

LAKE RAY ROBERTS LAND USE ORDINANCE

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ARTICLE 1 - GENERAL REGULATIONS

1-100 – Title

1-101 – An ordinance to limit to specified districts or zones and to regulate therein, buildings and structures according to their construction and the nature and extent of their use, and the nature and extent of the uses of the land 5,000 feet within the project boundary line, as defined by state law, of Lake Ray Roberts in Denton County, Texas, including the right to regulate the height, sizes of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the location and use of buildings and structures and land for trade, industry, residence or other purposes; and, in the case of designated places and areas of historic and cultural and environmental importance, to regulate the construction, alteration, reconstruction, or razing of buildings and other structures.

1-200 – Purpose

This ordinance as herein established has been made in accordance with a Comprehensive Land Use Plan for the purpose of promoting and protecting the public health, recreation, safety, morals and general welfare of the community and in furtherance of the following related and more specified objectives:

1. Guide and regulate the appropriate use or development of all lands, in a manner which will promote the public health, recreation, safety, morals, and general welfare.
2. Provide safety from fire, flood, panic and other natural and man-made disasters.
3. Provide adequate light, air and open space.
4. Promote the establishment of appropriate population densities and concentrations that will contribute to the well being of persons and neighborhoods.
5. Encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies.
6. Provide sufficient space in appropriate locations for a variety of residential, recreational and commercial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all citizens.
7. Encourage the location and design of transportation routes, which will promote the free flow of traffic while discouraging location of such facilities and routes, which result in congestion or blight.
8. Promote a desirable visual environment through creative development techniques and good civic design and arrangement.
9. Promote the conservation of open space and valuable natural resources and prevent degradation of the environment through improper use of the land.
10. Encourage coordination of the various public and private procedures and activities shaping land development with a view to lessen the cost of such development and to more efficiently using the land.

1-300 – Empowerment to Zone

Pursuant to the exercise of their local authority granted by the State of Texas by the enactment in Texas Local Government Code Chapter 231, the voters of Texas have elected to require the establishment of a Zoning Ordinance as stipulated in Article I.

The Denton County Commissioners' Court hereby adopts, and may from time to time amend this zoning ordinance, based upon recommendations of the Lake Ray Roberts Planning Commission. Such ordinance and any amendment or revision thereto shall be made in accordance with a comprehensive land use plan, and to lessen congestion in the streets, provide safety from fire, panic and other dangers, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

The zoning ordinance shall be drawn with reasonable consideration to the character of each district and its peculiar suitability for particular uses and to encourage the most appropriate use of land. The regulations in the zoning ordinance shall be uniform throughout each district for each class or kind of buildings or structures or uses of land, but the regulations in one district may differ from those in other districts.

This ordinance shall govern any and all buildings, structures, and land located within the area bounded by the shoreline of Lake Ray Roberts at its take line elevation of 645 feet mean sea level (645 MSL) and a line 5000 feet from and following along said take line except any land lying within the corporate limits of any municipality.

1-400 – Compliance

1-401 – Compliance Required

All land, buildings, structures or appurtenances thereon located within the project boundary, as defined by state law, of Lake Ray Roberts, Denton County, which are hereafter occupied, used, erected, altered, removed, demolished or converted, shall be used, placed, and erected in conformance with the zoning regulations prescribed for the Zoning District in which such land or building is located as hereinafter provided.

1-402 - Development Permits

A Development Permit shall be applied for and issued by the Denton County Planning Department prior to the erection, alteration, or conversion of any building or land provided such construction or change is to be made in complete conformity to the provisions of this Ordinance.

A record of all Permits shall be kept on file in the office of the Denton County Planning Department, and copies shall be furnished, on request, for the current price of duplication, to any person having a proprietary or tenancy interest in the land or building affected.

1-403 – Completion of Building – Approved or Under Construction

Nothing herein contained shall require any change in the plans, construction, or designated use of a building under construction at the time of the passage of this Ordinance and which entire building shall be completed within one year from the date of the passage of this Ordinance.

1-404 – Location of Dwellings and Buildings

Only one main building for one-family or two-family use with permitted accessory buildings may be located upon a lot or platted tract. Where a lot is used for multiple-family, commercial, industrial purposes, or a combination of same, or for a combination of retail and dwelling purposes, more than one main building may be located upon the lot, but only when such buildings conform to all the open space, parking and density requirements applicable to the uses and districts. Whenever

two or more main buildings, corporations thereof, are placed upon a single lot or tract and such buildings will not face upon a public street, the same may be permitted when the site plan for such development is approved by the Lake Ray Roberts Planning Commission. No storage area or required open space for one building shall be computed as being the open space, yard, or area requirements for any other dwelling or other use.

1-500 – Lot Yard, Height and Coverage Regulations

1-501 – Lot Area - Dimensions

The regulations concerning lot dimensions set forth in Section 2-700 and as herein specified, shall apply to all lots except that a lot having less area, width or depth than herein required which was an official "lot of record" prior to the adoption of this ordinance may be used for a one-family dwelling and no lot existing at the time of passage of this ordinance shall be reduced in area, width or depth below the minimum requirements set forth herein.

1-502 – Yards

The yard regulations set forth in Section 2-700 and as herein specified shall apply to all lots within the several districts respectively unless otherwise specified in the ordinance.

1-503 – Height

The height regulations set forth in Section 2-700 and as herein specified shall apply to all buildings and structures within the several districts respectively unless otherwise specified in the ordinance.

1-504 – Lot Coverage

The maximum percentage of any lot area which may hereafter be covered by the main building and all accessory buildings shall not exceed the requirements of Section 2-700, except where an existing building at the effective date of this ordinance may have a greater percentage of a lot covered than herein prescribed.

1-600 – Definitions

Interpretation of Language - All words used in the present tense shall include the future; all words in the singular number include the plural number and all words in the plural number include the singular number; the word "person" includes "corporation," "co-partnership," "association," and "individual"; the word "building" includes the word "structure"; the word "shall" or the word "must" is mandatory and not discretionary. Appeals as to the meaning of terms herein defined shall be determined by the Planning and Zoning Commission. Terms not herein defined shall have the meaning assigned to them in the "Uniform Building Code." Terms not defined herein or in the UBC shall have the meaning customarily assigned to them.

Accessory Building or Use - A building or use that is primarily non-residential and is subordinate to and incidental to the principal building(s) and use(s) located on the same lot. Accessory buildings shall include any and all parking garages and adjacent farm structures and, in a residence district, accessory buildings or uses shall include garages for automobile storage, tool houses, greenhouse, home workshops, children's playhouses, storage houses, garden shelter and barns.

Accessory Dwelling Unit - A building which is arranged, occupied, or intended to be occupied as living quarters and including facilities for food preparation, sleeping, and sanitation. An accessory dwelling shall be subordinate to and incidental to the principal dwelling and is located on the same lot.

Administrator - The administrative official charged with responsibility for issuing permits and enforcing the Zoning Ordinance as directed by the Lake Ray Roberts Planning Commission.

Agriculture -

- (1) the cultivation of the soil to produce crops;
- (2) horticulture, floriculture, or viticulture;
- (3) forestry;
- (4) the raising or keeping of livestock or poultry; or
- (5) aquaculture or fish farming.

"Horticulture" is the cultivation of fruits, vegetables, flowers, herbs or other plants.

"Floriculture" is the cultivation and management of ornamental and flowering plants.

"Viticulture" is the cultivation of grapes.

"Aquaculture" or "fish farming" is the business of producing and selling cultured species raised in private facilities.

"Cultured species" means aquatic animals raised under conditions where at least a portion of their life cycle is controlled by an aquaculturist.

"Aquaculturist" or "fish farmer" means any person engaged in aquaculture or fish farming.

"Private facility" means a pond, tank, cage or other structure capable of holding cultured species in confinement wholly within or on private land or water or within or on permitted public land or water.

Airport - A place with a paved runway where an aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair, and various accommodations for passengers.

Alley - A public space or thoroughfare which affords only secondary means of access to property abutting thereon, which has been deeded or dedicated to the public for public use.

Antenna Support Structure - Any structure, mast, pole, tripod, box frame or otherwise tower utilized for the purpose of transmission, retransmission, or reception of electromagnetic, radio, or microwave signals. (See Section 3-107).

Antique Shop, Sales in Building - A retail establishment engaged in the selling of works of art, furniture or other artifacts of an earlier period, with all sales and storage occurring inside a building.

Apartment - A room or suite of rooms in a multiple-family dwelling or apartment house arranged designed, or occupied as a place of residence by a single family, individual, or group of individuals.

Arcade - An establishment in which there are located six or more coin-operated, skill or pleasure machines.

Art Gallery or Museum - An institution for the collection, display, and distribution of art or science, and which is sponsored by a public or quasi-public agency and which facility is open to the general public.

Auto Leasing and Renting - Storage, leasing or renting automobiles, motorcycles, and light load vehicles.

Auto Parking Lot or Garage - An area or structure designed for the parking of motor vehicles.

Auto Parts Sales (In Building) - The use of any building or other premise for the display and sale of new or used parts for automobiles, panel trucks or vans, trailers, or recreation vehicles.

Auto Parts Sales (In Open) - the use of any land area for the display and sale of new or used parts for automobiles, panel trucks or vans, tractors, trailers, or recreation vehicles.

Auto Storage - The storage on a lot or tract of operable automobiles for the purpose of holding such vehicles for sale or distribution or storage.

Automobile - A four-wheeled self-propelled vehicle designed for passenger transportation and commonly propelled by an internal combustion engine.

Automobile Repair Garage - An establishment providing major or minor automobile repair services to all motor vehicles except heavy load vehicles.

Automobile, Repair, Major - General repair or reconditioning of engines, air-conditioning systems and transmissions for motor vehicles; wrecker service, collision services including body, frame or fender straightening or repair, customizing, painting, vehicle steam cleaning; undercoating and rust proofing and other similar use.

Automobile Service Station - Any building, land area or other premises, or portion thereof, used or intended to be used for the retail dispensing or sales of automobile fuels, lubricants, and automobile accessories, including those operations listed under Minor Automobile Repair. Vehicles, which are inoperative or are being repaired, may not remain parked outside an Automobile Service station for a period greater than seven days.

Bait Store - The use of any building or premise for the retail sale inside or outside, for the display and sale of fishing supplies, including live bait.

Bank, Savings and Loan, or Credit Union - An establishment for the custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds.

Bakery & Confectionery Works (Retail) - A place for preparing, cooking, baking, and selling of bakery products on the premises.

Bakery & Confectionery Works (Wholesale) - A place for preparing, cooking, or baking of bakery products intended for off premises distribution.

Basement - A building story, which is partly underground. A basement shall be counted as a story in computing building height if at least one half of its height is above the average level of the adjoining ground prior to berming, using measurements taken at each corner of the building which meets the ground.

Block - An area enclosed by streets and occupied by or intended for buildings.

Boarding and Rooming House - A residence structure other than a hotel where lodging and/or meals for four or more persons are provided for compensation.

Bowling Alley - An establishment engaging in providing facilities for bowling.

Building - Any structure built for the support, shelter, and enclosure of persons, animals, chattels, or movable property of any kind. When subdivided in a manner sufficient to prevent the spread of fire, each portion so subdivided may be deemed a separate building.

Building Line - A line parallel or approximately parallel to the front lot line at a Special distance there from, marking the minimum distance from the front lot line that a building may be erected.

Building Materials and Hardware, Inside Storage - Materials and hardware customarily used in the construction of buildings and other structures, including facilities for storage inside a building.

Building Materials and Hardware, Outside Storage - Materials and hardware customarily used in the construction of buildings and other structures, including facilities for storage outside a building.

Business Service - This group includes establishments primarily engaged in providing services not elsewhere classified, to business enterprises on a fee contract basis including but not limited to advertising agencies, computer programming and software services, and office equipment rental or leasing.

Cabinet and Upholstering Shop - An establishment for the production, display and sale of furniture and soft coverings for furniture.

Caretakers' or Guards' Residence - A residence located on premises with a main structure (Residential or nonresidential) and occupied only by a caretaker or guard employed on the premises.

Carport - A structure open on a minimum of three sides designed or used to shelter not more than three vehicles, not to exceed twenty-four feet on its longest dimension.

Car Wash - Structure used to wash motorcycles, automobiles and light load vehicles.

Cemetery - Property used for the interring of the dead.

Certificate of Occupancy - An official certificate issued by the County through the Lake Ray Roberts Planning Commission which indicates conformance with or approved conditional waiver from the zoning regulations and authorizes legal use of the premises for which it is issued; may be referred to as an Occupancy Permit.

Church or Rectory - A building for regular assembly for religious worship which is used primarily for such purpose and those accessory activities which are customarily associated therewith, and the place of residence for ministers, priests, nuns or rabbis on the premises.

Civic Center - A building or complex of buildings that house municipal offices and services, and which may include cultural, recreational athletic, convention or entertainment facilities owned and/or operated by a governmental agency.

Cleaning, Small Plant or Shop - A custom cleaning shop or pick-up station not exceeding 5,000 square feet of floor area, including but not limited to dry cleaning plants having no more than 5,000 square feet of floor area.

Clinic - A group of offices for one or more physicians, surgeons, or dentists to treat sick or injured outpatients who do not remain overnight.

College or University - An institution established for educational purposes offering courses for study beyond the secondary education level, but excluding trade schools and commercial schools.

Commercial Amusement (Indoor) - An enterprise such as a health club, racquetball club, karate club, recreation club or organization, or bingo parlor in a building treated acoustically so as to conform to the performance standards in Section 3-1200 providing for activities, services, and instruction for the entertainment, exercise, and improvement of fitness and health of customers, clients, or members, but not including hospitals, clinics, massage parlors, or arcades. Uses or combinations would typically include bowling alleys, ice or roller skating rinks, racquetball and handball courts, indoor tennis courts, weight lifting and nautilus facilities, exercise areas, swimming pools and spas, bingo parlors, martial arts, classrooms, and/or practice areas, gymnasiums, and indoor running or jogging tracks.

Commercial Amusement (Outdoor) - An outdoor area or structure, open to the public, which provides entertainment or amusement for a fee or admission charge, including but not limited to batting cages, miniature golf, go-kart tracks and carnivals.

Commission - Shall mean the Denton County Lake Ray Roberts Planning Commission.

Community Center - A building or complex of buildings that house cultural, recreational, athletic or entertainment facilities owned and/or operated by a governmental agency or private nonprofit agency.

Comprehensive Land Use Map - The official policy document of the Lake Ray Roberts Planning Commission for the best use of the land in the Lake Ray Roberts Planning Area based upon a 20 year projection, and implemented through the Zoning Ordinance.

Concrete or Asphalt Batching Plant (Permanent) - A permanent manufacturing facility for the production of concrete or asphalt.

Concrete or Asphalt Batching Plant (Temporary) - A temporary manufacturing facility for the production of concrete or asphalt during construction of a project, and to be removed when the project is completed. A temporary plant shall be allowed with a Special Use Permit and a two year time limit. Each Special Use Permit shall be renewable for a 12 month period of time not to exceed one additional year.

Construction Yard (Temporary) - A storage yard or assembly yard for building materials and equipment directly related to a construction project and subject to removal at completion of construction.

Contract Construction - Establishments engaged in providing services including but not limited to plumbing, heating, and air conditioning on a fee or contract basis.

Contractor's Shop or Storage Yard - A building, part of a building, or land area for the construction or storage of materials, tools, products, and vehicles.

Country Club (Private) - A land area and buildings that may include a golf course, clubhouse, dining room, swimming pool, tennis courts and similar recreational or service uses available only to members and their guests.

County Commissioners' Court - The governing body of Denton County, Texas.

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

Dance Hall - An establishment open to the general public for entertainment, in particular, dancing.

Dangerous Wild Animals - As defined by Denton County Court Order 01-0737, a wild animal means a lion, tiger, ocelot, cougar, leopard, cheetah, jaguar, bobcat, lynx, serval, caracal, hyena, bear, coyote, jackal, baboon, chimpanzee, orangutan, gorilla, lesser panda, binturong, wolf, ape, elephant, rhinoceros or any hybrid of an animal listed in this definition, or dangerous wild animal as defined under Texas Local Government Code Chapter 240.

Day Care Center - A facility providing care, training, education, custody, treatment or supervision for more than six persons for all or part of the 24 hour day, but excluding a facility that regularly provides care in the caretaker's own residence for not more than six children less than 14 years of age, excluding the caretaker's own children, and that provides care after school for not more than six additional elementary school siblings of the other children given care, but the total number of children, including the caretaker's own children, does not exceed 12 at any given time, and provided the total number of persons cared for does not exceed 12. The term "day care center" shall not include overnight lodging, medical treatment, counseling or rehabilitative services and does not apply to any school.

Department or Variety Store - Same as General Merchandise Store.

District - A section of the Lake Ray Roberts Planning Area for which the regulations governing the area, height, or use of the land and buildings are uniform.

Drive-in Service - Facilities designed so that patrons customarily park on the premises and obtain services or goods brought out of the building to them by an employee of the business, without leaving their cars.

Dry Cleaning Plant - An industrial facility where fabrics are cleaned with substantially non-aqueous organic solvents.

Duplex - Same as Two-Family Dwelling.

Dwelling, One-Family - A building having accommodations for and occupied by not more than one family.

Dwelling, Two-Family - A detached building having separate accommodations for and occupied by not more than two families.

Dwelling, Multiple-Family - Any building or portion thereof, which is designed, built, rented, leased, or let to be occupied as three or more dwelling units or apartments or which is occupied as a home or residence of three or more families.

Dwelling Unit - A building or portion of a building, which is arranged, occupied, or intended to be occupied as living quarters of a family and including facilities for food preparation, sleeping, and sanitation.

Easement - A grant of one or more of the property rights by the property owner to and/or for use by the public, a corporation or another person or entity

Electrical Substation - A subsidiary station in which electric current is transformed.

Engine and Motor Repair - The adjustment, reconditioning, or restoration to working order of engines and motors.

Exhibition Area - An area or space either outside or within a building for the display of topic Special goods or information.

Fairgrounds - An area where outdoor fairs, circuses or exhibitions are held.

Family - An individual or group of two or more persons related by blood, marriage within the third degree of consanguinity or affinity, adoption or guardianship including foster children, exchange students, and servants together with not more than two additional persons not related by blood, marriage, or adoption to the previously identified individual or group, living together as a single housekeeping unit in a dwelling unit or a Family Home for the Disabled as defined by the "Community Homes for Disabled Persons Location Act," as it presently exists or may be amended in the future, but not including household care or rehabilitation care facilities.

Farm, Ranch, Garden or Orchard - An area of five acres or more which is used for growing usual farm products, vegetables, fruits, trees, and grain and for the raising thereon of the usual farm poultry and farm animals such as horses, cattle, and sheep, and including the necessary accessory uses for raising, treating, and storing products raised on the premises, but not including the commercial feeding of offal or garbage to swine or other animals and not including any type of agriculture or husbandry specifically prohibited by ordinance or law.

Farmer's Market - The retail sale of farm produce by individual vendors within a covered lease space, for the primary purpose of selling fruits, vegetables, herbs, spices, edible seeds, nuts, live plants, flowers, and honey. Sale of any type of meat, fish or poultry eggs, refrigerated dairy products, and home canned or packaged items shall be prohibited.

Feed Store - An establishment for the selling of corn, grain and other foodstuffs for animals and livestock, and including other implements and goods related to agricultural processes, but not including farm machinery.

Field Office - A building or structure of either permanent or temporary construction, used in connection with a development or supervisory or administrative functions related to development, construction or the sale of real estate properties within the active development or construction project.

Fire Station or Public Safety Building - A building housing fire apparatus and usually fire fighters, or a building housing a law enforcement agency of a unit of local government.

Flea, Market - A site where space inside or outside a building is rented to vendors on a short time basis for the sale of merchandise. The principal sales shall include new and used household goods, personal effects, tools, artwork, small household appliances, and similar merchandise, garden

produce, food service, objects or equipment in small quantities. The term flea market shall not be deemed to include wholesale sales establishments or rental services establishments, but shall be deemed to include personal services establishments, food services establishments, retail sales establishments, and auction establishments.

Flood Plain - An area of land subject to inundation by a 100-year frequency flood, as shown on the flood plain map of Denton County.

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

Floor Area Ratio (FAR) - The floor area of a main building or buildings on lot, divided by the square footage of the lot area.

Florist Shop - An establishment for the display and retail sale of flowers, small plants, and accessories.

Food Store - A business establishment that displays and sells consumable goods that is not to be eaten on the premises.

Fraternal Organization, Lodge, or Civic Club - An organized group having a restricted membership and Special purpose related to the welfare of the members such as Elks, Masons, or Knights of Columbus.

Furniture, Home Furnishings, and Equipment Stores - This group includes retail stores selling goods used for furnishing the home, including but not limited to furniture, floor coverings, draperies, glass and chinaware, domestic stoves, refrigerators, and other household electrical and gas appliances.

Garage (Private) - An accessory building primarily for the storage of motor vehicles.

Garage (Public) - A building, or portion thereof, designed or used for the storage, sale or hiring of motor vehicles, which is operated for commercial purposes.

Garden Shop - A facility which is engaged in the selling of flowers, ornamental plants, shrubs, trees, seeds, garden and lawn supplies, and other materials used in planting; but not including cultivation and propagation activities outside a building.

General Commercial Plant - Establishments other than personal service shops for the treatment and/or processing of products as a service on a for-profit basis, including but not limited to newspaper printing, laundry plant, or cleaning and dyeing plant.

General Manufacturing - Manufacturing of finished products and component products or parts, from the transportation, treatment or processing of materials or substances, including basic industrial processing. Such operations must meet the performance standards, bulk controls, and other requirements in this ordinance.

General Merchandise Stores - This major group includes retail stores, which sell a number of lines of merchandise including but not limited to dry goods, apparel and accessories, furniture and home furnishings, small wares, hardware, and food. The stores included in this group are known as department stores, variety stores, general merchandise stores, general stores, etc.

Golf Course - An area of 20 acres or more improved with trees, greens, fairways, hazards, and which may include a clubhouse.

Greenhouse/Plant Nursery – A place where plants are grown for sale or resale.

Gymnastic or Dance Studio - A building or portion of a building used as a place of work for a gymnast or dancer or for instructional classes in gymnastics or dance.

Heavy Machinery Sales and Storage - A building or open area, other than a right-of-way or public parking area, used for the display, sale, rental and storage of heavy machinery, either machines in general or as a functioning unit.

Height of Building - The vertical distance of a building measured from the highest of the following three levels:

1. From the street curb level.
2. From the established or average street in case the curb is not constructed.
3. From the average finished ground level adjoining the building if it sets back from the street line; to the level of the highest point of the roof beams of a flat roof or roofs inclining not more than one inch to the foot, or to the average height of the top of the main plates and highest ridge for other roofs.

Home Occupation - A home occupation is an occupation carried on in the home by a member of the occupant's family, without the employment of additional persons, without the use of a sign to advertise the occupation, without offering any commodity for sale on the premises and which does not create obnoxious noise or other obnoxious conditions to abutting residential property such as emission of odor, increased traffic or generation of light or smoke. A home occupation shall specifically exclude the operation of a repair garage, plumbing shop or similar activity.

Hospital - An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities as licensed by the State of Texas.

Household Care Facility - A dwelling unit which provides residence and care to not more than nine persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, abused or neglected children; victims of domestic violence; or rendered temporarily homeless due to fire, natural disaster or financial setbacks, living together with not more than two supervisory personnel as a single housekeeping unit.

Household Care Institution - A facility which provides residence and care to ten or more persons regardless of legal relationship who are elderly; disabled; orphaned, abandoned, abused or neglected children; victims of domestic violence; convalescing from illness; or temporarily homeless due to fire, natural disaster, or financial setback together with supervisory personnel.

Housekeeping Unit - A dwelling unit organized as a single entity in which members share common kitchen facilities and have access to all parts of the dwelling.

Junk or Salvage Yard - A lot upon which waste or scrap materials are bought, sold, exchanged, stored, packed, disassembled or handled, including but not limited to scrap iron and other metals, paper, rubber tires and bottles, including automobile wrecking yards and automobile parts yards.

Kennel Indoor/Outdoor - A place where dogs are bred, trained, boarded, and/or sold.

Lake Ray Roberts Planning Area - The area designated in Texas Local Government Code § 231.102 as 5,000 feet within the project boundary line, defined as the 645 feet elevation line.

Landing Field – An area improved for the take off and landing of aircraft.

Laundromat - A facility where patrons wash, dry or dry clean clothing and other fabrics in machines operated by the patron.

Light Fabrication/Assembly Process - Including the manufactures of clothing, jewelry, trimming, decorations and any similar item not involving the generation of noise, odor, vibration, dust, or hazard.

Livestock Auction - Barns, pens, sheds, and chutes for the temporary holding and sale of livestock.

Long-Term Care Facility - An institution providing in-patient health, personal care, or rehabilitative services over a long period of time to persons chronically ill, aged, or disabled due to injury or disease.

Lot - A parcel of land occupied or to be occupied by one main building or unit group of buildings, and the accessory buildings or uses customarily incident thereto; including such open spaces as are required under this ordinance, and having its principal frontage upon a public street or officially approved place.

Lot Area - The net horizontal area of the lot excluding portions of streets and alleys, and easements for streets and alleys.

Lot, Corner - A lot or parcel of land abutting upon two or more streets at their intersection.

Lot, Coverage - The percentage of the total area of a lot occupied by the base (first story of floor) of buildings located on the lot.

Lot Depth - The mean horizontal distance from the street line to the rear line.

Lot, Flag or Panhandle - A lot having access to a street by means of a parcel of land having a depth greater than its frontage, and having a width less than the minimum required lot width, but not less than twenty feet.

Lot, Interior - A lot other than a corner lot.

Lot Line, Front - The boundary between a lot and the street on which it fronts.

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

Lot Line, Side - Any lot line not the front or rear lot line.

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

Lot of Record - A lot, which is part of a subdivision, the plat of which has been recorded in the office of the Denton County Clerk.

Lot, Through - A residential lot other than a corner lot abutting more than one street, and having access to more than one street.

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

Manufactured Housing - A dwelling designed and built at another site and moved to the permanent site, bearing a label certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standards.

Mini-Storage Warehouses - A building or group of buildings in a controlled access compound that contains individual compartmentalized and controlled access stalls or lockers of varying sizes not to exceed five hundred (500) square feet for the storage of the user's goods or wares.

Marina - Any water based facility for the mooring, fueling or servicing of water craft, with three or more mooring slips and including all structures (docks, breakwaters) and associated anchoring facilities.

Mobile Home - A dwelling constructed on or before June 14, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, which is built on a permanent chassis and is 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 system.

Manufactured Home Park - An area of not less than 5 acres or more than 25 acres approved for occupancy by manufactured homes and accessory structures related thereto.

Manufactured Home Subdivision - A tract of land subdivided into lots which are designed as permanent sites for manufactured or re-locatable homes and which are served by separate utilities, dedicated street access on a legally filed plat and are capable of being conveyed as separate lots.

Modular Homes - Manufactured Housing units that are built to standard housing Specifications and HUD Specifications for Modular Homes, off-site in one or more sections and then assembled on a permanent foundation built to the Specifications of The Texas Manufactured Housing Commission.

Motor Home - A portable, temporary dwelling to be used for travel, recreation, and vacation constructed as an integral part of a self-propelled vehicle.

Non-conforming Use - A building, structure, or use of land lawfully occupied at the time of the effective date of this ordinance or amendments thereto, and which does not conform to the use regulations of the district in which it is situated.

Nursing Home - A home where ill or elderly people are provided with lodging and meals with or without nursing care.

Open Space - Area included in any side, rear, or front yard or any unoccupied space on the lot that is open and unobstructed to the sky except for the ordinary projections of cornices, eaves, or porches.

Park or Playground - A recreation facility, recreation center, or park owned or operated by a public agency such as a County or City School District and available to the general public.

Parking Space - Compact = 8'x 16' Standard = 9'x 18'

Performance Standard Terms

1. Decibel - A unit of measurement of sound pressure.
2. Frequency - The number of times per second a vibration or sound wave oscillates.
3. Odor Threshold - The concentration of odorous matter in the atmosphere necessary to be perceptible of the olfactory nerve of a normal person. Determination of the Odor Threshold is prescribed by ASTM 1391-57 "Standard Method for Measuring Odor in Atmosphere".
4. Particulate Matter - Finely divided solid or liquid matter, other than water, which is released into the atmosphere.
5. Smoke - The visible discharge of particulate matter from chimney, vent, exhaust, or combustion process.
6. Toxic and Noxious Matter - any solid, liquid, or gaseous matter which is present in sufficient quantities to endanger health, safety, or comfort of persons in the vicinity or which may cause injury or damage to property.
7. Vibration - A periodic displacement of the earth measured in inches.

Permit - A written permit issued by the Denton County Planning Department under the provisions of the Denton County Lake Ray Roberts Planning Commission.

Plan - Shall mean a general concept plan, development plan, or detailed plan.

Planning Commission - The agency designated in this ordinance as Denton County Lake Ray Roberts Planning Commission and appointed by the Denton County Commissioners Court as an advisory body to it and which is authorized to recommend changes and variation in the zoning ordinance, review site and development plans, and conduct studies as assigned by the Court.

Public Building, Shop or Yard, or Local, State or Federal Agency - Facilities such as office buildings, maintenance yards and shops required by branches of Local, State or Federal government for service to an area such as Highway Department Yard, City Service Center, or Experiment Station.

Radio, Television, or Microwave Towers - Structures supporting antenna for transmitting or receiving any portion of the radio spectrum, but excluding non-commercial antenna installations for home use of radio or television.

Recreational Vehicle Park - A unified development under private ownership designed primarily for transient service not to exceed 180 days, on which travel trailers, pickup campers, pop-up tents, and self-propelled motorized vehicles are parked or situated and used for the purpose of supplying to the public a parking space for such vehicles meeting all the requirements of this ordinance.

Plat - A plan of a subdivision of land creating building lots or tracts and showing all essential dimensions and other information essential to comply with the subdivision standards of the Denton County Subdivision Rules and regulations and the Denton County Lake Ray Roberts Land Use Ordinance and subject to approval by the Denton County Lake Ray Roberts Planning Commission and filed in the plat records of Denton County

Rehabilitation Care Facility - A dwelling unit which provides residence and care to not more than nine persons regardless of legal relationship who have demonstrated a tendency toward

alcoholism, drug abuse, mental illness, or antisocial or criminal conduct, living together with supervisory personnel as a single housekeeping unit.

Rehabilitation Care Institution - A facility which provides residence and care to ten or more persons, regardless of legal relationship, who have demonstrated a tendency toward alcoholism, drug abuse, mental illness, or antisocial or criminal conduct, together with supervisory personnel.

Restaurant or Cafeteria - An eating establishment where customers are primarily served at tables or self-served and food is consumed on the premises, which may include a drive-in window.

Retail Stores and Shops - An establishment engaged in the selling of goods and merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

Single-Family Residence, Attached - A dwelling constructed on the lot which is joined to another dwelling at one or more sides by a party wall or abutting separate wall and which is designed for occupancy by one family and is located on a separate lot delineated by front, side and rear lot lines.

Single-Family Residence, Detached - A dwelling designed and constructed for occupancy by one family and located on a lot or separate building tract and having no physical connection to a building located on any other separate lot or tract.

Stable/Animal Shelter (Private) - An accessory building for quartering horses or other livestock (not household pets) owned by the occupants of the premises and not kept for hire or sale, and the site contains a minimum area of one (1) acre for each animal quartered.

Stable (Public) - A stable other than a private or riding stable as defined herein.

Take Line - The 645 foot elevation line around Lake Ray Roberts as defined and specified in Texas Local Government Code § 231.102. All property between this line and the lake is controlled by the United States Army Corps of Engineers.

Tract - An area, parcel, site, piece of land, or property, which is the subject of a zoning or development application.

Travel Trailer - A mobile vehicle designed and used as a temporary place of dwelling and of such size and design as to be subject to licensing for towing on the highway by a passenger motor vehicle or other prime mover and not requiring a special permit for moving on the highways, as contrasted to a mobile home.

Wildlife Sanctuary - Area of land 80% of which is used for the preservation of wildlife including plant-life, bird-life and all other wildlife, natural habitats and ecosystems. Hunting and fishing are prohibited.

Yard - An open space that lies between the principal or accessory building or buildings and the nearest lot line and which is unoccupied and unobstructed from the ground upward except as herein permitted.

Yard, Front - An open, unoccupied space on a lot facing a street extending across the front of the lot between the side lot lines and from the front building line to the front lot or street line.

Yard, Rear - An open, unoccupied space on a lot, except for accessory buildings as herein permitted, extending across the rear of a lot from one side lot line to the other side lot line. The rear yard shall be at the opposite end of the lot from the front yard.

Yard, Side - An open, unoccupied space or spaces on one or two sides of a main building and on the same lot with the building, extending from the building to a side line of the lot and extending through from the front yard to the rear yard.

Zoning District Map - The official zoning map upon which the boundaries of the various Zoning Districts are drawn and which is an integral part of the Zoning Ordinance.

Zoning Envelope - The three-dimensional space within which a structure is permitted to be built on a lot and which is defined by maximum height regulations and yard setbacks.

ARTICLE 2 - ZONING DISTRICTS AND USES

2-100 – Establishment of Zoning Districts

For the purpose of this ordinance, the Lake Ray Roberts Planning Area is divided into the following zoning districts

Designation (Abbreviated) District Name	Minimum Lot Size
Agricultural (AG)	10 acres
Residential Estate District (R-5)	5 acres
Residential Estate Medium Density District (R-4)	4 acres
Residential Single Family Low Density District (R-3)	3 acres
Residential Single Family Medium Density (R-2)	2 acres
Residential Single Family High Density (R-1)	1 acre
Planned Development (PD)	1 acre
Commercial/Recreational(R/C)	1 acre

2-200 – Zoning District Map

2-201 – The boundaries of the zoning districts set out herein are delineated upon the Zoning District Map of the Lake Ray Roberts Planning Area, said map being a part of this ordinance as fully as if the same were set forth herein in detail.

2-202 – Two original, official, and identical copies of the Zoning District Map are hereby adopted bearing the signature of the County Judge and the attestation of the County Clerk and shall be filed and maintained as follows:

1. One copy shall be filed with the County Clerk and retained as the original record and shall not be changed in any manner.
2. One copy shall be maintained by the Lake Ray Roberts Planning Commission and shall be maintained up to date by posting thereon all changes and amendments, using the latest reproduction techniques.
3. Reproductions for information purposes may from time to time be made of the Official Zoning District Maps.

2-203 – Informational items such as school and park locations may be placed on the Zoning District Map as deemed appropriate by the Lake Ray Roberts Planning Commission.

2-204 – This ordinance shall govern any and all buildings, structures, and land located within the area bounded by the shoreline of Lake Ray Roberts at its take line elevation of 645 feet mean sea level (645 MSL) and a line 5000 feet from and following along said take line except any land lying within the corporate limits of any municipality.

The district boundary lines shown on the Zoning District Map are usually along roads, property lines or extensions thereof, city limit boundaries or tributaries. Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply: