access point: A driveway, median opening or street connection to a public street.

Access Street: any public street within a subdivision or along the boundaries of a subdivision which would serve any properties outside the plat boundaries or provide a connection directly with a collector street.

Accessory Building or **Accessory Structure**: Any detached building that is smaller than and separate from the main building of the lot.

Accessory Dwelling Unit: A secondary, independent living facility located in, or on the same lot as, a single-family residence.

Accessory Use: A use customarily incidental and subordinate to the principal use and located upon the same site as the principal use.

Accessway: a public street, private street, or private easement filed of record, where pedestrians and vehicles have lawful and usable ingress and egress to a property line.

Adult Bookstore: See Section 18A-2 of the Laredo Code.

Adult Day Care: A licensed or accredited facility that provides counseling, recreation, food, or any or all of these services to four or more elderly or handicapped persons who are not related by blood, adoption, or marriage.

Adult Day Health Care Facility: a facility that provides health care or physical therapy or both and that may also provide adult day-care services on a daily or regular basis but not overnight to four or more elderly or handicapped persons who are not related by blood, marriage, or adoption to the owner of the facility; and which requires state licensing or accreditation. (Amended 4/6/92, Ord. No. 92-0-076)

Adult Entertainment: see "Sexually Oriented Business."

Adverse Impact: any deleterious effect on wetlands, including their quality, quantity, surface area, species composition, aesthetics, or usefulness for human health, welfare, safety or property, to biological productivity, diversity, or stability or which unreasonably interferes with the enjoyment of life or property, including outdoor recreation.

Agricultural Sales: The selling of agricultural products and supplies like feed, hay, grain, crops, and hides for off-premise consumption

Agriculture Sales and Service: The sale of farm supplies, including heavy machinery, feed, grain, fertilizers, pesticides and similar goods. This includes incidental storage.

Agricultural Use: any activity related to the cultivation of the soil, the production of crops for human food, animal feed or planting seed or for the production of fibers; floriculture, viticulture or horticulture; the raising or keeping of livestock; the planting of cover crops or the leaving land idle for the purpose of participating in any governmental program or recognized, normal crop rotation or livestock rotation procedure. A residential unit and related outbuildings located wholly on a tract of land used solely for one or more of the purposes described in the preceding sentence shall be deemed an agricultural use.

DRAFT

Air Installation Compatible Use Zone: those land areas upon which limited control is required with respect to land uses that may obstruct airspace because found generally compatible with airport operations, posing no health or safety hazard for aircraft operations.

Aircraft Repair: An area used for mechanical and body work, straightening of body parts, body repairs, battery rebuilding, painting, and welding of aircraft not in operating condition. Outdoor work on aircraft/aircraft components involving noise, glare, fumes, smoke, or other characteristics are permitted.

Airport Elevation: the highest point airport usable landing area measured in feet above mean sea level.

Airport Hazard: any structure or object of natural growth located in the vicinity of the airport which obstructs the airspace required for the flight of aircraft or airport operations.

Airport Obstruction: any structure or object of natural growth or use of land which would exceed the federal obstruction standards established in 14 CFR sections 77.21, 77.23, 77.25 and 77.28, or which obstructs the airspace required for flight of aircraft in landing or take-off, or is otherwise hazardous to airport operations.

Airport: Any area of land or water which is used or intended for the landing and taking off of aircraft, and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, including all necessary runways, taxiways, aircraft storage and tie-down areas, hangers, public terminal buildings and parking, helicopter pads, support activities such as airport operations and air traffic control, and other necessary buildings and open spaces. This definition includes the Laredo International Airport.

Airspace Height: the height limits established in this chapter, to be measured in feet above mean sea level.

Alcohol Sales: An establishment engaged in the sale of alcoholic beverages for off-premises consumption.

Alley: A minor public right-of-way which affords only a secondary means of access to abutting property.

Alluvial Fan Flooding: flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Alternative tower structure: any man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Amusement Redemption Machine Establishment: a business, organization, or institution which provides patrons access to amusement redemption machines, excluding a bar with five (5) or fewer machines.

Amusement Redemption Machine: an amusement redemption machine is a skill or pleasure coin- operated machine that is designed, made, and adapted solely for bona fide amusement

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purposes, and that by operation of chance or a combination of skill and chance affords the user, in addition to any right of replay, an opportunity to receive exclusively non-cash merchandise prizes, toys, or novelties, or a representation of value redeemable for those items. An amusement redemption machine does not include: 1) a machine that awards the user non-cash merchandise prizes, toys, or novelties solely and directly form the machine, including claw, crane, or similar machines, nor; 2) a machine from which the opportunity to receive non-cash merchandise prizes, toys, or novelties, or a representation of value redeemable for those items, varies depending upon the user's ability to throw, roll, flip, toss, hit, or drop a ball or other physical object into the machine or a part thereof, including basketball, skeeball, golf, bowling, pusher, or similar machines.

Animal Hospital (Indoor): Any part of a building designed or used to care for or observe animals under medical treatment. The treatment of animals occurs entirely inside the principal building and not in ancillary or accessory buildings. This use does not include outside kennels.

Animal Hospital (Outdoor): A facility designed or used to care for or observe large animals under medical treatment. The treatment of animals occurs inside the principal building or outside on premises. Examples of large animals include horses, cows, chickens, mules, pigs, and other livestock animals.

Antenna: An exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

Antique Store: a retail store located within an enclosed structure which sells objects, art, handicrafts, furniture, glassware, guns, linens or other items fabricated more than fifty years earlier which have unique artistic or historical merit.

Apartment Building: a building under the ownership of a single person or entity containing three (3) or more separate living units for rental or lease, with facilities for living, sleeping, cooking and eating.

Apartment garage: a dwelling unit with facilities for living, sleeping, cooking, and eating designed or constructed as part of a facility designed primarily to house or store motor vehicles or machinery.

Apartment: a dwelling unit designed to be rented as a part of an apartment house or attached to a single-family dwelling.

Apex: a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

API: the American Petroleum Institute.

Appeal: a request for a review of the City Engineer's interpretation of any provisions of the storm water management code.

Applicant: any person, firm, or governmental agency who executes the necessary forms to procure official approval of a project or a permit to carry out construction of a project.

DRAFT

Appurtenant Structure: a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

Aquaponics: the integration of aquaculture with hydroponics, in which the waste products from fish are treated and then used to fertilize hydroponically growing plants.

Architectural, historic, or scenic area: an area that contains unique architectural, historic, or scenic characteristics that require special regulations to ensure that signs displayed within the area enhance its visual character and are compatible with it.

Area of Future Conditions Flood Hazard: the land area that would be inundated by the 1-percent-annual chance (100 year) flood based on future conditions hydrology.

Area of Shallow Flooding: a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard: is the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.

Art establishment: an establishment primarily dedicated to the creation, dissemination, teaching or practice of art, its display, exhibition, storage, or offer for sale, and includes but is not limited to antique shops, art galleries, artist live/work spaces, art studios, art supplies stores, bookstores, libraries theaters, art museums, and schools of music, art, culinary arts or dance, but does not include sexually oriented businesses. (Added 7/6/10, Ord. No. 2010-0-084)

Art gallery: an art establishment dedicated to the promotion and sale of art, open to the public, with standard business hours for more than four (4) days per week. (Added 7/6/10, Ord. No. 2010-0-084)

Art studio: an art establishment used by an artist exclusively for the creation, production, rehearsing, or performance of art, and/or from where art may be promoted, sold or offered. (Added 7/6/10, Ord. No. 2010-0-084)

Art, artwork or work of art: any work product of an artist, including all forms of performing arts, literary arts, and plastic or visual arts, conceived in any medium, material, modeling, music, theater, tattooing, literature, painting, printing, drawing, engraving, frescos, stained glass, mosaics, mobiles, tapestries, carving, sculpture, murals, fashion design, jewelry design, photography, film, video, digital imaging, bas- relief, high relief, fountains, kinetics, culinary arts, and collages. (Added 7/6/10, Ord. No. 2010-0- 084)

Arterial: any existing or proposed street identified as such on the adopted Major Thoroughfare Plan of the City of Laredo.

DRAFT

Artist live/work space: an art studio in which an artist is allowed to reside. (Added 7/6/10, Ord. No. 2010-0-084)

Artist: a person regularly engaged in and who derives a substantial portion of his/her annual income from the creation of art, either written, composed, produced or otherwise executed. (Added 7/6/10, Ord. No. 2010-0-084)

As-built Plan: a set of engineering or site drawings that delineate the specific permitted storm water infrastructure as actually constructed.

Auto and Truck Repair: An area used for mechanical and body work on motor vehicles including straightening of body parts, body repairs, battery rebuilding, painting, welding, short term storage of automobiles not in operating condition, outdoor work on vehicles, or other work that may involve noise, glare, fumes, smoke, or similar impacts.

Auto Repair, Minor: An Auto and Truck Repair use that offers only general maintenance activities including replacement of filters, fluids, light bulbs, belts, fuses, oil, and tires, emissions testing, and similar activities.

Automated Teller Machine (ATM): A stand alone automated teller machine, which handles monetary transactions and performs financial services, that is at a location separate from a controlling financial institution.

Automobile or Vehicle Sales: A facility for the sale or rental of automobiles, motorcycles, ATVs, boats, or recreational vehicles. This includes incidental vehicular services and repairs.

Automotive Repairs: the repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting and steam cleaning of vehicles.

Automotive sales: the sale, rental, or display of passenger cars and light trucks.

Automotive wrecking and salvage: See "junkyard."

Automotive, Mobile Home, Travel Trailer and Farm Implement Sales: The sale or rental of new and used motor vehicles, mobile homes, travel trailers or farm implements, but not including repair work, except incidental warranty repair of same, to be displayed and sold on the premises.

Auxiliary Lane: A lane striped for use as a speed-change lane allowing for safe merging into through traffic or to leave through traffic.

Awning: a projection, shelter or structure of canvas, metal, wood, or other similar material approved by the building official that extends above a window, door, patio, or deck as protection from the weather. An awning requires the issuance of a building permit.

A-Zones: are found on all Flood Hazard Boundary Maps (FHBMs), Flood Insurance Rate Maps (FIRMs), and Flood Boundary and Floodway Maps (FBFMs). An A-Zone is an area that would be flooded by the Base Flood,, and is the same as a Special Flood Hazard Area (SFHA) or a 100-year floodplain. These areas may be unnumbered as AE, AH, or AO Zones. Numbered A-Zones indicate an area's risk to flooding.

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Backwater Effect: The rise in water surface elevation caused by some obstruction such as a narrow bridge opening, buildings, or fill material that limits the area through which the water must flow. Also referred to as "heading up."

Bail Bond Services: A business that engages in the sale or issuance of bail bonds or other financial transfers for the purpose of securing the release from jail of an accused defendant pending trial.

Bar: An establishment whose primary business is the serving of alcoholic beverages for public consumption on the premises whether or not entertainment, dancing, or food items are also provided. For purposes of this definition, "primary business" means the establishment derives in excess of fifty percent (50%) of its gross revenue on a quarterly basis from the sale or service of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code (as amended), for on-premise consumption. This definition does not include bona fide restaurants, hotels, motels, or sports related facilities such as golf courses, bowling alleys or sports arenas, or the serving of alcoholic beverages at publicly or privately sponsored events such as weddings, public celebrations, quinceañeras or the like. Examples include taverns, saloons, cantinas, night clubs, or billiard parlors. (Amended 2/4/13, Ord. No. 2013-O-005)

Base Flood Elevation (BFE): The elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year: also called the Base Flood.

Base Flood: the flood having a 1 percent chance of being equaled or exceeded in any given year.

Base Floodplain: The floodplain that would be inundated by a one-percent chance (100-year) flood.

Basement: Any area of the building having its floor subgrade (below ground level) on all sides.

Bed and Breakfast: An owner-occupied detached single family dwelling which provides tourist lodging services. The dwelling is managed and owned by the owner-occupant and not more than one other person is employed by the owner on the premises except members of the immediate family of the owner/manager who also live on the premises. The owner/operator is required to maintain a current guest register to include names, addresses, fees collected and dates of occupancy, and must provide proof of the collection and payment of state and local Hotel/Motel Occupancy Tax to the City upon request. A bed and breakfast has less than six (6) guest rooms for temporary occupancy by tourists. Individual guest rooms have no cooking facilities. Any dwelling with more than six (6) rooms is considered a hotel and is required to comply with the zoning provisions for such uses. The exterior of the premises used for a bed and breakfast are indistinguishable from any other single family dwellings of like design and character.

Best Management Practices or "BMP": schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of

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waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Block: an identified tract or parcel of land surrounded by a street or streets, and other physical features which may be further subdivided into individual lots or reserves.

Board: the Zoning Board of Adjustment as authorized by Article IX, Section 9.05, of the Charter of the City of Laredo, l98l and 211.008 Tex. Loc. Govt. Code.

Breakaway Wall: means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Buffering: the planting of trees and/or shrubs, designed to minimize the transmission of unwanted noise, light, vibration, dust, traffic or activity from one property to adjoining public or private properties.

B-U-G ratings: A luminaire classification system with ratings for backlight (B), uplight (U), and glare (G). The **backlight** component of the rating system takes into account the amount of light in the BL, BM, BH and BVH zones depicted in Figure 10.2-1 below. The **uplight** component takes into account the amount of light in the UH and UL zones. The **glare** component takes into account the amount of light in the FH, FVH, BH and BVH zones.

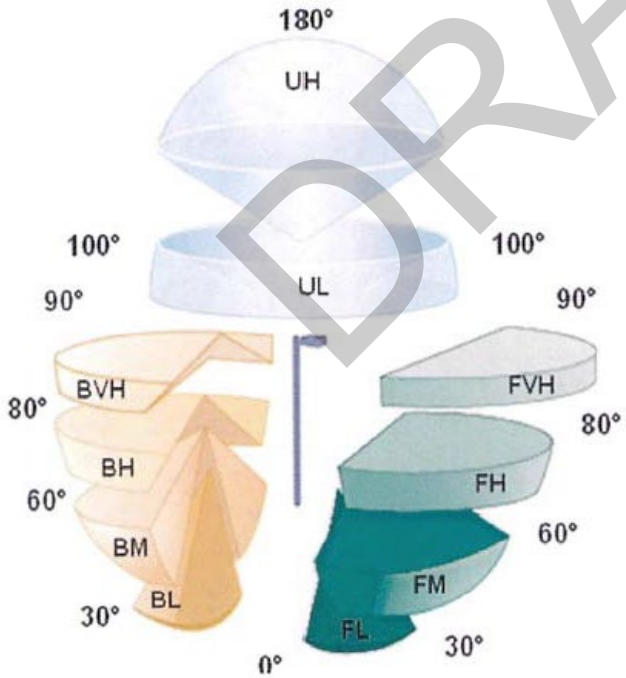

Figure 10.2-1 Components of B-U-G Ratings

Buildable Width: The width of that part of a lot not included within the set-backs herein required.

DRAFT

Building Line: See setback line.

Building Materials Sales and Storage: Retailing, wholesaling or rental of building supplies or construction equipment. This classification includes retail lumber yards, retail and wholesale sales of other building material (such as concrete, masonry, plumbing and heating units), home improvement sales and services, tool and equipment sales or rental establishments. This does not include establishments with construction, assembly, concrete missing or block manufacturing occurring on premise.

Building: See structure. Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, or property.

Building, Accessory: A subordinate building detached from, but located on the same lot as the principal building the use of which is incidental and accessory to that of the main building.

Building Permit Application: an application submitted to the Building Official under the provisions of the Southern Standard Building Code, as amended, for new construction and remodeling which includes exterior remodeling which increases the exterior dimensions of any structure; which includes the replacement of 51% of an existing roof; the construction of a masonry wall or fence exceeding thirty inches in height measured from natural grade; the enclosure of an existing canopy, carport, porte-cochere; or the construction of decking which exceeds thirty inches from natural grade.

Building Plane, Front: the building plane that lies closest to the front property line.

Building Plane: any vertical surface, projection to a vertical plane of an inclined or curved surface, or wall of a structure that, when viewed in elevation, incorporates no overhangs, offsets, projections, decks, ramadas, loggias, or similar architectural features.

Buildings or Home Services: An establishment providing carpet cleaning, carpentry, roofing, exterminating, glazing, janitorial services, electrical repair, plumbing, heating and air conditioning, upholstery, painting and paper hanging, sign painting, packing and crating, landscaping, and locksmith services.

Building Services Director: The head of the Building Services Department and/or their designee.

Business College / Technical or Trade School: A nonacademic establishment offering courses such as trade schools, secretarial, computer and data processing, drafting, electronic repair including radio/TV repair, commercial art, allied health care, real estate, banking, and restaurant operation. Instruction may include vocational training such as automobile body and engine repair, construction equipment operation, building trades, truck driving, and mechanical and electrical equipment/appliance repair.

Business Support Services: A business that provides common services for commercial operations. This includes blueprinting, printing, graphics, photostatting, copying, packaging, labelling, and similar services. "Printing" and "graphics" means a business engaged in the custom design and/or reproduction of written or graphic materials. Typical processes include computerized design and printing, photocopying, and facsimile sending and receiving.

DRAFT

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Caliper: Diameter of a tree trunk. The caliper is measured six inches above the root ball for trees that are up to and including four-inch caliper size. For trees that are larger than four-inch caliper, measurement is 12 inches above the root ball.

Canopy: The upper vegetative cover of a tree or tree grouping.

Car Wash: A facility where the primary or secondary function is washing automobiles, pick-up trucks, and small vans, but not trailers or commercial trucks. Mechanical production line methods or self service equipment may be used. A car wash may also function as an accessory use to an automobile service station or other primary use.

Carnival: temporary entertainment facilities providing rides, exhibits, games, musical productions, food and drink, and items for sale as part of a private commercial venture.

Cemetery/Mausoleum: Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums and mortuaries if operated in connection with and within the boundaries of such cemetery.

Cemetery: land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums and mortuaries if operated in connection with and within the boundaries of such cemetery.

Certificate of Compliance: a written certificate issued by the Commission denoting that a subdivision plat or replat has been reviewed and approved.

Certificate of No Plat Required: certification by the Department based on documented conveyances of real property, that a tract of land is excepted from platting requirements.

Certificate of title: a letter, report, opinion, statement, policy, or certificate prepared and executed by a title company authorized to do business in the State of Texas, or an attorney licensed in Texas, describing all encumbrances of record which affect the property, together with all recorded deeds, including any part of the property included in the plat.

Child Day Care: A facility that provides care for more than 12 children under 14 years of age for less than 24 hours a day which requires state licensing or accreditation.

Child-Care Home: *(Amended Ord. No. 2009-O-158, 9/21/08)*

> **Registered Child-Care Home**: a home in which the registered primary caregiver provides care in the caregiver's own residence for not more than six children from birth through 13 years, and may provide care after-school hours for not more than six additional elementary school children. The total number of children in care at any given time, including the children related to the caregiver, must not exceed 12.
>
> **Licensed Child Care Home**: a home in which the registered primary caregiver provides in the caregiver's own residence for children from birth through 13 years. The total number of children in care varies with the ages of the children and the total number of

DRAFT

caregivers (see attached chart), but the total number of children in care in a licensed child-care home at any given time, including the children related to the caregiver, must not exceed 12.

Children's Amusement Services (Outdoors): an establishment which provides a service that is oriented towards the amusement of children. The establishment will prohibit the possession and or consumption of alcoholic beverages on its premises. Noise levels shall remain under 70 decibels to be measured no more than eight (8) feet and no less than four (4) feet from the sound source. It will only operate from 8:00 a.m.: 11:00 p.m. Lighting shall be directed away from adjacent properties. Fencing shall be a masonry wall no less than seven (7) feet tall for areas adjacent to residential uses or residential district.

City Engineer: the person appointed to the position of Director of the Engineering Department or their designee. (Amended 5/17/04, Ord. No. 2004-0-105)

City Manager: the person appointed to the position of City Manager of the City of Laredo, or their designee.

City Petroleum Superintendent: the representative or official of the city who is charged with the responsibility of carrying out the provisions of this article.

City Tree Official: The Director of Parks and Recreation or their designee.

City: the City of Laredo, Texas. For purposes of Section 24-59, Storm Water Management, "City" means the City of Laredo, Texas and its jurisdictional territory.

Civic Building: A building that primarily serves a public function by providing an assortment of educational, recreational, social, political, or governmental uses and services. This includes libraries, community recreation centers, government buildings, and political campaign offices.

Civic Club: An association, structure, or portion of premises used for a social, literary, political, or educational purpose of members and their guests which is either open or closed to the general public. Examples include fraternal organizations, philanthropic organizations, rotary clubs, and similar uses.

Civic Space: Open spaces that are strategically placed to serve a community function. Civic spaces may be used for active or passive activities, and commonly include manicured green spaces, naturalistic green spaces, parks, squares, hard-scaped plazas, playgrounds, or community gardens. Civic Buildings may be located within civic spaces.

Clear vision area*:* that portion of a property defined by a right triangle where one side is the intersection sight distance and the adjacent side is the distance between the driver and the path of the vehicles approaching from the side over which motorists must see to safely judge and execute a driving maneuver into the intersection and onto the street.

Clearing: the removal of trees and brush from the land but shall not include the ordinary moving of grass.

Clinic (Dental or Medical): A building in which a group of physicians, dentists, and allied professional assistants are associated for the purpose of carrying on their profession; the clinic

DRAFT

may include a dental or medical laboratory with limited in-patient care. This use does not include operating rooms for surgery. Examples include medical offices, laboratories, or facilities for medical, optical, orthotic, prosthetic, psychiatric, physiotherapy, surgical, or dental laboratory services, photographic, analytical, or testing services, urgent care clinics.

Club: a structure or portion thereof or premises used for a social, literary, political, educational or recreational purpose of members and their guests which is not open to the general public.

Coin Operated Machine: A coin operated machine includes a machine or device operated by the payment or insertion of paper currency or any other consideration.

College / University: A post-secondary educational institution authorized to award associate, baccalaureate, or higher degrees, or a seminary. College typically offer two (junior/community college) or four year (state university) academic programs.

Collocation: Shall mean, when referring to communication towers and antennas, the placing together of multiple antennas on a single communication tower or structure.

Commencement of Construction: The initial disturbance of soils associated with clearing, grading, excavating, land filling, and other construction activities.

Commercial Condominium: That portion of a commercial, institutional or office structure under individual ownership, sharing a common lot with ownership and management of common areas held by an organization or association of property owners subject to the Texas Condominium Act.

Commercial Dead Storage Parking Lot: A commercial parking lot used solely store or park tractor trailers or any commercial vehicle for at least 30 days.

Commercial Development: See Tree Protection standards (section 24.3.6).

Commercial Parking Lot: Any outdoor space, or uncovered plot, place, lot parcel, yard or enclosure, where one or more vehicles may be parked, stored, housed or kept, for which any fee is made or which is used for the parking of non-commercial vehicles by the patrons or employees of a business or commercial establishment, or which is for the use of trailers, connected to tractors or not, or any other type of commercial vehicle.

Commission: The City Planning and Zoning Commission.

Communication Tower: A structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term includes the structure and any support thereto.

Community Garden: An area of land managed and maintained to grow and harvest food or horticultural products for personal or group consumption or for off-site sale or donation.

DRAFT

Community Housing: Establishments primarily engaged in providing one or more of the following housing services: (1) short term emergency shelter for victims of domestic violence, sexual assault, or child abuse; (2) temporary residential shelter for the homeless, runaway youths, and patients and families caught in medical crises; or (3) transitional housing for low-income individuals and families.

Community: Community means any State or area or political subdivision thereof, or any Indian tribe or authorized native organization, which has the authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction.

Completion: the work conducted upon a well's well bore to establish production of the resource or injection of fluids after the production casing string has been set, cemented, and pressure tested, including perforating casing, setting packers and tubing, and setting the well in place.

Composting: relatively stable decomposed organic matter for use in agricultural and other growing practices, usually consisting of materials such as grass, leaves, yard waste, worms, and raw and uncooked kitchen food wastes, but specifically excluding bones, meat, fat, grease, oil, raw manure, and milk products**.**

Comprehensive Plan: the plan adopted by the Planning Commission and the City Council, showing the general location and extent of present housing, industrial and commercial uses, major thoroughfares, parks, schools and other community facilities, and which sets growth policies and generalized future land uses. [*Note: the current Comprehensive Plan is Viva Laredo, adopted September 18, 2017.*]

Conditional Use Permit: shall be defined as a permit granted solely on a discretionary and conditional basis by the City Council, which authorizes a land use in a zoning district in which that use is not normally permitted. All requirements of a Conditional Use Permit are in addition to and supplement land development code requirements.

Conditional Use: shall be defined as a use allowed within certain zoning districts under certain conditions.

Condominium: a a form of real property with portions of the real property designated for separate ownership or occupancy, and the remainder of the real property designated for common ownership or occupancy solely by the owners of those portions. Real property is a condominium only if one or more of the common elements are directly owned in undivided interests by the unit owners. Real property is not a condominium if all of the common elements are owned by a legal entity separate from the unit owners, such as a corporation, even if the separate legal entity is owned by the unit owners. [*Source: Uniform Condominium Act, Texas Property Code Sec. 82.003.*]

Construction: any human activity that involves clearing, grading, excavation, land filling, or other placement, movement, removal, or disposal of soil, rock, or other earth materials.

Construction Office: A mobile home, travel trailer, truck trailer, or other structure used as an office in conjunction with a construction project.

DRAFT

Construction Yard: A temporary area used for the storage of construction materials, supplies, equipment, tools, stock piling and recycling of useable construction materials and other items as permitted including temporary storage containers, construction trailers and construction offices.

Contaminated: containing a harmful quantity of any substance.

Contractor: The offices and/or storage facilities for a specialized trade related to construction, electric, glass, painting and decorating, welding, water well drilling, sign making, or similar items. Includes storage yards (for equipment, materials, supplies and/or vehicles), roofing and sheet metal, fabrication of cabinetry and related millwork and carpentry, elevator maintenance and service, and venetian blind and metal awning fabrication and cleaning. Incidental sales of materials are permitted. The applicable district may prohibit steel or metal fabrication. Includes storage of equipment owned or rented by the establishment, and raw materials (including sand, caliche, road-building aggregate or lumber) unless prohibited by the applicable district.

Convenience Store (with Gasoline Sales): Establishments that retail a limited line of goods that generally includes milk, bread, soda, alcohol and package liquor, snacks, and fuel sales for vehicles.

Convenience Store: Establishments that retail a limited line of goods that generally includes milk, bread, soda, alcohol and package liquor, and snacks, but not fuel sales for vehicles.

Conversion: physically changing the function of a well from one use to another. **Developed residential or commercial area**: any property on which a structure is located and is zoned to allow for residential or commercial uses.

Corner Clearance: The distance along the edge of the traveled way from the closest edge of pavement of the intersecting roadway to the closest edge of pavement of the nearest access connection.

Corner clip: The area in the form of a triangle bounded by two (2) intersecting boundaries for a distance of fifteen (15) feet on each of such boundaries from the points of intersection and bounded by a third side determined by drawing a straight line from the points of the two (2) intersecting boundaries, fifteen (15) feet from their intersection. For the purposes of this definition "boundaries" shall refer to streets, roads, alleys. Signs or parts of a sign and/or supporting structures are prohibited to be located in a corner clip.

Corner lot: a lot located at the intersection of two local public streets or thoroughfares.

Correctional Facilities: A facility where persons are detained pending adjudication or confined under criminal sentences. Examples include penitentiaries, jails, major correctional facilities, community based facilities, community work centers, or juvenile detention facilities.

Council: the City Council of Laredo, Texas.

Crematorium: The building or portion of a building that houses the chamber for cremation and the holding facility.

DRAFT

Critical Feature: an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Critical root zone (CRZ): A region measured outward from the trunk of a tree representing the essential area of the roots that must be preserved for the tree's livelihood. The CRZ is measured as one foot of radial distance outward from the trunk for every inch of the tree's diameter, but may not be less than a radius of eight feet.

Crown: All portions of a tree, excluding the trunk and roots.

Cul-de-sac: a street which is not a through street and which terminates in a turnaround.

Cultural Facility: An institution engaged primarily in the performing arts or in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis. Examples include museums, historical sites, art galleries, zoos, aquariums, and observatories.

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Damage: any action taken which could cause a tree's death, either immediately or after a reasonable period of time, such as severing the main trunk or large branches or large roots, girdling, poisoning, carving, mutilating, touching with live wires, crushing or exposing roots, digging or drilling a hole larger than three (3) cubic feet (or a trench) within the Critical Root Zone, covering a substantial part of the Critical Root Zone, or compacting a substantial part of the soil within the Critical Root Zone. The above are examples and not intended to limit this definition.

Day Camp: A facility, area, or tract of land for temporary occupancy entailing activities for recreational purposes.

Day Care Center: a facility that provides care for more than 12 children under 14 years of age for less than 24 hours a day which requires state licensing or accreditation. (Amended 4-6-92, Ord. No. 92-0-75)

Day Labor Service: Any building or premises that serves as a staging point or gathering place for persons who are seeking immediate employment in daily labor activities and who accept or are assigned employment in accordance with whatever employment is available on that particular day. For purposes of this definition, "day labor" means manual labor, such as construction cleanup, garbage pickup and removal, demolition, convention setup and takedown, landscaping, planting, and digging.

Day-Night Average Sound Level (Ldn): the estimated cumulative aircraft or other noise exposure in decibels of noise as measured by an A-weighed sound-level meter. In the Ldn procedure, noise exposures are accumulated for a typical 24: hour period. A weighing factor equivalent to a penalty of 10 decibels is applied to aircraft operations or other noise sources between 10:00 p.m. and 7:00 a.m. to account for the increased sensitivity of people to night-time noise. The Ldn values in effect in the City of Laredo are those expressed graphically by contour lines approved by the Council.

DRAFT

Decibel (db): a unit of measure of a sound expressed from a calibrated sound-level meter using an A-level weighting scale.

Density: the number of dwelling units per acre or square foot of area.

Department: the Department of Planning & Building Services.

depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Design Flood: Commonly used to mean the magnitude of flood used for design and operation of flood control structures or other protective measures. It is sometimes used to denote the magnitude of flood used in floodplain regulations.

Design Report: the report that accompanies the storm water management plan and includes data used for engineering analysis, results of all analysis, design and analysis calculations (including results from computer programs), and other engineering data that would assist the City Engineering evaluating proposed storm water management facilities.

Designated Floodway: The channel of a stream and that portion of the adjoining floodplain designated by a regulatory agency to be kept free of further development to provide for unobstructed passage of flood flows.

Detention Structure: a permanent storm water management structure whose purpose is to temporarily store storm water runoff and release the stored runoff at controlled rates.

Developed Residential or Commercial Area: any site on which a structure is located and is zoned to allow for residential or commercial uses.

Development: any of the following actions undertaken by a public or private individual or entity:

1. The division of a lot, tract or parcel of land into two (2) or more lots, plots, sites, tracts, parcels or other divisions by plat or deed, or

2. Any land change, including, without limitation, clearing, tree removal, grubbing, stripping, dredging, grading, excavating, transporting and filling of land.

3. Any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Diameter: A form of measurement of an existing tree trunk. Diameter is measured at 4 feet above the ground level.

Director: the Director of the Department of Planning & Building Services, or his designee.

Discharge: any addition or introduction of any pollutant, storm water, or any other substance whatsoever into the municipal separate storm sewer system (MS4) or into waters of the United States.

DRAFT

Discharger: any person who causes, allows, permits, or is otherwise responsible for a discharge, including without limitation, any operator of a construction site or industrial facility.

District: a zoning district within any section of the City.

Disturb or **disturbing the critical root zone**: Conducting any hazardous activities within the critical root zone.

Dormitory: a structure designed for long-term occupancy by three or more unrelated persons, and where no cooking or dining facilities are provided in the individual rooms.

Double-Front Lot: a lot located between two public streets with frontage on both.

Drainage Area: that area contributing runoff to a single point measured in a horizontal plane, which is enclosed by a ridge line.

Drainage Channel: a natural or artificially constructed watercourse which provides for stormwater run-off.

Drilling Block: the surface area of those blocks of land upon which drilling and production operations are to be conducted.

Drilling Unit: the minimum number of acres surrounding the well required under R.R.C. Form W-1.

Drinking Water: all water distributed by any agency or individual, public or private for the purpose of human consumption or which may be used in the preparation of foods or beverages or for the cleaning of any utensil or article used in the course of preparation of food or beverages for, human bathing or clothes washing.

Dripline: The periphery of the area underneath a tree that would be encompassed by perpendicular lines dropped from the outermost edges of the canopy of the tree.

Drive-In Restaurant: a restaurant that serves customers who may order from and eat within their vehicles.

Drive-Through Restaurant: a business which provides food service to customers through an exterior window.

Drive-Through Store: a retail establishment which supplies merchandise to customers through an exterior window or at the window of their vehicle.

Drug And Tobacco Paraphernalia Shop (a/k/a Head Shop): any premises or establishment having a substantial or significant portion of its stock in trade in drug paraphernalia or which has as its main purpose the offering for sale, or that presents or, displays for sale, drug paraphernalia, or items, equipment or products commonly used, intended to be used or commonly known to be used for the ingestion, inhalation, preparation or injection of illegal substances. (Added Ord. No. 2014-O-153, 11/17/14)

Drug and Tobacco Paraphernalia Shop (Head Shop): Any premises or establishment having a substantial or significant portion of its stock in trade in drug paraphernalia or which has as its main purpose the offering for sale, or that presents or, displays for sale, drug paraphernalia, or

DRAFT

items, equipment or products commonly used, intended to be used or commonly known to be used for the ingestion, inhalation, preparation or injection of illegal substances.

Drug paraphernalia means equipment: a product, or material that is used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, or concealing a controlled substance in violation of this chapter or in injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of this chapter. The term includes: (Added Ord. No. 2014-O-153, 11/17/14)

- a kit used or intended for use in planting, propagating, cultivating, growing, or harvesting a species of plant that is a controlled substance or from which a controlled substance may be derived;
- a material, compound, mixture, preparation, or kit used or intended for use in manufacturing, compounding, converting, producing, processing, or preparing a controlled substance;
- an isomerization device used or intended for use in increasing the potency of a species of plant that is a controlled substance;
- testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness, or purity of a controlled substance;
- a scale or balance used or intended for use in weighing or measuring a controlled substance;
- a dilutant or adulterant, such as quinine hydrochloride, mannitol, inositol, nicotinamide, dextrose, lactose, or absorbent, blotter-type material, that is used or intended to be used to increase the amount or weight of or to transfer a controlled substance regardless of whether the dilutant or adulterant diminishes the efficacy of the controlled substance;
- a separation gin or sifter used or intended for use in removing twigs and seeds from or in otherwise cleaning or refining marihuana;
- a blender, bowl, container, spoon, or mixing device used or intended for use in compounding a controlled substance;
- a capsule, balloon, envelope, or other container used or intended for use in packaging small quantities of a controlled substance;
- a container or other object used or intended for use in storing or concealing a controlled substance;
- a hypodermic syringe, needle, or other object used or intended for use in parenterally injecting a controlled substance into the human body; and
- an object used or intended for use in ingesting, inhaling, or otherwise introducing marihuana, cocaine, hashish, or hashish oil into the human body, including:
- a metal, wooden, acrylic, glass, stone, plastic, or ceramic pipe with or without a screen, permanent screen, hashish head, or punctured metal bowl;
- a water pipe;
- a carburetion tube or device;
- a smoking or carburetion mask;
- a chamber pipe;

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- a carburetor pipe;
- an electric pipe;
- an air-driven pipe;
- a chillum;
- a bong; or
- an ice pipe or chiller.

Duplex: a single building or structure with two (2) separate dwelling units and located on a single lot.

Dwelling Unit: a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. [*Source: 2018 International Building Code*] A "dwelling unit" does not include a hotel or motel.

Dwelling, Multi-Family: a building that contains three (3) or more dwelling units on one (1) lot. It includes any form of family occupancy, including traditional or non-traditional households. Examples include apartments, triplexes, or flats. This does not include a townhouse, which is defined separately.

Dwelling, Single-Family Detached: a detached building containing only one (1) dwelling unit and used for residential purposes exclusively by one (1) family.

Dwelling, Two-Family (Duplex): a building containing two (2) dwelling units, including any duplex or two-family dwelling. The units may be horizontally, vertically (with one above the other), or back to back.

Dwelling, Two-Family: a single structure containing two dwelling units, with each unit located on a separate lot. See Duplex.

"E"

Easement: the right of use over the property of another. For purposes of Section 24-59, Storm Water Management, shall mean a grant or reservation by the owner of land for the use of such land by others for a specific purpose or purposes, and which must be included in the conveyance of land affected by such easement.

Economically Distressed Area: an area in which the water supply or sewer services are inadequate to meet minimal needs of residential users as defined by the Texas Water Development Board (board) rules; financial resources are inadequate to provide water supply or sewer services that will satisfy those needs; and an established residential subdivision was located on June 1, 1989, as determined by the board.

Effective Grain Size: the diameter of filter sand or other aggregate that corresponds to the ten (1 0) percentile finer by dry weight on the grain six distribution curve.

DRAFT

Electrical sign contractor: a person, or entity, licensed as an electrical sign contractor, that is in the business of performing "electrical sign contracting" as defined by Texas Occupations Code, §1305.002(9) and section 28-20(n) of this article.

Elevated Building: for insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Elevation: The placement of a structure above flood level to minimize or prevent flood damages.

Eligible Tree: any tree, evergreen or deciduous , which at the time of planting has a caliper equal to or greater than one and one half (1 1/2) inches measured six (6) inches above the soil, and not less than six (6) feet in height.

Emergency Care Clinic (Outpatient) – A facility providing medical care to persons requiring immediate attention for minor medical emergencies which do not require trauma level or major surgical treatment and hospitalization on a 24-hour basis with no provision for continuing medical care on an inpatient basis and which may include incidental medical testing, laboratory and other diagnostic services.

Engineer: a person licensed and authorized to practice engineering in the State of Texas under the Texas Engineering Practice Act.

Entertainment establishment: an establishment which provides an ongoing activity or business to which the public is invited or allowed to watch, listen, or participate, to divert or amuse guests or patrons, including but not limited to presentations by single or multiple performers, such as comedians, musical song or dance acts, plays, concerts, demonstrations of talent, shows, reviews, hypnotists, pantomimes, or any other similar activity which may be attended by members of the public. Also included are cabarets, dancehalls, discotheques, discos, music venues, nightclubs, restaurants, and bars. Sexually oriented businesses are excluded from this definition. (Added 7/6/10, Ord. No. 2010-0-084)

Entertainment Facility: An establishment where the primary source of revenue is derived from live or recorded performances shown or played for the amusement of an audience. Examples include auditoriums, theaters, music clubs and dance halls.

Environmental Protection Agency or EPA: the United States Environmental Protection Agency, the regional office thereof, any Federal department, agency, or commission that may succeed to the authority of the EPA, and any duly authorized official of EPA or such successor agency.

Environmentally Sensitive Area: Any area wherein plant or animal life, listed in the Texas Endangered Species Act and/or the Federal Endangered Species Act, exists or there is evidence of their inhabitance. (Amended 5/17/04, Ord. No. 2004-0-105)

Erosion: the wearing away of land surface by the action of wind, water, gravity, ice or any combination of these forces. (Amended 5/17/04, Ord. No. 2004-0-105)

Escort Agency: 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.

DRAFT

ESD Director: the administrative head of the city Environmental Services Department and/or his/her authorized representative. (Amended 5/17/04, Ord. No. 2004-0-105)

Essential Services: infrastructure for provision of services by public and private utilities but not including buildings.

Exempt signage: a sign for which a permit is not required; however, compliance with all other city ordinances and the comprehensive zoning ordinance is required. A sign permit may be required if it is determined by the building official that a building permit or electrical permit is required. Exempt signs include address signs, some instructional/informational signs, some private directional signs, private parking signs, public service signs and/or non-commercial window signs.

Exhibition, Convention, or Conference Facility: A facility used for assemblies or meetings of the members or representatives of a group, such as convention centers and banquet halls. This does not include clubs, lodges, community meeting facilities, or other meeting facilities of private or non-profit groups that are primarily used by group members.

Existing Construction (for section 24.2.18 [Flood Hazard District] only): for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

Existing Manufactured Home Park or subdivision (for 24.2.18 [Flood Hazard District] only): a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Expansion to an Existing Manufactured Home Park or Subdivision: the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Extraction: Establishments that support oil, sand, gravel extraction, minerals mining, including exploration, sampling, excavating, drilling, surveying, and similar activities. This includes oil field service companies, oil field supplies and machinery, sand processing materials, storage facilities. Incidental sales of oil, gas, sand, gravel, minerals, and other materials are permitted.

Extraterritorial jurisdiction (ETJ): that land outside the corporate boundaries as shown on the official map of the city. Generally, the ETJ is defined as a five (5) mile buffer around the City of Laredo corporate limits.

Extraterritorial jurisdiction: the unincorporated territory extending five (5) miles beyond the City limits established by the authority and subject to the limitations of Chapters 42 of the Local Government Code.

DRAFT

"F"

FAA: the Federal Aviation Administration.

Façade: the entire building front including the parapet.

Facility: any building, structure, installation, process, or activity from which there is or may be a discharge of a pollutant.

Family Home: A home that regularly provides care in the caretaker's own residence for not more than six children under 14 years of age, excluding the caretaker's own children, and that provides care after school hours for not more than six additional elementary school, but the total number of children, including the caretaker's own, does not exceed 12 at any given time. (Amended 4/6/92, Ord. No. 92-0-75)

Family: one or more persons related by blood, marriage, or adoption, or more than one but less than six unrelated persons who share common living space. A "family" includes quarters for domestic employees living on the premises included as part of the main structure, up to the number of unrelated persons established in this definition.

Farming and Ranching: Land that produces, cultivates, grows, stores, raises, or breeds livestock and crops for off-premise consumption or personal use

FCC: the Federal Communications Commission.

Federal Emergency Management Agency (FEMA): This agency was created in 1979 to provide a single point of accountability for all Federal activities related to disaster mitigation, emergency preparedness, response, and recovery.

Federal Insurance Administration (FIA): The government unit, a part of FEMA, that administers the National Flood Insurance Program.

Fee Owner: the owner of a fee simple mineral estate which is not subject to an oil, gas and mineral lease.

Fence: an artificially constructed barrier enclosing all or part of a tract of land intended to prevent escape or intrusion, or to establish a boundary.

Filing date: the date on which a plat is first presented to the Commission for its approval as part of the official agenda.

Fill: Material such as earth, clay, or crushed stone that is dumped in an area and compacted to increase ground elevation.

Filtration or "To Filter": the selective removal of suspended matter from storm water by passing the water through at least 2 feet of suitable fine textured granular media such as porous soil, uniformly graded sand and gravel, or other natural or artificial aggregate, which may be used in conjunction with filter fabric and/or underdrain pipe.

Final Stabilization: the status when all soil disturbing activities at a site have been completed, and a uniform perennial vegetative cover with a density of 70% of the cover for unpaved areas and areas not covered by permanent structures have been established, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

DRAFT

Financial Institution: A business where the primary occupation is financial services such as banking, savings and loans, loan offices, and check cashing and currency exchange outlets. It does not include financial services that typically occur in an office or storefront, such as investment companies, loan companies, credit and mortgage, insurance services, or brokerage firms), which are classified under "Office," below.

Fire Department: the Fire Department of the City of Laredo, or any duly authorized representative thereof.

Fire Protection Water: any water, and any substances or materials contained therein, used by any person other than the Fire Department to control or extinguish a fire.

First Order Stream: No defined tributaries drain into this stream and it normally originates from springs, seeps or rain runoff from the higher elevations in a watershed and conducts water into a higher order stream. First order streams appear on a USGS 1:24000 Topographical Map. (Amended 5/17/04, Ord. No. 2004- 0-105)

Five-Year Frequency Storm: a storm that is capable of producing rainfall to be equaled or exceeded on the average of once in five (5) years. It may also be expressed as an exceedance probability with a twenty (20%) percent chance of being equaled or exceeded in any given year.

Flag Lot: a lot of irregular shape with reduced frontage on a public or private street with dimensions which are otherwise adequate at the building line. The term flag lot is interchangeable with 'key lot'.

Flash Flood: A flood that crests in a short length of time and is often characterized by high velocity flow. It is often the result of heavy rainfall in a localized area.

Flea Market: an enclosed or unenclosed marketplace where second-hand, crafts, antiques or other goods are regularly offered for sale by two or more merchants. Fund raising events sponsored by religious, charitable, education, social or political organizations are not a flea market.

Flood Boundary Floodway Map (FBFM): The FBFM is a map that may be included with a Flood

Flood Control: Keeping flood waters away from specific developments or populated areas by the construction of flood storage reservoirs, channel alterations, dikes and levees, bypass channels, or other engineering works.

Flood Crest: The maximum stage or elevation reached or expected to be reached by the waters of a specific flood at a given location.

Flood Elevation Study: an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Flood Frequency: A statistical expression of the average time period between floods equaling or exceeding a given magnitude. For example, a 100-year flood has a magnitude expected to be equaled or exceeded on the average of once every hundred years; such a flood has a one-

DRAFT

percent chance of being equaled or exceeded in any given year. Often used interchangeably with recurrence interval.

Flood Fringe: That portion of the floodplain that lies beyond the floodway and serves as a temporary storage area for flood waters during a flood. This section receives waters that are shallower and of lower velocities than those of the floodway.

Flood Hazard: Flood hazard is the potential for inundation and involves the risk of life, health, property, and natural value. Two reference base are commonly used: (1) For most situations, the base flood is that flood which has a one percent chance of being exceeded in any given year (also known as the 100-year flood); (2) for critical actions, an activity for which a one percent chance of flooding would be too great, at a minimum the base flood is that flood which has a 0.2 percent chance of being exceeded in any given year (also known as the 500-year flood).

Flood Insurance Rate Map (FIRM): an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study: see Flood Elevation Study

Flood or Flooding: a general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) the overflow of inland or tidal waters.

(2) the unusual and rapid accumulation or runoff of surface waters from any source.

Flood proofing: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved property, water and sanitary facilities, structures and their contents.

Flood Protection System: those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the

Flood Warning: The issuance and dissemination of information about an imminent or current flood.

Flood Zones: Zones on the Flood Insurance Rate map (FIRM) in which the risk premium insurance rates have been established by a Flood Insurance Study.

Floodplain Management Regulations: zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodplain Management: The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management.

DRAFT

Floodplain or Flood-Prone Area: any land area susceptible to being inundated by water from any source (see definition of flooding).

Floodway: see Regulatory Floodway

Floor Area: Gross: the total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Floor Area: Net: the gross floor area of a building less stairs, washrooms, elevator shafts, and other common areas open to public or semi-public use.

Food Market: A structure or place where agricultural produce is brought for the purpose of retail sales from vehicles, temporary stands, or stalls. These include more than one seller per parcel of land. Examples include farmers markets and mobile markets.

Food Preparation: A business that prepares food and beverages for off-site consumption, including delivery services. Examples include catering shops, bakeries with on-site retail sales, and the small-scale production of specialty foods (such as sweets). This classification excludes food production of an industrial character.

Food Processing: the preparation, storage or processing of food or comestibles.

Food Service: An establishment for retail sales of food and beverages for off-site preparation and consumption. Examples include grocers/supermarkets, specialty food stores, fruit and/or vegetable stands, butcher shops, delicatessens, dairy product sales, food cooperatives, or convenience markets. This category also includes large-scale stores that sell food items and beverages in bulk.

Foundation: The underlying structure of a building, usually constructed of concrete, that supports the foundation walls, piers, or columns.

Fourth Order Stream: is a stream formed by the confluence of two third order streams.

Freeboard: Freeboard means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights grater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Frontage: the portion of any tract which abuts a public street right-of-way affording primary access to the tract.

Full cut-off fixtures: Fixtures, as installed, that are designed or shielded so that all light rays emitted by the fixture (either directly from the lamps or indirectly from the fixture) are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

Functionally Dependent Use: a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship

DRAFT

building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Funeral & Interment Services: Any place or premises devoted to or used in the care and preparation for burial of the body of a deceased person or maintained or held out to the public by advertising or otherwise as the office or place for the practice of funeral directing. Examples include funeral homes. (Note: cemeteries are classified under Public/Civic/Institutional - Assembly, below).

"G"

Garage or Yard Sale: the sale or offer of second-hand merchandise for sale on an occasional basis not exceeding two consecutive days nor on more than two separate occasions during a twelve month period.

Garage: an enclosed structure designed to provide automobile or motor vehicle storage accessory to a main structure.

Gasoline or Diesel Fuel Sales: An area used exclusively for retail sales of fuels or oils. This use may have storage tanks and pumps, vehicle service and repair facilities conducted inside the building, or an accessory car wash.

General Animal Services: Any part of a building designed or used to care for, board, groom, observe, or treat animals, supervised by a licensed veterinarian. This use may include overnight boarding or outdoor confinement or exercise areas.

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

General Personal Services: A business which provides a service to the general public. This includes, but is not limited to, barber shops, beauty shops/salons/cosmeticians, laundries (including self service), dry cleaners, tailors, seamstresses or dressmakers, taxidermist, pet groomers, photographers, wedding planning, wedding chapels, dating services, nail salons, massage establishments, travel services, tattoo parlors, and shoe shining or repair. This does not include bail bond, or other services listed separately.

General Retail: An establishment engaged in sale or rental of goods, such as: general merchandise, apparel and accessories/uniforms, appliances, arts and crafts, beer or liquor (package)auto parts/tires, bicycles, books, camera and photographic supplies, candy and confections, dry goods, electronics, entertainment media (such as videos, compact discs, DVDs, or computer games), firearms, floral goods, furniture, gifts and novelties, hardware, health and personal care (such as pharmacies, cosmetics and optical or surgical supplies), heating and plumbing equipment, hobby, jewelry, luggage and leather goods, music, news media (newsstand), office supplies, pets, picture frames, shoes, sporting goods, stationary, tobacco, toys, used clothing or merchandise / antiques, or similar items. This includes artist studios that both create and sell visual artwork. This classification includes the retail sale or rental of merchandise not specifically listed under another use classification. Merchandise is typically sold from locations known as storefronts, stand-alone buildings, department stores, warehouse

DRAFT

clubs, variety stores, superstores, swap meets or flea markets, auctions, or consumer goods rental / general rental centers.

Grades: (1) For buildings having walls adjoining one street only, the elevation of the street curb at the center wall adjoining the street. (2) For buildings having walls adjoining more than one street, the average of the elevation of the street curb at the centers of all walls adjoining the streets. (3) For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building, if approved by the City Engineer. (4) Any wall approximately parallel to and not more than five (5) feet from a street line is to be considered as adjoining the street. Where a curb exists, the grade is established by the City Engineer.

Grading: excavating, filling (including hydraulic fill) or stockpiling of earth material, or any combination thereof, including the land in its excavated or filled condition.

Grandfather clause (sign): any sign lawfully in existence in a commercial or industrial area on such date may remain even though it may not comply with the size, lighting, or spacing criteria. This clause only allows an individual sign at its particular location for the duration of its normal life, subject to customary maintenance. Any sign in existence for at least fifty (50) years from the creation of this ordinance shall also be considered a historic sign. Pre-existing signs covered by a grandfather clause which do not comply with the agreement criteria have the status of nonconforming signs.

Greenbelt: that section of street or highway right-of-way that is usually unpaved. Greenbelt may also refer to medians and other designated areas reserved for landscaping or pedestrian traffic. Greenbelt areas are not limited to streets or highways on public land.

Green House: a building or structure whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants. A green house may or may not be a permanent structure.

Ground Passenger Transportation: Establishments that provide passenger transportation by bus, charter bus, automobile, limousine, van, or shuttle. Some services (such as taxi) are not operated over regular routes and on regular schedules. Examples include charter bus, special needs transportation, taxicab owner/operators, taxicab fleet operators, or taxicab organizations. This does not apply to publicly operated bus or transit systems. Includes fleet services that store, maintain, repair, fuel, and service two or more vehicles owned by a single commercial or public entity.

"H"

Halfway House (Criminal): A licensed home for inmates on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently. (added 12/21/09; Ord. No. 2009-O-225)

Hazardous activities: The activities described in subsection VI (c).

Hazardous Waste Disposal: Any facility or any portion of a facility for disposal of hazardous waste on or in land.

DRAFT

Hazardous Waste Transfer: A facility where hazardous or infectious waste is received and processed for transportation to another place for recycling, re-use, incineration or final disposal.

Health/Fitness Club: An establishment that offers exercise or weight control programs whether or not the business provides any other service. Examples include gymnasiums, martial arts schools, gymnastics schools, weight control establishments/reducing salons, health clubs, health spas, swimming pools, handball facilities, racquetball or tennis club facilities, tanning facilities, fitness facilities, and yoga or workout studios.

Heavy Equipment Sales and Service: The maintenance or sales of heavy machinery. This includes establishments primarily engaged in sales, renting, or servicing machinery and equipment for use in business or industrial operations. These establishments typically cater to a business clientele and do not generally operate a retail-like or store-front facility. "Heavy machinery" includes office equipment, machinery tools, construction equipment, or transportation equipment.

Hedge: a landscape barrier consisting of a continuous, dense planting of shrubs.

Height: The vertical distance of a building or structure measured as provided in Article 3.

Heliport and Miscellaneous Air Transportation: Facilities intended solely for takeoff and landing of helicopters, or for miscellaneous transportation vehicles for scenic purposes such as balloons.

Highest Adjacent Grade: the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic District: an historic overlay district subject to the design and preservation standards established by the Historic District/Landmark Board:

- *Legal Description of San Agustin De Laredo Historic District*. The San Agustin de Laredo Historic District, Western Division includes:

  All of Block 2, All of Block 9, All of Block 21, All of Block 1, All of Block 25, All of Block 26; All of Block 18; All of Block 19; All of Block 20; All of Block 10; All of Block 11; and All of San Agustin Plaza.

  Metes and Bounds Description:

  The northwest corner of the San Agustin de Laredo Historic District begins at the intersection of Iturbide St. and Convent Ave. The boundary then extends east along Iturbide St. to Santa Ursula Ave., thence south along Santa Ursula St. to Water St., thence west along Water St. to Convent Ave., thence north along Convent Ave. to the point of beginning.

- *Legal Description of Old Mercado Historic District.* The Old Mercado Historic District, Western Division includes:

  Block 3, Lots 6, 7, and 8; Block 36, Lots ,3A, 3B, 4A, 4B, 5, 6A, 7A, and 8; Block 40, Lots 3A, 3B, 4, 5, 6, 7, and 8; Block 48, Lots 3A, 3B, 4A, 4B, 5, 6, 7A, 7B, and 8; All of Blocks 32, 33, 34, 35, 41, 41A, 42, 43, 44, 45, 46, and 47.

DRAFT

Metes and Bounds Description:

The northwest corner of the Old Mercado Historic District begins at the northwest corner of Lot 8, Block 48, and Farragut St. The boundary then extends east along Farragut St. to Santa Ursula Ave., thence south along Santa Ursula Ave. to Iturbide St., thence west along Iturbide St. to Convent Ave., thence south along Convent Ave. to the southeast corner of Lot 6, Block 3, thence west along the southern property lines of Lots 6, 7, 8, thence north along the western property line of Lot 8, Block 3 to the point of the beginning.

- *Legal Description of St. Peter's Historic District*. St. Peter's Historic District, Western Division includes:

Santa Maria Ave. to the southeast corner of Lot 6, Block 151, thence west along the southern property lines of Lots 6, 7, 8, 9, and 10 of Blocks 151, 152, 153, 154, 287 and the southern property line of Lot 6 Block 322 to the southeast corner of Lot 6, Block 322, thence north along the western property line of Lot 6, Block 322 to Hidalgo St., thence west along Hidalgo St. to the southwest corner of Lot 4, Block 289, thence north along the western property line of Lot 4, Block 289 to the northwest corner of Lot 4, Block 289, thence west along the northern property lines of Lots 3, 2, and 1 to Santa Isabel Ave., thence south along Santa Isabel Ave. to Hidalgo St., thence west along Hidalgo St. to the midpoint of Lot 3, Block 326, thence north along an imaginary line dividing the eastern and western halves of Lots 3 and 8 of Block 326 and the imaginary line dividing Blocks 327 and 328 to Houston St., thence east along Houston St. to Santa Isabel Ave., thence north along Santa Isabel Ave. to the point of beginning.

Block 151, Lots 6,7,8,9, and 10; Block 152, Lots 6,7,8,9, and 10; Block 153, Lots 6,7,8,9, and l0; Block 154, Lots 6,7,8,9, and 10; Block 287, Lots 6,7,8,9, and 10; Block 322, Lot 6; Block 289, Lots 4,5,6,7,8,9, and 10; Block 326, Lots 4, 5, 6, 7, and the eastern half of Lots 3 and 8; eastern half of Block 327; eastern half of Block 328; All of Blocks 122, 123, 124, 125, 135, 136, 137, 138, 143, 144, 145, 146, 147, 148, 149, 150, 166, 167, 168, 169, 200, 201, 202, 203, 133/281,132/282, 131/283, 130/284, 129/285, 286, 290, 291, 292, 293, and 294.

Metes and Bounds Description:

The northwest corner of the St. Peter's Historic District begins at the intersection of Moctezuma St. and Santa Isabel Ave. The boundary then extends east along Moctezuma St. to Santa Maria Ave., thence south along Santa Maria Ave. to the southeast corner of Lot 6, Block 151, thence west along the southern property lines of Lots 6, 7, 8, 9, and 10 of Blocks 151, 152, 153, 154, 287 and the southern property line of Lot 6 Block 322 to the southeast corner of Lot 6, Block 322, thence north along the western property line of Lot 6, Block 322 to Hidalgo St., thence west along Hidalgo St. to the southwest corner of Lot 4, Block 289, thence north along the western property line of Lot 4, Block 289 to the northwest corner of Lot 4, Block 289, thence west along the northern property lines of Lots 3, 2, and 1 to Santa Isabel Ave., thence south along Santa Isabel Ave. to Hidalgo St., thence west along Hidalgo St. to the midpoint of Lot 3, Block 326, thence north along an imaginary line dividing the eastern and western halves of Lots 3 and 8 of Block 326 and the imaginary line dividing

DRAFT

Blocks 327 and 328 to Houston St., thence east along Houston St. to Santa Isabel Ave., thence north along Santa Isabel Ave. to the point of beginning.

Historic Structure: any structure that is:

- Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
- By an approved state program as determined by the Secretary of the Interior or;
- Directly by the Secretary of the Interior in states without approved programs.

Home Occupation: any occupation or activity which meets all of the following tests:

Home Occupation A: For services and professional use – (1) The occupation is managed or owned by an immediate family member and not more than one other person is employed by the owner/manager on the premises except members of the immediate family of the owner/manager who also live on the premises. (2) The exterior of the premises used for the home occupation is indistinguishable from any other residential dwelling of like design and character, in that no commercial displays, show windows, exterior storage areas, commercial trucks, outside storage of any nature, or parking spaces are evident.

Home Occupation B: "All of the requirements of home occupation ""A"" above, plus: Retail business: Marketing groceries or other food items such as tortillas, raspas, candy, fruit, etc., which in addition meet the following requirements: (1) The retail business floor area may not exceed 500 square feet. (2) The retail business must be an integral part of the main building."

Hoophouse or High Tunnel: an unheated structure whose roof and sides are made largely transparent or translucent material (not glass) for the purpose of the cultivation of plants.

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

Hotel / Motel: A building or arrangement of buildings designed for temporary occupancy in which there are more than six (6) individual rooms without cooking facilities located in individual rooms, meeting rooms, banquet, dining and restaurant facilities are considered an integral part of a hotel or motel.

HUD-Code Manufactured Home: a structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40

DRAFT

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

Hydrodynamic Loads: Forces imposed on structures by floodwaters due to the impact of moving water.

Hydroponics: a method of growing plants without soil, using mineral nutrient solutions or water, or in an inert medium such as perlite, gravel, or mineral wool.

Hydrology: The science of the behavior of water in the atmosphere, on the earth's surface, and underground.

Hydrostatic Loads: Forces imposed on an object, such as a structure, by standing water.

"I"

Illegal Dumping: the act of illegally placing any material as described in City of Laredo Code of Ordinances Sec. 33-405, on any location other than the appropriate place of disposal whether the location is public or private. (Amended 5/17/04, Ord. No. 2004-0-105)

Impervious: the condition of being impenetrable by water.

Imperviousness: the degree to which a site is impervious.

Imported Crafts (retail sale): a business which is involved in the retail sale of pottery, sculptures, wrought iron products, and/or any crafts that contain an artisan quality and are displayed as skilled art work, including wholesale incidental to retail sales. This shall exclude any building, automotive, and gardening materials, as well as flea markets. (Amended 2/7/05, Ord. No. 2005-O-024)

Improvement: the construction, enlargement, alteration, repair, removal, conversion, or demolition of a building or structure.

Indoor Amusement: Buildings or structures principally devoted to recreational activities or nongambling games, leisure and recreation services to the public or to members. Examples include the following uses when they are conducted indoor: ice or roller skating rinks, bingo parlors, billiard parlors, bowling alleys, pool rooms, miniature golf courses, amusement game arcades, tennis clubs, swimming pools, community centers, play courts, batting cages, go-cart or dirt-bike courses, skateboard areas, and water slides or water parks. "Amusement game arcade" means a building or part of a building in which more than fifty (50) percent of the public floor area is devoted to amusement game machines, regardless of whether the amusement game machines constitute a primary or accessory use of the premises. "Amusement game machine" means a coin-operated machine or device which, whether mechanical, electrical, or electronic, is ready for play by the insertion of a coin or token and may be operated by the public for use as a game, entertainment, or amusement, through the exercise of skill or chance. It includes devices such as video or computer games, pinball machines, air-hockey, foos-ball, and skeebowls, but excludes pool tables and amusement or vending machines

DRAFT

which provide a ride, sensation, electronic reading or weight, photograph, lamination, or item of merchandise.

Industrial Launderer: A business that provides cleaning, washing, or similar services to industrial, manufacturing, medical or business establishments. Examples include commercial launderers that launder and dry clean clothing and other fabric articles in bulk quantities, such as cleaning services for hospitals, restaurants, hotels, and similar clients, or rug and dry-cleaning plants.

Industrial Park: A subdivision of at least 10 acres, divided into lots of at least 1 acre in size and developed for, or in use for, uses that are only allowed in the I-1 Light Industrial and I-2 Heavy Industrial Districts. (Ordinance No. 83-0-0067) (As amended 10/15/85, Ordinance # 85-0-l83)

Infiltration: the passage or movement of water into the soil surface.

Insurance Study printed prior to 1986. It identifies the floodway and, along with the study, provides the technical basis for floodplain management regulations.

Insurance: a certificate of liability insurance issued by an insurance company authorized to do business within the State of Texas.

Interior Lot: a lot within a subdivision which is not located at the intersection of any adjacent public or private street.

Interior Noise Level: sound level of noise in any habitable room with windows and doors closed.

Interior Street: a street within a subdivision designed to serve only those properties within the boundaries of the subdivision in which it is established.

International Bridge Facility: A bridge connecting the United States and Mexico across the Rio Grande River, which may contain, but is not limited to federal, state, and local inspection activities generally associated with the movement of people and/or commerce between the Republic of Mexico and the United States of America.

"J"

Junkyard: A tract of land used for the storage of used appliances, scrapped glass, rags, paper, metals, automotive parts, or equipment, regardless of whether used for remanufacture, resale or recycling. Also known as a "salvage yard."

"K"

Kennel: any lot or premise on which 4 or more domesticated animals are groomed, bred, boarded, trained or sold and which may offer provisions for minor medical treatment.

Kiosk: a small structure with one or more open sides.

"L"

Land Disturbing Activity: any use of the land by any person that results in a change in the natural cover or topography that may cause erosion and contribute to sediment and alter the quality and/or quantity of storm water runoff.

DRAFT

Land Filling: the depositing of soil and other inert materials on the land to raise its grade and/or smooth its features.

Landscape architect: A person who is licensed and registered to engage in the practice of landscape architecture in the state.

Landscape Easements (Landscape Reserve): a designation for individual parcels of land within a subdivision plat which are not divided into lots, which are established for the purpose of landscape or open space, lying adjacent and parallel to a public street right-of-way.

Landscaping*:* to modify (a natural landscape by grading, clearing, or decorative planting.

Legal Non-conforming Use: any lawful use predating the adoption of zoning regulations and which does not conform to adopted regulations, which has not otherwise lost its legal status through discontinuation or abatement.

Levee System: a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Levee: a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Licensed Professional Engineer or P.E.: a person who has been duly licensed and registered by the State Board of Registration for Professional Engineers to engage in the practice of engineering in the State of Texas.

Life Care or Continuing Care Services: A institution, residence or facility that provides accommodation and personal assistance to residents who depend on the services of others by reason of age and physical or mental impairment, and that may be licensed to provide skilled nursing care. This category includes nursing or convalescent home homes, hospices, assisted living facilities, or domiciliary care facilities. A "nursing or convalescent home" is any part of a building where shelter, board, and nursing care is provided to persons who require care because of infirmities of old age, illness, and/or disability of a physical or mental nature. "Assisted living" is a residence that primarily serves the elderly and provides rooms and meals, and may provide personal care and supervision of self-administered medication. They may provide other services, such as recreational activities, financial services and transportation. This use does not include an establishment which provides care only during the day, or a halfway house for recovering alcohol and drug abusers.

Light trespass: Light emitted from fixtures designed or installed in a manner that causes light to fall on a property other than the one where the light is installed, in a motor vehicle drivers' eyes, or upwards toward the sky.

Lighting: Any source of light that does not include natural light emitted from celestial objects or fire. The term includes any type of lighting, fixed or movable, designed or used for outdoor illumination of buildings or homes, including lighting for billboards, streetlights, canopies, gasoline station islands, searchlights used for advertising purposes, externally or internally

DRAFT

illuminated on- or off-premises advertising signs, and area-type lighting. The term includes luminous elements or lighting attached to structures, poles, the earth, or any other location.

Limits of Construction: A line delineating the area within a project site that is to be disturbed or otherwise affected by activities related to construction of such project.

Live/Work Dwelling: A principally residential building that includes an office, studio, or other commercial use and a single dwelling unit occupied by the building owner. Note: (1) A live-work unit allows a broader range of commercial and production-type uses and more non-residential floor area than a home occupation. In addition, a live-work unit may be designed as a townhouse or with a storefront or other commercial design configuration at the ground level, while a home occupation occurs in a building that is designed as a residence. (2) Mixed Use Building (listed under Commercial / Mixed Use - Mixed Use, below). A Mixed Use Building allows multiple buildings and residences in the same building, while a Live/Work Dwelling is generally limited to a single dwelling unit and a single business.

Livestock Sales: The selling of livestock like cows, horses, chickens, and pigs for consumption

Local Street: a public street not designated as a collector, arterial, major thoroughfare, or a state or federal freeway or highway.

Location Map: a vicinity map indicating the location of a specific site with reference to established physical landmarks, includes streets, rivers, railroad rights-of-way, and highways.

Logo: Any design, insignia, or other marking of a company, service or product, which is used in advertising to identify the company, business, service or product.

Lot Front: the side of the lot fronting on a public street or recorded, private drive easement. On corner lots the lot front is the narrowest lot line.

Lot Line: the property line.

Lot of Record: means: (1) any lot, the boundaries of which were established by a plat recorded in the office of the County Clerk and in compliance with State law and the applicable subdivision regulations of the City of Laredo; or (2) any lot, the boundaries of which was established in a conveyance executed prior to September 9, 1979. *(Amended 9/19/88, Ord. No. 88-0-123)*

Lot: an undivided tract or parcel of land contained within a block and designated on a subdivision plat by numerical identification, or a 'lot of record' as herein defined.

Lounge: see Bar

Lowest Floor: the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

Lumen: The unit of measurement used to quantify the amount of light produced by a bulb or emitted from a fixture (as distinct from "watt," a measure of power consumption). For the

DRAFT

purposes of this Chapter, the lumen output values are the initial lumen output ratings of a lamp as defined by the manufacturer, multiplied by the lamp efficiency. Lamp efficiency of 95 percent applies to all solid-state lamps and 80 percent for all other lamps, unless an alternate efficiency rating is supplied by the manufacturer. The initial lumen rating associated with a given lamp is generally indicated on its packaging or may be obtained from the manufacturer. (Abbreviated lm)

Lumens per acre: The total number of lumens produced by all lamps utilized in outdoor lighting on a property divided by the number of acres, or part of an acre, with outdoor illumination on the property.

Luminous elements (of a light fixture): The lamp (light bulb), any diffusing elements, and surfaces that individually or collectively reflect or refract light emitted from the lamp.

"M"

Machinery and Equipment Sales, Rental, and Leasing: Establishments primarily engaged in selling, renting or leasing machinery and equipment for use in business or industrial operations. These establishments typically cater to a business clientele and do not generally operate a retail-like or store-front facility. Examples include the sale or leasing of farm equipment and supplies, heavy equipment, office furniture or equipment, machinery tools (construction equipment sales and service), or off-highway transportation equipment. Outdoor storage of equipment is permitted as an incidental use.

Main Building: The building or structure where the principal use of the lot is located. This includes any structures or buildings that are attached to the main structure by a covered structure. Lots with multiple principal uses may have multiple main structures, but storage buildings, garages, and other clearly accessory uses are not considered main structures.

Main Stem: a single line following the bed of the creeks connecting the mouth of the Chacon and Sombreretillo Creeks to the center point of the spillway of Lake Casa Blanca and the Middle Pasture Lake, respectively. (Amended 5/17/04, Ord. No. 2004-0-105)

Maintenance and Repair Services: An establishment providing repair services for personal and household goods, such as household appliances, computers, radio, television, audio or video equipment, office machines, furniture and leather goods, and metal sharpening. This classification excludes repair of automobiles and other vehicles.

Maintenance and Storage Facilities: land, buildings and structures devoted primarily to the maintenance and storage of construction equipment and material.

Maintenance: any action necessary to preserve storm water management facilities in prime working condition, in order to serve the intended purposes set forth in 24.59.7 of this Code and to prevent structural failure of such facilities. Maintenance shall not include actions taken solely for the purpose of enhancing the aesthetic aspects associated with storm water management facilities.

DRAFT

Major Road: Any expressway, multiway, boulevard, principal arterial, minor arterial or collector road.

Major Thoroughfare Plan: the portion of the comprehensive plan indicating general locations recommended for arterial, collector, and local thoroughfares.

Manufactured Home: A factory-built dwelling unit constructed to the standards and codes promulgated by the United States Department of Housing and Urban Development (HUD), under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §5401 et seq., as amended.

Manufactured Home (for section 24.2.18 [Flood Hazard District] only): a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured Home Park or Subdivision (for section 24.2.18 [Flood Hazard District] only): a parcel (or contiguous parcels) of land divided into two or more manufactured home lots.

Manufactured Home Park: A tract of land under single ownership and control which consists of two or more spaces leased for manufactured homes.

Manufactured Home Rental Space: a designated space within a Manufactured Home Park dedicated for placement of a manufactured home. This has the same meaning as "manufactured home lot" in Texas Property Code section 94.001.

Manufacturing, Artisan: On- site production of goods by hand (i.e. involving only the use of hand tools or mechanical equipment not exceeding two horsepower or a single kiln not exceeding 8KW). This may include welding shops and custom manufacturing shops.

Manufacturing, Heavy: Manufacturing of paper, chemicals, plastics, rubber, cosmetics, drugs, nonmetallic mineral products (such as concrete and concrete products, glass), fabricated metal products (including electroplating, hardware), primary metals, acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins, electrical equipment, appliances, batteries, and machinery. This group also includes smelting, animal slaughtering and oil refining.

Manufacturing, Light: Manufacturing of products, from extracted or raw materials, recycled or secondary materials, or bulk storage and handling of those products and materials. These include apparel (including clothing, shoes, dress making), boats and transportation equipment, brooms, caskets, food/baking (including coffee roasting, creameries, ice cream, ice, frozen food, confectionery, and beverage), tobacco products, fasteners and buttons, gaskets, leather and allied products, medical equipment and supplies, mill work and similar woodwork, mattresses, musical instruments, novelties, office supplies, printing and print supplies, signs, sporting goods, textiles (including dyeing, laundry bags, canvas products, dry goods, hosiery, millinery), and toys. This includes similar establishments, and businesses of a similar and no more objectionable character. It also includes incidental finishing and storage. Goods or products

DRAFT

manufactured or processed on site may be sold at retail or wholesale on or off the premises. This does not include any activity listed under Heavy Manufacturing.

Marginal Access Street: see "Street."

Massage Parlour: an establishment providing massage service, not including therapeutic or rehabilitative exercises provided under the direction of a licensed professional physical therapist, chiropractor or physician. A massage parlour is a sexually oriented business.

Master sign coordination plan or unified development sign plan: a site plan depicting multiple properties as shown on the same concept plan, master plan, preliminary site plan, or site plan, and unified through common building architecture, building color, and building materials, landscaping and parking for which number, location, type, and size of signs are proposed.

Mean Sea Level: the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

Median: A raised curbed directional divider separating traffic flows that may be traversable or non-traversable.

Mixed-Use Building: A building with any of the following floor space configurations: (1) an office, as defined below, located above the ground floor, where the ground floor is occupied by any general retail use or (2) any general retail use on the ground floor, and residential dwelling units above the ground floor or behind the non-residential floor area. The floor space above the ground floor may be occupied by non-residential floor area in addition to dwelling units.

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

Mobile Vendor: The sale, barter or trade of food or merchandise from a vending vehicle, trailer or cart.

Model Home: Dwelling units that are temporarily used for display purposes as an example of dwelling units available or to be available for sale or rental in a particular subdivision or other residential development approved by the City. Model homes may also incorporate sales or rental offices for dwellings within the development.

Modular Structure: pre-manufactured structure designed for placement on a permanent foundation.

Mulch: non-living organic, inorganic, and synthetic materials customarily used in landscape design to retard erosion, retain moisture, maintain even soil temperature, control weeds and enrich the soil.

DRAFT

Municipal Separate Storm Sewer System or MS4: the system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned and operated by the City and designed for collecting or conveying storm water, and which is not used for collecting or conveying sewage.

"N"

National Flood Insurance Program (NFIP): The Federal program created by an act of Congress in 1968, that makes flood insurance available in communities that enact satisfactory floodplain management regulations.

Nationalization/"Nacionalizacion" of Vehicles Enterprise: A business which is involved in facilitating the necessary documentation required of owners, for the export from the United States and import to Mexico and other countries in Latin America, of vehicles, new and used; and/or a business which must comply with Title 19, Part 192 of the Code of Federal Regulations.

Native Plant: a plant species with a geographic distribution indigenous to the Laredo region which is capable of sustaining growth and reproduction under local climatic conditions.

Natural Waterways: waterways that are a part of the natural topography. They usually maintain a continuous flow during the year and are characterized as being irregular in cross section with a meandering course. Construction channels such as drainage ditches shall not be considered natural waterways.

Naturalized Plant: a plant species introduced to the Laredo region which is capable of sustaining growth and reproduction under local climatic conditions.

New Construction (for section 24.2.18 [Flood Hazard District] only)**:** for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision (for section 24.2.18 [Flood Hazard District] only): a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

Nightclub: see Bar

Noise control areas: those areas officially adopted in the Airport Noise Specific Use Zoning Overlay District (AN) designated to be within a Ldn 65 noise area or greater.

Noise: aircraft or other noise that interferes with speech and hearing, or is intense enough to damage hearing, or is otherwise annoying.

DRAFT

Non-conforming Use: any lawful use in conflict with these regulations.

Non-erodible: a material, e.g. natural rock, riprap, concrete, plastic, etc., that will not experience surface wear due to natural forces of wind, water, ice gravity or a combination of those forces.

Nonpoint Source Pollution: pollution contained in storm water runoff from ill-defined, diffuse sources.

Non-public Water System: Any water system supplying water for domestic purposes which is not a public water system.

Non-Residential Use: any use other than those in in the "Residential" category in the Use Chart (§ 24.2.17), excluding short-term rentals and mixed-use buildings.

Notice of Intent (NOI): the Notice of Intent that is required by either the Baseline Industrial General Permit, the Construction General Permit or the Multi-Sector General Permit.

Notice of Termination (NOT): the Notice of Termination that is required by either the Baseline Industrial General Permit, the Construction General Permit or the Multi-Sector General Permit.

NPDES General Permit for Storm Water Discharges Associated with Industrial Activity or Baseline Industrial General Permit: the Baseline Industrial General Permit issued by EPA on August 27, 1992, and published in Volume 57 of the Federal Register at page 41304 on September 9, 1992, and Volume 63 No. 189 at page 52438 on September 30, 1998 and any subsequent modifications or amendments thereto.

NPDES Permit: a permit issued by EPA or by the State that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable to an individual, group, or general area-wide basis.

Nude Model Studio: any place where a person who appears in a state of nudity 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 form of consideration.

Nursery: An establishment primarily engaged in the propagation (for sale at retail or wholesale) of horticultural specialties, such as flowers, shrubs, and trees, intended for ornamental or landscaping purposes. This definition includes commercial and noncommercial uses.

"O"

Office Use: administrative, executive, professional, managerial premises not a part of retail, wholesale or manufacturing operation. A medical or dental office limited to not more than three practitioners or para-professionals who provide outpatient services shall not be considered a clinic.

Office: A building principally occupied by professional, semi-professional, business, government/municipal, philanthropic institutions, or client-oriented services. Offices do not include retail or wholesale activities which require the receiving, stocking, storing, displaying, manufacturing, selling, or renting of merchandise or equipment, except where specifically

DRAFT

permitted as an accessory use. Offices include the administrative, clerical or public contact offices of a government agency. All services are rendered within the principal building, and no outside areas are used to perform services. Examples of offices include law firms (including legal services offices including court reporters), medical and dental offices, publishers, business services, planners, engineers, architects, accountants, real estate sales offices, insurance agents, marketing, and studios for professional work or teaching. This includes interior decorating, painting and paper hanging shops, furniture upholstering which do not include contractor yards and cabinetry fabrication.

Offset: This distance or clearance between street approaches.

Off-Site Storm Water Management Facility: the design and construction of a facility necessary to control storm water from more than one development.

Off-street Parking and Loading Requirements: Parking requirements applicable to property located within the corporate limits under Section 24.78.

Oil and Gas Storage: An outdoor facility to store oil, gas, and other chemicals. This includes the storage of bulk petroleum and similar chemicals.

One Hundred Year Frequency Storm: a storm that is capable of producing rainfall expected to be equaled or exceeded on the average of once in 100 years. It also may be expressed as an exceedance probability with a one (1%) percent chance of being equaled or exceeded in any given year.

One Hundred-Year Floodplain -The area of land identified on the most current Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps that is subject to inundation during a storm event that has a recurrence interval of 100 years. (Amended 5/17/04, Ord. No. 2004-0-105)

On-Site Storm Water Management Facility: the design and construction of a facility necessary to control storm water runoff within and for a single development.

Open Space: An area substantially open to the sky which may be on the same lot with a building. The area may include, along with natural environmental features, water areas, swimming pools, tennis courts and any other recreational facilities that the Commission deems appropriate. Streets, parking area, structures for habitation and the like shall not be included.

Operating Rights: the ownership or operational control of a fee simple mineral estate or a leasehold estate by a person.

Operator: shall include every person, and the agents, servants and employees of such person, or its officers or agents, engaged in operations for the drilling, reworking, redrilling, well servicing or plugging and abandonment of any well subject to this article and the production or transportation of any product there from. For purposes of Section 24-59, Storm Water Management, shall mean: The person or persons who, either individually or taken together, meet either of the following two criteria: 1) they have operational control over the facility specifications (including the ability to make modifications in specifications); or 2) they have the

DRAFT

day-to-day operational control over those activities at the facility necessary to ensure compliance with pollution prevention requirements and any permit conditions.

Ordinary High Water Mark (OHWM): "that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas," as defined in 33 CFR Part 328 Definition of Waters of the United States: Section 328.3 e. (Amended 5/17/04, Ord. No. 2004-0-105)

Orient: To face, or where the majority of the principal entries to a building is located, and

Outdoor Amusement: A facility principally devoted to recreational activities or nongambling games, leisure and recreation services to the public or to members, and where the activities, games, or services predominantly occur outdoors. Examples include outdoor roller or ice-skating rinks, sports stadiums and arenas; amusement and theme parks; racetracks; swimming or wave pools; entertainment complexes; amphitheaters; drive-in theaters; zoos; fairgrounds; riding academies; miniature golf; golf courses, driving ranges, and country clubs; marinas; and similar facilities.

Outdoor lighting: see section 24.3.7.

Outdoor Storage: Materials, goods, vehicles, or equipment kept or placed outside an enclosed structure for twenty-four (24) hours or more for sale or use as part of a production or distribution activity. This does not include storage incidental to construction activities. This includes pipe storage and sand and gravel storage yards.

Owner: The person or entity, or their representative, who submits an application pursuant to this article. An owner includes the owner of the property where a protected tree is located.

"P"

Parapet: the extension of a false front or wall above the roofline.

Park and Open Space Master Plan: The Park and Open Space Master Plan (May 2008), which is incorporated by reference and made a part of this Chapter.

Park Trees: those trees located within public parks and all those areas owned by the City, or to which the public has free access as a park.

Parking Facility: A parking lot or a parking garage offering parking to the public and that is the principal use of the premises. Automobile fuels and oils are not sold and motor vehicles are not equipped, repaired, hired, or sold in a parking facility.

Parking garage, private: A space intended for or used by the private automobiles of households, businesses, government or non-business entities resident on the lot.

Parking Garage: A multi-level structure for the temporary placement of operable motor vehicles.

DRAFT

Parking Layout and Design Standards: the Layout and Design Standards for Parking Lots (City of Laredo Engineering Department, June 1990) and Ordinance No. 90-0-107 (adopted July 16, 1990), which documents are incorporated by reference and made a part of this Chapter.

Parking Lot: a paved, surfaced or leveled area used for customer, visitor or employee parking of motor vehicles, including leased premises available for public parking. This does not include parking garages, commercial storage lots, impoundment facilities or sales lots of new or used vehicles. Paved, surfaced or level areas connected by drives, private streets, or other ways in or along which parking is not permitted, shall be considered separate parking lots for purposes of this code.

Parking Lot: An off-street, ground-level, open area for the temporary placement of operable motor vehicles.

Parking Space, Off-Street: For the purpose of this ordinance, an off-street parking space shall consist of an area adequate for parking passenger vehicles or trucks with room for opening doors on both sides, and maneuvering room, but shall be located totally outside of any street or alley right-of-way.

Parkway: the area between the street curb or edge of the paving and the sidewalk. If a sidewalk is not present, the parkway shall be the area between the street curb or the edge of the paving and the property line.

Partial Tree Survey: A drawing showing all protected trees within the limits of construction, easements, rights-of-way, and a 20-foot strip abutting rights-of-way.

Passenger Terminal: Facilities for passenger transportation operations, and holding facilities, which includes rail stations, bus terminals, urban and regional transit stations and scenic and sightseeing facilities, but does not include airports and heliports. This includes accessory parking facilities. This does not include transit shelters, which are permitted in all districts.

Pawnshop: A business that lends money on the security of pledged goods left in pawn, or that purchases tangible personal property to be left in pawn on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

Payday Lender: A business that makes consumer loans, usually backed by postdated check or authorization to make an electronic debit against an existing financial account, where the check or debit is held for an agreed-upon term or until a customer's next payday and then cashed unless the customer repays the loan to reclaim the check or debit. Payday Lender's may charge a flat fee or other service charge and/or a fee or interest rate based on the size of the loan amount.

Performance: any theatrical, musical or cultural appearance, exhibition, display, demonstration, presentation, dance, modeling, preview, play, pantomime, show, skit, film, or entertainment of any kind, whether live or not, that is conducted before an audience, including but not limited to motion pictures, live theater, music concerts, opera, drama, comedy, ballet, modern or traditional dance, as well as book or poetry readings, whether for compensation or without charge. Sexually oriented businesses are excluded from this definition. (Added 7/6/10, Ord. No. 2010-0-084)

DRAFT

Perimeter Buffer: a continuous strip of land along the perimeter of a lot in which landscaping is used to provide a buffer between land uses in order to reduce the environmental, aesthetic and other impacts of one type of land use upon another.

Permit: a permit granted pursuant to this article.

Person Responsible for the Land Disturbing Activity: shall mean: a) The person who has or represents having financial or operational control over the land disturbing activity; and/or b) The landowner or person in possession or control of the land who directly or indirectly allowed the land disturbing activity or has benefited from it or who has failed to comply with any provision of this Code.

Person: any individual, firm, association, organization, trust, sole proprietorship, partnership, limited partnership, limited liability company, company, corporation, or any other legal entity.

Personal Instructional Services and Display: An establishment that provides instructional services to consumers. These establishments may display the results of their instructional services. Examples include tutoring and exam preparation, language, photography, fine arts, crafts, dance or music studios, exercise studios, art studios, driving schools, employment training, diet centers, and cosmetology or beauty schools. This includes incidental retail sales, or light assembly and offices relating to training or instruction.

Planned Development (PD): An overlay zone which permits development of more flexible area, setback, density and right-of-way standards than otherwise allowed, upon review and approval by the City Planning Commission.

Plant Nursery: An establishment primarily engaged in growing crops of any kind under cover and/or growing nursery stock and flowers. Examples include greenhouses, cold frames, cloth houses, and lath houses.

Plat, Amending: a plat, previously approved by the Commission and duly recorded, which is resubmitted for reapproval and recording to correct dimensional or notational errors and omissions, and to relocate lot lines subject to the requirements of Chapter 42 of the Local Government Code.

Plat, Final Subdivision: The map or drawing of a proposed subdivision prepared in a manner suitable for recording in the appropriate county records which is prepared in conformance with the conditions of preliminary plat approval previously granted by the Commission.

Plat: An instrument upon which is depicted a map, drawing, or plan of a certain tract of land, drawn to scale, which is designed to facilitate the location of, reference to, and legal description of such tract, or lots contained therein, or both, by indication in the map, drawing or plan of certain points of reference which are known to or which are described to coincide with established survey monuments.

Plat, Preliminary Subdivision: See "preliminary plat."

Plat, Street Dedication: a map or drawing illustrating only the location of a public street within a specific tract of land.

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Platted Commercial Lot: Any lot that is intended or zoned for commercial purposes or use.

Plug Back: The act of partly filling a well bore with impervious materials for the purpose of shutting off lower rocks in order to permit reservoir rocks above the plugged back point to be produced.

Point of purchase display: Advertising of a retail item accompanying its display (e.g., an advertisement on a product dispenser, tire display, etc.).

Point Source: any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Pole cover: a cover enclosing or decorating poles or other structural supports of a sign.

Postal Services: Establishments that provide mail services, including delivering items (such as letters and small parcels that can be handled by one person without using special equipment. Sorting and transportation activities, where necessary, are generally mechanized.

Post-Development: conditions shall mean the conditions which exist following the completion of the land disturbing activity in terms of topography, vegetation, land use and rate, volume or direction of storm water runoff.

Pre-Developed Conditions: those land use conditions that existed prior to the initiation of the land disturbing activity in terms of topography, vegetation, land use and rate, volume or direction of storm water runoff.

Preliminary Plat: The map or drawing illustrating the features a development submitted before a formal subdivision plat application.

Primary Structure or **Principal Structure**: see "main building."

Principal Use: the main use of land or building as distinguished from the subordinate or accessory use.

Private Street: a vehicular access-way under private ownership and maintenance, providing access to apartment building(s), condominium apartment(s) or to more than three (3) single family units, either attached or detached, which do not have frontage on an approved public street. Parking lots and private driveways within shopping centers, and/or institutional, commercial or industrial developments will not be considered private streets.

Protected Tree: A tree that has the minimum required caliper size, or larger, that is listed on the city approved tree list, except as otherwise provided in section 24.3.11 (Tree Protection). Only the species of trees that are included in the official city tree list considered protected trees.

Protected Tree Removal Permit: Written authorization granted by the Building Services Director, under the provisions of section 24.3.11 (Tree Protection), for the removal or transplanting of a protected tree.

Protected Waters: see § 24.3.8 (Riparian Buffers).

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Public Safety Facility: A facility for public safety and emergency services, such as police, fire protection, police and fire training facilities, and ambulance and emergency services, administrative facilities for emergency medical care, and blood and organ banks. This includes accessory transportation services and the vehicle maintenance.

Public Service Facility: The erection, construction, alteration, operation, or maintenance of buildings, power plants or substations, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communications, public water and sewage services, and the storage and maintenance of related equipment and materials.

Public Street: a public right-of-way, however designated, dedicated or acquired, which provides access to adjacent properties.

Public Uses: Public parks, schools, administrative and cultural buildings and structures, not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.

Public Water System: the water supply and delivery system owned and operated by the City of Laredo.

Public Way: An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway right-of-way sidewalk, street, subway, tunnel, viaduct, walk, bicycle path; or other ways in which the general public or a public entity have a right, or which are dedicated whether improved or not. For purposes of this Section freeway shall mean an expressway or highway with fully controlled access. (Amended 7/20/87, Ord. No. 87-0-117)

Purchaser: shall include purchasers under executory contracts for conveyance of real property.

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Qualified Personnel: persons who possess the appropriate competence, skills, and ability (as demonstrated by sufficient education, training, experience, and/or, when applicable, any required certification or licensing) to perform a specific activity in a timely and complete manner consistent with the applicable regulatory requirements and generally accepted industry standards for such activity.

Queue: A successive stacking of vehicles.

"R"

Radial lots: lots adjacent to curved streets or circular cul-de-sacs with side lot lines running roughly perpendicular to the street right-of-way.

Railroad Commission or R.R.C.: the Railroad Commission of Texas.

Railroad Facilities: A facility for freight pick-up or distribution by rail. This may include specialized services for railroad transportation including servicing, routine repairing (except factory conversion, overhaul or rebuilding of rolling stock), and maintaining rail cars; loading and unloading rail cars; and independent terminals.

DRAFT

Railroad Freight Depot: Distribution facilities upon which storage and warehousing of cargo is incidental to the primary function of freight shipment, and not to include any display of goods for either retail sale or wholesale. Includes both railway and truck freight transfers.

Railroad Right-of-Way: A strip of land with tracks and auxiliary facilities for track operation, but not including freight depots or stations, loading platforms, train shed, warehouses, car or locomotive shops, or car yards.

Recompletion Operations: the reoccupation or re-entry of an existing well within the existing well within the existing borehole which may include deepening from one zone to another zone, completing a well in an additional zone, plugging back from one zone to another zone, sidetracking to purposefully change the location of the bottom of the well, and conversion of a service well to an oil or gas well in a different zone. Recompletion is also called reworking.

Recreation Camp: an area of land on which two or more travel trailers, campers, tents or other similar temporary recreational structures are regularly accommodated.

Recreational Vehicle Park: Any plot of land on which two or more travel trailers are located for short-term (less than thirty (30) days) occupancy during travel, recreational or vacation use. Recreational vehicle (or travel trailer) parks are not occupied by any travel trailer for thirty (30) days or more, nor by any mobile home. Examples include campgrounds and recreational vehicle/travel trailer parks. This use does not include a Manufactured Housing Park.

Recreational Vehicle: a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Recycling Drop-off Center: An incidental use that serves as a neighborhood collection point for temporary storage of recoverable resources such as glass, paper, and aluminum. No processing of such items would be allowed. This facility would generally be located in a shopping center parking lot or in other public/quasi-public areas, such as in churches and schools.

Recycling Plant: A facility that is not a junkyard and in which pre-sorted recoverable resources (such as newspapers, magazines, books, and other paper products; glass; metal cans; and other products) are recycled, reprocessed, and treated to return those products to a condition in which they may again be used for production. Recycling plants do not collect vehicles for salvage, hazardous materials, compost, or rubbish.

Re-entry or re-enter: any operation intended to reactivate or deepen a well which may include conversion, recompletion, reworking, workovers, plugging and plug backs.

Regional Storm Water Management: the design and construction of a facility necessary to control storm water runoff within or outside a development and for one or more developments.

Registered Land Surveyor: a land surveyor properly registered and licensed to conduct work within the City of Laredo.

DRAFT

Registered Landscape Architect: a landscape architect properly registered and licensed to conduct work within the City of Laredo.

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

Rehabilitation Facility and Services: A facility that provides social assistance, rehabilitation, and treatment services to persons affected by psychiatric conditions or substance dependence. This use typically includes alcohol and drug rehabilitation facilities, and drug, alcohol, and psychiatric care homes.

Release: any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing, directly or indirectly, into the municipal separate storm sewer system (MS4) or the waters of the United States.

Relief Well: a well drilled or adapted under emergency circumstances to correct or safeguard against unexpected and inherently hazardous conditions.

Religious Land Use: A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship or instruction, and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship. Accessory uses include classrooms, community houses, educational buildings, and child care for persons attending worship or instruction.

Replacement Trees: a tree meeting the minimum criteria for replacement trees as set out in Article 1, Section 24.1.7, of the Laredo Land Development Code.

Replat: a plat of all or part of property incorporated in a previously recorded plat which has not been vacated.

Representation of Value: A representation of value includes a gift certificate or gift card that is presented to a merchant in exchange for merchandise.

Reserve: a designation for individual parcels of land within a subdivision plat which are not divided into lots, which may be established for specific purposes, subject to use restrictions or designated as 'unrestricted' in contemplation of future development.

Residential Care Facilities: Establishments that provide residential care combined with supervision and personal care services. Examples include boot or disciplinary camps (except correctional) for delinquent youth, child group foster homes, halfway group homes for delinquents or ex-offenders, delinquent youth halfway group homes, homes for unwed mothers, and group homes for the disabled without nursing care.

Responsible Personnel: any foreman, superintendent, or similar individual who is the on-site person in charge of land disturbing activities.

Restaurant: An establishment which has as its primary purpose the serving of food to its customers from a kitchen that is separated from the main dining area and the prepared food is for on premise sale and consumption. The establishment maintains a full service menu with a

DRAFT

variety of entrées (eight or more); maintains adequate kitchen facilities (i.e. contains a stove and oven in working order, refrigerator storage with food inventory and contains necessary equipment for food preparation) and where alcoholic beverages may be sold as an incidental activity to the sale of food. Establishments which serve prepared food but derive more than 50% of their quarterly gross revenue from the sale of alcoholic beverages are deemed bars. Customers may be served at tables, at a drive-through window, or in their cars. (Amended 2/4/13, Ord. No. 2013-O-005)

Retention Structure: a permanent structure whose primary purpose is to permanently store a given volume of storm water runoff. Release of the given volume is by infiltration, evaporation and/or irrigation.

Retirement Home: A building or group of buildings containing dwelling units where the occupancy of the dwellings is restricted to the elderly (in which at least one resident per household is fifty-five (55) or older.) This does not include a development that contains convalescent or nursing facilities, but often includes the provision of special support services, such as central dining and limited medical care.

Return Map Agreement: an agreement authorizing the County Clerk of the county in which a final plat or replat is filed to return the original recorded plat to the Director.

Reworking: see Recompletion

Right of Way (ROW): property that has been dedicated for uses of the public including but not limited to any street, highway, road, alley, or land used for vehicular and passenger movement and/or ingress or egress. (Amended 5/17/04, Ord. No. 2004-0-105)

Riverine: relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Road: See "Street."

Rooftop and Vertical Farming: The cultivation of plants, animals and/or fungi on rooftops for purposes of human consumption, beautification, land conservation, enhanced air quality, urban heat mitigation, and/or carbon sequestration.

Rooming/Boarding House: A house where meals and lodging is provided for compensation for three or more unrelated persons, and where no cooking or dining facilities are provided in the individual rooms. Examples include dormitories, fraternities, sororities, or dorms. This use type does not include a hotel, motel, or multi-family building. A multifamily building or apartment house includes separate dwelling units occupied by a single household, while a boarding house includes separate households sharing kitchen facilities. Examples include single room occupancy units, rooming and boarding houses, dormitories, and workers' camps.

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Salvage Yard: See "junkyard."

Sanitarian: a person registered as a Professional Sanitarian by the Texas Department of Health under the authority of Vernon's Ann. Tex. Civ. Stat. Article 4477-3.

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School (Public or Private): An institution of learning which offers instruction in the several branches of learning required to be taught in the public schools of the state, such as an elementary school, middle school, high school, special school, signature academy, or magnet school.

Screening Fence: a solid masonry or wooden fence not less than seven (7) feet in height designed to act as a buffer between adjacent uses.

Screening: any method of visually shielding one land use from another.

Searchlight or skylight: any apparatus capable of projecting a beam or beams of light.

Second Order Stream: is a stream formed by the confluence of two first order streams.

Sediment: solid particulate matter, both mineral and organic, that is in suspension, is being transported or has been moved from its site of origin by water, air, ice, or gravity and has come to rest on the earth's surface either above or below sea level.

Self-Service Storage Facility: A building or group of buildings in a controlled access compound that contains varying sizes of individual, compartmentalized, or controlled access stalls or lockers for the storage of customers.

Semi-Trailer: a vehicle designed such that some part of its own weight and that of its own load rests upon a "fifth wheel" carried by a motor vehicle.

Setback: the horizontal distance from a lot line to the setback line.

Setback Line: a line established by this Chapter, generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory buildings nor structure may be located above ground, except as may be provided in this Chapter. See definition of "Yard".

Sewerage Facilities: the devices and systems which collect and transport domestic wastewater from residential property, treat the wastewater, and dispose of the treated water in accordance with the minimum state standards contained or referenced in these rules.

Sewers, Central or Group: an approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community or region.

Sewers, On Site: a septic tank or other individual sewage disposal system on an individual lot which has the approval of health and sanitation officials having jurisdiction.

Sexually Oriented Business: See Section 18A-2 of the Laredo Code.

Shooting Range: An establishment open to the general public, private club, or association that operates within an enclosed building or structure for the safe discharge of firearms for the purpose of sport shooting, law enforcement training, target practice, or temporary competition wherein a firearm is used, including archery, rifles, pistols, shot guns, black powder or any similar firearm. (Amended 6/5/06, Ord. No. 2006-0-112)

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Short-Term Rental: The rental of a residential dwelling unit or an accessory building on a residential lot for a period of less than 30 days. The use does not include an extension for less than 30 consecutive days of a previously existing rental agreement of 30 consecutive days or more. The use does not include a rental between parties to the sale of that residential dwelling unit.

Shrub: any perennial, evergreen plant at least eighteen (18) inches in height with a minimum twenty-five (25) inches in width at the widest portion when planted, and capable of growth to not less than thirty (30) inches in height within two (2) years from the date of planting under conditions normally revailing in the City.

Sidewalk: A paved, surfaced of leveled area between the curb line, or the lateral lines of a roadway and the adjacent property lines designed for or ordinarily used for pedestrian travel.

Sidewalk Café: the licensed use of any street level portion of public right-of-way in which tables and chairs are placed for the sole purpose of patrons consuming food and/or beverages.

Sidewalk Café License: A license issued to a licensed food products establishment (restaurant only) allowing operation of a Sidewalk Café.

Site: the land or water area where any facility or activity is physically located or conducted, including adjacent land used in connection with the facility or activity.

Size (sign): the total area of the face used to display copy or graphics on one face of a sign, not including its supporting pole or structure.

Smoking establishment: An establishment that is dedicated, in whole or in part, to the smoking of tobacco or other substances and includes any establishment that allows both (1) the payment of consideration by a customer to the establishment in exchange for on-site delivery of tobacco, tobacco accessories or similar legal substances and products to the customer; and (2) the on-site smoking of tobacco or other substances. These establishments are required to have isolated HVAC systems to remove smoke and odors. This definition shall be construed to include establishments known variously as, cigar lounges, hookah cafes, tobacco clubs, tobacco bars, and similar establishments, but shall not include an establishment that derives 50 percent or more of its gross revenue on a quarterly basis (i.e., three months) from the sale of alcoholic beverages for on-premise consumption or food sales. (Added Ord. No. 2014-O-153, 11/17/15)

Snack or Beverage Bar: Establishments primarily engaged in (1) preparing and/or serving a specialty snack, such as ice cream, coffee and/or pastries, frozen yogurt, cookies, or popcorn, or (2) serving nonalcoholic beverages, such as coffee, juices, or sodas for consumption on or near the premises.

Social Assistance, Welfare, and Charitable Services: Establishments that provide social assistance services directly to clients such as children, elderly persons, disabled persons, homeless persons, or veterans. Social assistance may include food, medical relief, counseling or training. Examples include adoption agencies, youth centers (except recreational only), child guidance organizations, youth self-help organizations, foster care placement services, community action services agencies, marriage counseling services (except by offices of mental health practitioners), crisis intervention centers, multipurpose social services centers, family

DRAFT

social services agencies, self-help organizations (except for disabled persons, the elderly, persons diagnosed with intellectual and, developmental disabilities), family welfare services, suicide crisis centers, hotline centers, telephone counseling services, community food services (includes collection, preparation, and delivery of food, clothing and blankets for needy persons).

Solid Waste Facility: A facility where non-hazardous wastes are taken from collection vehicles, temporarily stored, and ultimately relocated to a permanent disposal site. This includes any facility, incinerator, landfill, materials recovery facility, municipal solid waste landfill, private or public solid waste management facility, recovered materials processing facility, sanitary landfill, or solid waste management facility.

Special areas: special geographic areas of the city and ETJ which may be established by the city commission from time to time for the purpose of regulating signs.

Special Event: An event that is registered with and recognized by the parks and recreation department, that has a specific location, purpose, and beginning and ending time and date. A special event includes sporting events, cultural events, festivals, carnivals, fairs, parades, etc. (See City of Laredo Code or Ordinances Article V Commercial Use Of Streets, Sidewalks And Other Public Places Section 28-102 Definitions). (Added 7/6/10, Ord. No. 2010-0-084)

Special Drainage Easement: For the purpose of Section 24-59 Storm Water Management, Shall Mean: A drainage easement over private residential property that is at least ten (10) feet wide which the City of Laredo shall enforce and the private property owner shall maintain. No flow restricting fences, buildings, structures, or other improvements which impede flow shall be placed within this easement. The maintenance of Private Drainage Facilities shall be provided for by the property owner or assigned agent. The City shall be kept advised of the responsible agent. (Added 6/7/17, Ord. No. 2017-0-061)

Special Flood Hazard Area: see Area of Special Flood Hazard

Stabilization: providing measures, vegetative and/or structural, that will prevent erosion from occurring.

Stage Work or Stage Construction: a plan for the staged construction of storm water facilities where portions of the facilities will be constructed as different stages of the development are started or completed.

Standard Building Code: the 1991 Edition of the Standard Building Code as amended, or such other building code which may be adopted by the City to govern buildings and structures.

Start of Construction (for section 24.2.18 [Flood Hazard District] only): (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

DRAFT

"Permanent construction" does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Start of Development: The date the storm water management permit was issued, provided the actual start of development, repair, reconstruction, placement or other improvement is within 180 days following the issuance of the permit.

State: The State of Texas.

Stop Work Order: An order issued by the Building Services Director to the owner to cease and desist with work being performed on a site.

Storm Water: Storm water runoff, snow melt runoff, and surface runoff and drainage.

Storm Water Concept Plan: The preliminary concept plan of the proposed storm water management system intended for preliminary review and comment by the City Engineer.

Storm Water Discharge Associated with Construction Activity: The construction activity disturbing at least five acres, or construction activity disturbing less than five acres which is a part of a larger common plan of development or sale with the potential to disturb cumulatively five or more acres according to 40 CFR §122.26(b).

Storm Water Discharge Associated with Industrial Activity: The discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant which is within one of the categories of facilities listed in 40 CFR §122.26(b)(14), and which is not excluded from EPA's definition of the same term.

Storm Water Management: The collection, conveyance, storage, treatment and disposal of storm water runoff in a manner to minimize accelerated channel erosion, flood damage, and/or degradation of water quality and in a manner to enhance and ensure the public health, safety, and general welfare, which shall include a system of vegetative or structural measures, or both, that control the increased volume and rate of storm water runoff caused by man made changes to the land.

Storm Water Management Guidance Manual: the manual of design, performance, and review criteria for storm water management practices. List of the approved guidance manuals is available in the City Engineering Department.

Storm Water Management Facilities: those structures and facilities that are designed for the collection, conveyance, storage, treatment and disposal of storm water runoff into and through the drainage system.

DRAFT

Storm Water Management Plan: the overall proposal for a storm drainage including storm water management structures, and supporting documentation as specified in the Storm Water Management Design Manual, for each proposed private or public development to the extent permitted by law. Also included are the supporting engineering calculations and results of any computer analysis, if necessary.

Storm Water Management Plan: the set of drawings and other documents that comprise all of the information and specifications for the drainage systems, structure, concepts and techniques that will be used to control water as required by this code and the Storm Water Management Guidance Manual. Also included are the supporting engineering calculations and results of any computer analysis.

Storm Water Management Quality Controls: a system of vegetative structural or other measures that reduce or eliminate pollutants that might otherwise be carried by storm water runoff.

Storm Water Pollution Prevention Plan or SWPPP: a plan required by either the Construction General Permit, the Baseline Industrial General Permit, or the Multi-Sector General Permit and which describes and ensures the implementation of practices that are to be used to reduce the pollutants in storm water discharges associated with construction or other industrial activity at the facility.

Storm Water Runoff: the direct response of a watershed to precipitation and includes the surface and subsurface runoff that enters a ditch, stream, storm drain or other concentrated flow during and following the precipitation.

Story: the part of a building between the surface of a floor and the ceiling immediately above.

Story, Half: a space under a sloping roof which has the line of intersection of roof decking and wall face not more than 3 feet above the top floor level; or a story which is one-half below ground level.

Stream Order: a classification system for streams based on stream hierarchy, with the smallest stream having the lowest numerical classification. (Amended 5/17/04, Ord. No. 2004-0-105)

Streams: streams as identified on U.S. Geological Survey (1:24,000) maps. (Amended 5/17/04, Ord. No. 2004-0-105)

Stream System: means a stream channel of a given order together with one or more of the following:

- 100-year floodplain;
- Hydrologically related wetland;
- Reservoir receiving water from one or more streams.

(Amended 5/17/04, Ord. No. 2004-0-105)

Street the full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows (see also the street classifications in section 24.4.6 [Streets] of this Chapter, the City Comprehensive Plan and the Future Thoroughfare Plan):

DRAFT

Alley: A minor street used primarily for vehicular access to the back or side of properties abutting on another street.

Arterial Street: A general term denoting a highway primarily for through traffic carrying heavy loads and large volume of traffic, usually on a continuous route. Section 24.4.6 divides arterial streets into Principal Arterials and Minor Arterials.

Collector Street: A thoroughfare, whether within a residential, industrial, commercial or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivision. Section 24.4.6 divides this classification into Collectors and Industrial Collectors.

Cul-de-sac: A local street of relatively short length with one end open to traffic.

Dead-End Street: A street temporarily having one outlet for vehicular traffic and intended to be extended or continued in the future.

Expressway. See street classifications in section 24.4.6.

Local Street: A street primarily for providing access to residential or other abutting property.

Loop Street: A type of local street, each end of which terminates at an intersection with the same adjacent street, and whose principal radius points of l80 degree system of turns are not more than l,000 feet from said adjacent street, and normally more than 600 feet from each other.

Marginal Access Street: A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets (also called "Frontage Street").

Multiway Boulevard. See street classifications in section 24.4.6.

Street Tree: those trees located between property lines on either side of streets, avenues, or ways within the city.

Structure: any vertical construction erected to support, shelter or enclose persons, animals or property of any kind. This includes any walled and roofed building, manufactured home, swimming pool, decks in excess of thirty (30) inches in height, roof overhang exceeding three (3) feet, gas or liquid storage tank, or road or utility main that is principally aboveground and/or that restricts the flow of flood waters. A wooden fence of less than seven feet (7') in height, or a masonry, brick, concrete, or cinder block wall of less than 24 inches in height, is not considered a structure.

Structure (for section 24.2.18 [Flood Hazard District] only): for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Stub Street: a public street not terminated by a permanent circular turnaround, ending adjacent to undeveloped property or acreage.

DRAFT

Studio: The working place of a painter, sculptor, artisan, or photographer or a place for the study of art, including singing and acting.

Subdivider: an owner or an owner's authorized agent, proposing to subdivide land into two (2) or more parts to lay out a subdivision of the tract, including an addition to the municipality, or to lay out suburban, building or other lots, or to lay out streets, alleys, squares, parks, or other parts of a tract of land intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to public streets, alleys, squares, or parks.

Subdivision: a division of land into two (2) or more parts to lay out a subdivision of the tract, including an addition to the municipality, or to lay out suburban, building or other lots, and or to lay out streets, alleys, squares, parks or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to public streets, alleys, squares, or parks. This includes:

- the division of existing lot or lots into new lots; or
- the combination of existing lots to create a new lot or new lots;
- both a division and combination; or
- The establishment by recording in the office of the County Clerk of a conveyance or other instrument dedicating a street, highway, road or alley or other public right-of-way through a tract of land, or
- the application for a plat of a "lot of record" as defined in ***** Section 24-61 (b)(59) (ii) of the Zoning Ordinance. *(As amended 11/21/88, Ordinance # 88-0-148)*

For purposes of Section 24.4.5 (Stormwater Management) "subdivision" means:

- The creation of new streets, alleys or other public ways; or the changing of any rights-of-way of any existing streets, alleys or other public ways; or
- Any division or redivision of lot, tract, or parcel or land, regardless of its prospective use. That subdivision may be accomplished by platting or by description of metes and bounds or otherwise into 2 or more lots or other divisions of sale or improvement.

The following are not defined as subdivisions:

- The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are in accordance with the rules and regulations of this Chapter.
- Division or sale of land by judicial decree which shall not be deemed a division for purposes of the stormwater management regulations.
- The acquisition of land for the purpose of widening or opening of streets when the acquisition and work is done by the City, State or other governmental agency.
- The division of land into parcels greater than 5 acres where no street right-of-way dedication is involved.

Submittal date: the date and time specified in this chapter when plats, related materials and fees must be received by the Department prior to the next regular meeting of the Commission in order to be considered at such meeting.

DRAFT

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

Substantial Improvement: Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Swale: a structural measure with a lining of grass, riprap or other material which can function as a detention structure and convey storm water runoff without causing erosion.

"T"

TAC: Texas Administrative Code, as compiled by the Texas Secretary of State

TCEQ: Texas Commission on Environmental Quality

Telecommunications Facility: An establishment or free standing structure on which transmits and receives information by radio, television, or other communication mediums. This includes radio/tv stations and studios.

Temporary Lighting: Lighting intended for uses which by their nature are of limited duration. Examples include holiday decorations, civic events, or construction projects.

Temporary Tree Protection Device: Physical barriers, at least four feet in height, installed prior to construction for the purpose of preventing damage to trees. Examples include chainlink fence, vinyl construction fencing or similar temporary barrier that is nonintrusive to the tree canopy and critical root zone.

Ten-Year Frequency Storm: a storm that is capable of producing rainfall to be equaled or exceeded on the average of once in 10 years. It may also be expressed as an accidence probability with a 10 percent chance of being equaled or exceeded in any given year.

Theater: a structure providing for live or taped entertainment with fixed seating.

Third Order Stream: is a stream formed by the confluence of two second order streams. (Amended 5/17/04, Ord. No. 2004-0-105)

Thoroughfare. See "Street."

Throat Length: the length of the driveway up to the first conflict point.

DRAFT

Tiny House: a dwelling unit that is 400 square feet or less in floor area excluding lofts. For purposes of this definition, a "loft" means a floor level that is located more than 30 inches above the main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet 8 inches and used as a living or sleeping space. [*Source: 2018 International Building Code, Appendix Q*]

Tite well: a well on which no geological or engineering information has been furnished to any person other than those who have an interest in such well or have contractual arrangements under which there are being or have been furnished geological and engineering information pertaining to the drilling and completion of such well.

Tobacco Shop: an establishment whose main purpose is the sale of tobacco products (i.e. cigars, cigarettes, chewing and dipping tobacco and related tobacco smoking accessories) and in which the sale of other products is merely incidental and does not account for more than 45% of the establishments gross revenue. (Added Ord. No. 2014-O-153, 11/17/14)

Total outdoor light output: The total amount of light, measured in lumens, from all outdoor light fixtures within the illuminated area of a property. The lumen value used in the calculation is the lumen value as defined in this section. To get the total, add the lumen output attributed to each light fixture.

Townhouse Condominium: see "Condominium."

Townhouse: A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from the foundation to roof and with open space on at least two sides. [*Source: 2018 International Building Code*.] A townhouse is arranged in a row of attached dwelling units which constitute an architectural whole. The building may be located on a single lot, or each dwelling is may be located on a separate, platted lot (with individual fee simple ownership in the land underlying the unit).

Traffic lights and signage: any installed traffic related sign, light, apparatus, or device that provides information to vehicular drivers and/or pedestrian traffic.

Trailer: a vehicle without motor power, designed or used for carrying property wholly on its own structure and to be drawn by a motor vehicle.

Transfer Station: A permanent, fixed, supplemental collection and transportation facility, where pre-sorted solid waste materials are taken from smaller collection vehicles and placed in larger transportation units like railroad cars, barges, or truck trailers. In some transfer operations, compaction or separation for recycling or disposal may be done at the station.

Transit Shelter: A roofed structure with at least three (3) walls located on or adjacent to the right-of-way of a street, and which is designed and used primarily for the protection and convenience of bus passengers.

Trauma Treatment Center (also called Emergency Treatment Center): Hospitals and similar facilities engaged primarily in providing diagnostic services, and extensive medical treatment, including surgical and other hospital services. These establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care. May include

DRAFT

on-site accessory clinics and laboratories, accessory retail uses and emergency heliports and Level I through Level IV trauma centers.

Tree: a woody plant having one well defined stem or trunk and, more or less, definitely formed crown and usually attaining a mature height of at least eight (8) feet. For purposes of section 24.3.11 (Tree Protection), "tree" means any tree listed on the protected tree table.

Tree Inventory: A drawing showing the tag number, species, size, and approximate location of all existing protected trees.

Tree Protection Plan: A plan submitted by the commercial property owner in a form or manner specified by the Building Services Director, whichever is applicable, providing the method of protecting trees during construction that may or may not include protection details, standards, notes and construction plans in accordance with generally accepted methods.

Tree Removal: Uprooting, severing the main trunk of the tree, or any act which causes or may reasonably be expected to cause the tree to die including, without limitation, damage inflicted on the root system by machinery, storage of materials or soil compaction; substantially changing the natural grade above the root system or around the trunk; excessive pruning; or paving with concrete, asphalt, or other impervious materials in a manner which may reasonably be expected to kill the tree.

Tree Replacement Plan: A plan submitted by the commercial property owner in a form and manner specified by the Building Services Director, whichever is applicable, providing the method of replacement for the proposed protected trees, to be removed, that may or may not include a plan that identifies the location, size, and species of all new trees proposed as replacement for the protected trees being removed and fees in lieu of replacement trees.

Tree Topping: The severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree that removal of the top canopy disfigures and invites disease to the tree.

Truck: A "truck" as defined by Section 541.201 of the Texas Transportation Code that is a commercial motor vehicle (as defined by 49 C.F.R or an 18-wheeler, but does not include a school bus used to transport students. An "18-wheeler" means a truck that combines a tractor unit and semi-trailers to carry freight (also known as a "semi-trailer truck"). [*Note: The C.F.R. defines "commercial motor vehicle" as "any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle— (1) has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or (2) is designed or used to transport more than 8 passengers (including the driver) for compensation; or (3) is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or (4) is used in transporting material found by the Secretary of Transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR, subtitle B, chapter I, subchapter C." The Texas Transportation Code reference defines "truck" as "a motor vehicle designed, used, or maintained primarily to transport property.*]

DRAFT

Truck Lot: A parking lot used solely for the purpose of storing/parking trucks, double-axle trailers, or any other commercial transport vehicle.

Truck Stop: A structure or area used primarily for the sale of fuel for trucks and usually incidental service or repair of trucks. This includes a group of facilities consisting of those uses and attendant eating, sleeping, or truck parking facilities.

"U"

Uniformity Coefficient: the number representing the degree of homogeneity in the distribution of particle sizes of filter sand or other granular material. The coefficient is calculated by determining the D 10/D60 ratio where D10 and D60 refer to the particle diameter corresponding to the 10 and 60 percentile of the material which is finer by dry weight.

Unitize: the grouping of mineral interests in a given production unit for the purpose of producing hydrocarbons as a unit.

Uplighting: Lighting directed to project light rays above the horizontal plane running through the lowest point on the fixture where light is emitted.

Urgent Care Clinic (Outpatient) – A 24 hour outpatient facility, which is not physically attached to a hospital, which seeks to provide scheduled or unscheduled medical services for urgent, immediate or minor emergency which do not require trauma level, or major surgical treatment and hospitalization.

Use: the specific purposes for which land or building is designated, arranged, intended and for which it is or may be occupied or maintained.

Use Chart: See Section 24.2.17.

Use, Principal: see "Principal Use."

Utility (Major): A building or other structure for water supply (including water distillation), wastewater treatment, or the production of electricity, steam, air conditioning, or potable water for consumption by the general public.

Utility (Minor): All lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm water, communications, electricity, transportation, gas, steam, and similar public services, and may include storage for vehicles and equipment necessary to provide those services. This includes facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, water or sewer pumping stations, water storage facilities, telephone exchanges, switch boxes, transformer boxes, cap banks, and underground water and sewer lines. This does not include "telecommunications facility" as defined below, which refer to the point of transmission rather than distribution systems such as cable networks.

DRAFT

"V"

Variance: a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of applicant actions, a literal enforcement of the regulations would result in unnecessary and undue hardship, as specifically provided for within this ordinance.

For purposes of Section 24.4.5 (StormWater Management), "variance" means:

- The modification of the minimum storm water management requirements for specific circumstances where strict adherence of the requirements would result in unnecessary hardship and not fulfill the intent of this code, or,
- A grant of relief by a community from the terms of a floodplain management regulation.

For purposes of Section 24.2.18 (Flood Hazard District (F)), "variance" means **a** grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

Vegetative Buffer: A vegetated area, including trees, shrubs, and herbaceous vegetation, that exists or is established to protect a stream system. A vegetative buffer for a stream system generally consists of a strip of land, with native vegetation, along both sides of a stream system. (Amended 5/17/04, Ord. No. 2004-0- 105)

Vehicle / Equipment Maintenance Facility: A facility providing maintenance and repair services for vehicles and equipment and areas for storage of equipment and supplies. This classification includes construction yards, equipment service centers, transit vehicle storage and servicing, and similar facilities.

Vehicle Towing and Storage Facility: Establishments primarily engaged in towing light or heavy motor vehicles, along with incidental services such as storage and emergency road repair services.

Venting: A system designed to allow flood waters to enter an enclosure, usually the interior of foundation walls, so that the rising water does not create a dangerous differential in hydrostatic pressure. This is usually achieved through small openings in the wall, such as a missing or rotated brick or concrete block or small pipe.

Veterinary Animal Hospital or Clinic: A place for the care, grooming, diagnosis and treatment of sick, ailing, infirm or injured animals. It may also include boarding that is incidental to the primary activity.

Violation: the failure of a structure or other development to be fully compliant with City of Laredo's Code of Ordinances, state laws, and federal laws.

Visibility Triangle: an imaginary triangle located at the intersection of any public street, alley or private drive within which no planting shall be done that would block the sight lines for vehicular traffic. The triangle is established by measuring a distance of forty-five (45) feet in each direction from the intersection of the extended curb or edge of pavement of a major

DRAFT

thoroughfare and the cross street, or a distance of twenty-five (25) feet in each direction from the intersection of the extended curb or edge of pavement of a local street and the cross street. A straight line connecting the ends of each measured distance forms the third side of the triangle.

"W"

Waiver: the relinquishment from storm water management requirement by the City Engineer for a specific land disturbing activity on a case-by-case basis.

Warehouse: A building in which more than fifty percent of the ground floor area is utilized for the storage of products, which is not the office or showroom area of the building.

Water Conservation: those practices, techniques, and technologies that will reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future or alternative uses.

Water facilities: any devices and systems which are used in the supply, collection, development, protection, storage, transmission, treatment, and/or retail distribution of water for safe human use and consumption.

Water Quantity: those characteristics of storm water runoff that relate to the rate and volume of the storm water runoff to downstream areas resulting from land disturbing activities.

Water Surface Elevation: the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, where specified, of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas. (Code 1971, §151/2-3)

Water Surface Elevation: the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, where specified, of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas. (Code 1971, §151/2-3)

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

Watershed: the total drainage area contributing runoff to a single point.

Weather / Environmental Monitoring Station: A facility with instruments and equipment that measures atmospheric conditions (typically to provide current weather information or a basis for weather forecasts), air or water quality, soil conditions, or similar variables.

Well Abandonment: The proper plugging and abandoning of a well in compliance with all applicable, and the cleaning up of the site to the satisfaction of any governmental body having jurisdiction with respect thereto and to the reasonable satisfaction of the operator.

Well Service Operations: routine maintenance and repair operations on a well, other than drilling, plug back, re-entry, reworking, recompletion or workover operations. Well servicing usually involves repairs to installed equipment, such as pumps, rods, gas left valves, tubing packers, etc.

DRAFT

Well: any hole, excavation or bore downward from the surface, intended to extend two hundred (200) feet or more into the subsurface, made by any means or manner, for the purpose of exploring for, discovering, production, or injecting hydrocarbons, water or other minerals, and which has not been plugged and abandoned under the rules and regulations of the R.R.C.

Wetland: an area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, wetlands generally include swamps, marshes, bogs, and similar areas.

Wholesale business: those businesses which sell, broker, transfer, receive or otherwise handle volume commodities for fabrication, resale or internal commercial or industrial consumption.

Wholesale Distribution and Sales, Warehousing, and Storage (Vehicular): The storage and sale of vehicles and vehicular parts to other firms for resale, including activities involving significant storage and movement of products or equipment. This use does not involve manufacturing or production. Examples include automobile, truck, recreational vehicles, and boat wholesales.

Wholesale Distribution and Sales, Warehousing, and Storage: The storage of goods, and the sale of goods to other firms for resale, including activities involving significant storage and movement of products or equipment. This use does not involve manufacturing or production. Examples include warehouse or produce/fruit/food storage and wholesale structures, carting, express crating, hauling, cold storage, feed locker plants, dry goods wholesale, hardware storage, and wholesale, paper supplies, shoes, sporting goods, professional and commercial equipment and supplies merchant wholesalers (such as restaurant supply sales), and otherwise preparing goods for transportation. This may include fulfillment centers that combine storage with call centers.

Workover: work performed on a well to sustain or increase production or injections which may physically change the downhole condition of the well, which may include casing repairs, acidizing, fracture, stimulation, perforating, deepening or plugging back to a different zone in the same horizon, sidetracking or shipstocking and whipstocking due to obstructions, running liners, and gravel packing.

"X"

Xeriscape: landscaping systems designed to conserve water through use of drought resistant and heat tolerant native or naturalized plants which utilize only irrigation meet plant needs.

"Y"

Yard: the area between the property line and the building setback line in which no structure may be located.

"Z"

Zero Lot Line House: A single-family detached dwelling that is sited with no setback along one side property line.

Zoning, District Map: The map or maps incorporated into this ordinance as part hereof delineating zoning districts.

DRAFT

(b) Historic District Definitions: Unless specifically defined below, words or phrases in this ordinance shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this ordinance its most reasonable application.

Alteration: any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure.

Certificate of Appropriateness: a certificate issued by the Historic District/Landmark Board indicating its approval of plans for alteration, construction, removal, or demolition of a landmark or of a structure within a historic district.

Certified historic structure: any building that is listed individually in the National Register of Historic Places, or located in a "Registered historic district" and certified as being of historic significance to the district.

Certified rehabilitation: is any rehabilitation of a "Certified historic structure" that is certified by the State Historic Preservation officer (SHPO) and the National Park Service (NPS) as being consistent with the historic character of the property and, where applicable, the district in which it is located.

Construction: the act of adding an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

Demolition: any act or process that destroys in part or in whole a landmark or structure within a historic district.

Depreciable structure: a building for commercial, industrial, or rental residential purposes

or used in a trade or business or held for the production of income.

Exterior Architectural Appearance: the architectural character and general composition of the exterior of a structure, including but not limited to the kind, color, and texture of the building material and the type, design, and character of all windows, doors, light fixtures, signs, and appurtenant elements.

Historic District: an area so designated by ordinance of the City Council which has outstanding overall historical, architectural and cultural significance in the nation, state, region or community, within which the buildings, structures, accessory buildings, fences, or other appurtenances are of basic and vital importance to the preservation of culture and for the development of tourism because of their association with history, including:

- Historic structures, sites or areas which exemplify the cultural, political, economic or social history of the nation, state, region or community.
- Historic structures, sites or areas that are identified with the lives of historic personages or with important events in national, state, regional or local history.

DRAFT

- Structures or areas that embody the distinguishing characteristics of an architectural type specimen as to color, proportion, form and architectural details.

Certified historic structure: any building that is listed individually in the National Register of Historic Places, or located in a "registered historic district" and certified as being of historic significance to the district by the State Historic Preservation Officer (SHPO) and the National Park Service (NPS)

Inventory: the catalog of historic properties, including all locally significant historic Landmarks, the structures within the historic districts, and all Recorded Texas Landmarks and National Register properties, to be maintained, updated, and made accessible to the public, with exception or archeological sites, by the Historic Preservation Officer in partnership with the Webb County Heritage Foundation

Locally significant historic landmark: a place or structure so designated by the Historic District/Landmark Board of the City of Laredo which has outstanding historical, architectural, archeological, or and cultural significance in the nation, state, region or community. The designation "locally significant historic landmark", recognizes that the historic place, or the building(s), structure(s), accessory building(s), fences or other appurtenances at the place, are of basic and vital importance for the preservation of culture and historical development of the City of Laredo.

Non-depreciable structure: an owner-occupied residence.

Preservation: the process of preserving a building as it exists today. Preservation projects will halt deterioration and improve structural stability without significant rebuilding.

Registered Historic District: any district that is listed in the National Register of Historic Places, or designated under a state or local statute which has been certified by the Secretary of the Interior. (as of 12-1-94 only the San Agustin de Laredo Historic District and the Fort McIntosh Historic District are "Registered historic districts").

Rehabilitation: the process of upgrading the quality of an older building both structurally and mechanically while preserving its unique historic and architectural features. This type of project often involves adaptive reuse.

Removal: any relocation of a structure on its site or to another site.

Repair: the utilization of methods with the least degree of intervention possible such as patching, piecing-in, splicing, consolidating, or otherwise reinforcing or upgrading materials according to recognized preservation methods so that the visual appearance of the structure remains the same.

Repair shall also mean the limited replacement using the same kind of materials or compatible substitute material of extensively deteriorated or missing parts where there are surviving prototypes and the visual appearance of the structure remains the same.

DRAFT

Restoration: construction restoring the original appearance and architectural features of a structure. This may include removing later additions and reconstructing missing architectural features.

Secretary of the Interior's Standards: guidelines published by the U.S. Department of the National Park Service for rehabilitating historic structures. These standards, revised in 1990, are used by the NPS and the SHPO to determine if a rehabilitation qualifies as a Certified Rehabilitation for Federal tax purposes.

Secretary of the Interior's Standards for Evaluating Significance within Registered Historic Districts: the criteria published by the U.S. Department of the National Park Service used to determine whether a structure does or does not contribute to the historic significance of a district. This criteria is used to determine if a rehabilitation becomes a "Certified historic structure" for Federal tax purposes. It shall also be used as the City of Laredo's guidelines to determine if a structure qualifies as a "Locally certified historic structure" for the City of Laredo Ad Valorem Tax Exemption.

Structure: a non-movable work of construction made up of interdependent and interrelated parts in a definite pattern of organization.

Substantial rehabilitation: the repair, preservation, restoration, or rehabilitation of a "Locally significant historic landmark" or a structure located within a historic district that has been deemed of significance to the district." The cost of the work must exceed 50% of the value of the improvements to the property as established by the Webb County Central Appraisal District on the date of application.

(c) Sign Definitions:

Sign: any medium, including its structure and component parts, located outdoors that includes copy displayed by means of print, bills, posters, panels, or other devices erected on an open framework, attached or otherwise applied to stakes, posts, poles, trees, buildings, or structures or supports. This definition includes any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or communicate information of any kind to the public.

Sign Area (Maximum): the total area of all of the separate sign areas of a particular sign type that are located on a property or on a building.

Sign Distance Separation From Another Sign: the distance from the leading or outward edge of any freestanding sign to the leading or outward edge of any other freestanding sign measured perpendicularly.

Sign (Clearance): shall mean the height as measured from natural grade at the base of the sign's structure, or base of the wall or object to which the sign is mounted, to the bottom edge or lowest point of the sign's face.

DRAFT

Sign (Clearance): The smallest vertical distance between the grade of the adjacent street, highway, or street curb, and the lowest point of any sign including framework and embellishments extending over the grade.

Sign Face*:* the area of a sign on which the copy is placed.

Sign Height: the vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign—whichever is less.

Sign Projection (Maximum): the maximum perpendicular distance from the vertical face of the structure to which the sign is attached to the outward leading edge of the sign.

Sign Setback from Property Line: the perpendicular distance as measured from the property line to the leading edge or the closest point of the sign's face or structure which ever element is the closer to the property line.

Sign structure*:* a structure including all of the interrelated parts and materials (e.g., beams, poles, braces, apron, catwalk, and stringers, and any wall or foundation) that is used, designed to be used, or is intended to be used to support, display, or contain a sign.

Sign: Time Limit: the number of calendar days including weekends and holidays that a sign can remain in place. This time limit begins on the day that the sign is mounted at the property and becomes visible to the public.

Sign Types: signs which include signs meeting the following criteria:

> **Abandoned Sign:** any sign that not readable, non functional, in disrepair, or hazardous in any way due to lack of maintenance. Includes any dilapidated or deteriorated sign or neglected sign.
>
> **Attached Sign**: any type of sign supported by a building or an element of the building; or is directly placed on, hung from, or anchored in a building. This type shall include all varieties of wall, window, and projecting sign as well as any other type that is mounted to a building's vertical surfaces, such as a banner; all types of awning and canopy sign or any other type that is affixed to a building's adjunct element; and all types of roof signs. Attached signs shall include any display supported by, hung from, or mounted upon a building, including any figurine or logo that is not an integrated, architectural element
>
> **Audible Sign**: any sign that emits music, dialogue, words, or other sound amplification.
>
> **Awning Sign**: a sign that is painted directly on canvas or other material with a framework that creates a sloped shading device for windows and/or entryways.
>
> **Awning Sign**: a sign that is directly applied, attached, or painted onto an awning.
>
> **Back lit awning/electric awning sign**: an internally illuminated faced space-frame structure with translucent, flexible reinforced covering designed in awning form containing graphics, or to which graphics are copy applied to the visible surface of the awning.

DRAFT

Balloons and other floating devices: a visible airtight or air-flow through apparatus commonly made of latex, Mylar or other similar material that extends by a cord, rope, string, wire or other similar material. No person shall erect, maintain, or allow the installation of any balloons and other floating devices anchored to the ground, any vehicle, structure or any other fixed object for the purpose of advertising or attracting attention to a business, commodity, service, sale, or product.

Banner: any sign having characters, letters, or illustrations applied to plastic, cloth, canvas, or other fabric or similar material, with the sole purpose of such non-rigid material being for background.

Beacon (or Searchlight): a source of high-intensity light with one or more beams directed into the atmosphere or any other point; or any light with one or more beams that rotate or move.

Bench Sign*:* a sign erected in the outdoor environment which is located on, mounted to or incorporated into the seat or back of a seat or bench.

Billboard: A freestanding sign or sign structure upon which copy is placed on a poster or panel and mounted on a pole or metal structure, typically as follows: (1) wood posts or pole supports with dimensional lumber as the secondary support (A-frame) with a wood or metal catwalk and a single display panel, (2) steel A-frame constructed with angle iron or steel supports with metal framing, catwalk, and a single display panel, (3) multi-mast structure constructed with steel poles, I-beam or equivalent as primary support, with a catwalk, and a single display panel, or (4) monopole structure constructed with tubular steel support, tubular steel framing, metal catwalk and a single display panel with a concrete foundation.

Canopy Sign: a sign that is applied, attached, painted or affixed on a canopy or other roof-like cover over. Examples of such include gasoline fuel pumps, vacuum area at car detail facilities, or other areas where services are provided to a patron in a vehicle intended for protection from the weather or as a decorative embellishment.

Changeable copy signs: a sign with temporary messages made from interchangeable characters attached to tracks or grooves on the sign board.

Changeable electronic variable message sign (CEVMS)*:* an electric sign that is capable of displaying action, motion, video, light, or color changes through electrical or mechanical means.

Clearance: The minimum vertical distance between the lowest portion of a sign and the surface of a street, sidewalk or alley.

Cloud buster balloon and air devices: any visible airtight or air-flow through, inflatable apparatus made of latex, Mylar, or other similar material that extends higher than twenty-five (25) feet into the sky by a cord, rope, string, wire, or other similar material.

DRAFT

Conforming Sign: a sign which is lawfully in place on a tract of land which complies with all zoning ordinance regulations.

Copy: graphical content including permanent or removable letters, words, pictographics, symbols, figures, numerals, phrases, sentences, emblems, devices, trade names or trademarks, or other pictorial matter.

Dilapidated or deteriorated sign: a sign where any portion of the finished material, surface or message portion of the sign is visibly faded, frayed, flaked, broken off, missing, cracked, splintered, defective, partially or improperly secured, unsafe, or is otherwise visibly deteriorated or in a state of despair; signs whose elements or the structural support or frame members are visibly bent, broken, cracked, dented, torn, twisted, leaning or at angles other than those at which it was originally erected, such as may result from wind damage or by the failure of a structural support.

Double-faced sign*:* a sign with two faces, essentially back-to-back.

Electric sign*:* any sign containing electrical wiring or using electric energy, but does not include signs illuminated by an exterior light source. Sign must be installed by electrical contractor or electrical sign contractor.

Electronic message display (EMD): a sign, typically one uniform color, capable of electronically or mechanically displaying: words, numbers symbols, figures or images but not graphics or video; EMD's are typically changed by remote or automatic means.

Electronically energized*:* illuminated signs whose motion or visual impression of motion is activated primarily by electrical means; this does not apply to changeable electronic signs. Electrically energized animated signs are of two types:

Feather banner: feather banners refer to fabric or cloth containing: distinctive color; pattern or symbols; referrals to the offer for sale; existence of for products, property, accommodations, services for sale; attractions or activities; attention to a business or to products, property, accommodations, services; and activities that are offered or exist for hire.

Festoons: a string of ribbons, tinsel, small flag, or pinwheels. Prohibited in the city and its ETJ, except where permitted by during a special event.

Flag: any fabric usually of rectangular shape containing distinctive colors. Any other type of fabric pennants shall be considered a banner.

Flashing signs: Illuminated signs exhibiting a pre-programmed repetitious cyclical interruption of illumination from one or more sources in which the duration of the period of illumination (on phase) is either the same as or less than the duration of the period of darkness (off phase, and in which the intensity of illumination varies from zero (0) (i.e., off to one hundred (100) percent (i.e., on) during the programmed cycle.

Flyers: a circular for mass distribution that is mounted with glue, nailed, stapled, or otherwise affixed to a pole, fence, or wall or other structure. These shall include any form of printed sheet or bulletin used as a sign.

DRAFT

Freestanding sign*:* a sign supported permanently upon the ground by poles or braces and not attached to any building.

Ground Sign: a sign which is anchored to the ground similar to a pylon or freestanding sign, but which has a monolithic or columnar line and which maintains essentially the same contour from grade to top.

Ground Sign: a sign which is anchored to the ground similar to a pylon or freestanding sign, but which has a monolithic or columnar line and which maintains essentially the same contour from grade to top.

Human Sign: a sign held by or attached to a human being including: a person dressed in costume for the purposes of advertising or otherwise drawing attention to an individual, business, commodity, service, activity, or product.

Illegal Sign*:* a sign which does not meet the requirements of this Chapter and which has not received legal non-conforming status.

Illuminated sign*:* a sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs and reflectorized, glowing, or radiating signs.

Illusionary movement signs: Illuminated signs exhibiting the illusion of movement by means of a pre-programmed repetitious sequential switching action in which illuminated elements of the sign are turned on or off to visually stimulate the impression of motion characteristic of chasing, running, blinking, oscillating, twinkling, scintillating, or expanding and contracting light patterns.

Impounded sign*:* a sign that is removed by a city-authorized official, inspector, code enforcement officer, other city employee, or city-authorized person in accordance with the provisions of this chapter.

Incidental sign*:* a sign with copy located on a rigid panel and mounted on a pole or a wall or similar structure, with or without a structural frame, that is normally incidental to the allowed use of the property, but can contain any message or content. An incidental sign does not include a billboard, or an attention-getting device or other prohibited sign. [*Note: examples of customary uses for incidental signs include directional signs, real estate signs, non-commercial opinion signs, menu boards, garage sale signs, holiday decorations, property or tenant identification names or numbers, names of occupants, signs on mailboxes or newspaper tubes, signs posted on private property relating to circulation or private parking, political signs or signs warning the public against trespassing or danger from animals. This paragraph is provided to clarify the regulations and does not limit the content of incidental signs.*]

Inflatable device sign (IDS): a sign manufactured of plastic, cloth, canvas or other flexible or light fabric, inflated with air or any gas, secured to the ground, and does not float.

Marquee sign*:* any sign attached to or supported by a marquee structure.

DRAFT

Monument sign*:* a free-standing sign attached or connected to the ground by means other than a pole and which has no open space for the full width of the sign between the bottom of the sign and the surface of the ground.

Motion sign: a sign or display manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical, or other means. Motion signs include the following types:

Mechanically energized*:* manifesting a repetitious pre-programmed physical movement or rotation in either one or a series of planes activated by means of mechanically based drives.

Multiple-faced Sign: a sign containing three (3) or more faces, not necessarily in back-to-back configuration.

Mural: a work of art applied directly to a wall, ceiling, or floor surface where forms and/or figures are the dominant elements. Any form of wording or logo shall be of secondary nature to a mural. A wall sign is not a mural. A mural includes any painting, picture or other artwork applied to and made integral with an exterior wall surface of a building, structure, ceiling, roof or garden wall.

Naturally energized*:* means signs whose motion is activated by wind or other atmospheric impingement. Wind driven signs include flags, banners, pennants, streamers, spinners, metallic disks, or other similar devices.

Neglected sign*:* a sign that has any missing panels, burned out lights, missing letters or characters, rust, loose parts, damage, is faded from its original color, contains supports or framework with missing sign or parts, or is not maintained.

Nonconforming sign: any sign and its supporting structure that does not conform to any portion of this chapter and was lawfully erected in existence prior to the effective date of this chapter; Nonconforming signs must have been in existence, lawfully located, and used in accordance with the provision of any prior ordinances applicable thereto, or which was considered legally nonconforming there under, and has since been in continuous or regular use. Such signs may have been used on the property at the time it was annexed into the city and has since been in regular and continuous use.

Pennant: any lightweight plastic, fabric or other material, whether or not it contains a message of any kind, suspended from a rope, wire, cord, string or similar material designed to move in the wind whether existing in a series or individually.

Plaque: Any sign which is cut into a flat thin piece of metal (such as bronze) or other permanent material placed on a building wall or a freestanding support structure, or that is an integral part of a wall surface.

Pole sign*:* a sign erected on one (1) or more uprights or a vertical framework consisting of one (1) or more uprights supported by the ground.

Portable signs*:* any sign designed or intended to be relocated from time-to-time, whether or not it is permanently attached to a building or structure, or is located on

DRAFT

the ground. Portable signs include signs on wheels or on portable or mobile structures (e.g., trailers, skids, banners, tents or other portable structures, airborne devices, or similar devices used for temporary display).

Projecting sign: a sign attached to and projecting out from a building, generally at a right angle, to the building facade.

Roof sign: a sign mounted on and supported by the roof portion of a building, or above the uppermost edge of a parapet wall of a building which is wholly or partially supported by such a building, or a sign that is painted directly to or applied on the roof or top of a building or structure. A sign that is mounted on mansard facades, pent eaves or architectural projections (e.g., canopies) of a building or structure shall not be considered to be a roof sign.

Roof (secondary) sign: a sign that is mounted to or projects from a canopy or secondary roof over the entry to a building, but does not project above the highest point of the building. A roof (secondary) sign may be attached to a parapet wall.

Special event sign: a sign erected on any portion of a property the City approves for a special event, and that remains in place only during the special event.

Stake sign: a temporary sign that does not exceed six (6) square feet in area with a base/stake commonly made of metal, wood or other similar material approved by the building official with an end for driving into the ground.

Subdivision Entrance Sign: A Monument sign mounted along the entrance of a subdivision, or on a traffic median at the entrance to a subdivision.

Under awning sign: any sign suspended from and under an awning.

Urban Orchard: a collection of fruit trees cultivated within urban areas, often in publicly accessible spaces such as parks, schools, or community gardens. These orchards aim to provide local communities with access to fresh produce, enhance green spaces, and foster community engagement.

V-shaped sign*:* Two (2) separate sign faces at one (1) location that are at an angle of forty-five (45) degrees or less to each other. Two (2) signs in shape of a letter "V" or triangle when viewed from above; these faces will be oriented in different directions.

Vehicle sign: any sign attached to any, truck, car, bus, trailer, boat, recreational vehicle, motorcycle or any other vehicle, painted or wrapped on the exterior of a vehicle. Vehicle signs shall exclude bumper stickers and state required license or inspection stickers/identifications.

Wall Sign: any sign erected against an exterior wall, erected parallel to a wall, or painted directly onto a wall. This definition does not include murals.

Window Sign: any sign, poster, window slick, or other similar displayed item, excluding banners (see "banners"), located on the internal or external surface of a window that is visible from a public street or sidewalk.

DRAFT

(d) **Acronyms.** The following acronyms have the following meanings for purposes of this Chapter, unless the context clearly indicates otherwise:

Table 10.2-1 Acronyms

"	inches
CFR	Code of Federal Regulations
CRZ	Critical root zone
' or ft	feet
lf	Lineal feet of frontage
max	Maximum; indicates that the value prescribed is the maximum allowed
min	Minimum; indicates that the value prescribed is the minimum required
n/a	not applicable
sf	square feet
TAC	Texas Administrative Code
TxDOT	Texas Department of Transportation
USC	United States Code

24.10.3 Interpretation of Zoning Map

Where uncertainty exists with respect to the boundaries of any of the districts shown on the Zoning Map, the following rules apply:

(a) District boundaries indicated as approximately following lot lines, street or highway right- of-way lines are the zoning district boundaries.

(b) District boundaries indicated that approximate the center lines of streets, or the center or rights-of-way lines of highways are construed as located along the centerline of the right-of-way of that street or highway.

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