Article I.
Title, Definitions, General Provisions, Auto Wrecking Yards and Swimming Pools

Sec. 1. Title.

This ordinance shall be known as the 1956 amendment to the Richardson Zoning Ordinance.

Sec. 2. Definitions.

The following words shall, for the purpose of this appendix, have the meaning here applied, viz:

Abutting or adjacent means sharing all or a part of a common lot, property or district line.

Accessory building or structure means a building or structure detached from the principal building located on the same lot therewith, the use of which is customarily incidental and subordinate to the principal building.

Accessory use means a use customarily incidental and subordinate to the principal use of land or building(s) and located on the same lot therewith.

Alley means a public or private way that affords only a secondary means of access to abutting property.

Ambulance service means a privately owned business that provides emergency transportation service to the public, including facilities for the storage and maintenance of vehicles, office space and sleeping quarters for on-call employees.

Amusement arcade means a building or part of a building in which more than ten percent of the floor area or in which five or more amusement devices, pinball machines, video games, electronic games, shuffle board, pool tables, or other similar player-operated amusement devices are present and maintained as the primary use.

Amusement devices means any kind of machine or video redemption machine or device operated by or with paper currency, a coin, metal slug, token, card or check that dispenses, or is used or is capable of being used to dispense or afford, amusement, skill, or pleasure or is operated for any purpose, other than for dispensing only merchandise, music, or service.

Antenna means a device or apparatus consisting of one or more wires or rods arranged to send and receive radio, television, electromagnetic or microwave signals. For purposes of this section, several antenna components may be assembled to perform a single function for a single operator and may be considered one antenna.

Antenna, accessory means an antenna for the purpose of transmitting, retransmitting and/or receiving radio, television, electromagnetic or microwave signals as part of and directly related to a principal activity within an office, retail or industrial building and which itself is not a principal use or unrelated to any principal use on the property.

Antenna, commercial means an antenna for the purpose of transmitting, retransmitting and/or receiving radio, television, electromagnetic or microwave signals primarily for the purpose of operating a business and/or for financial gain. A commercial antenna may be either mounted or freestanding as described below.

Antenna, freestanding means a commercial antenna supported by or affixed to a freestanding pole, tower, tripod, frame or other similar structure.

Antenna, mounted means a commercial antenna permanently affixed to the roof or other portion of a building.

Antique shop means a retail establishment offering for sale within a building, works of art, furniture, decorative objects, or other artifacts of an earlier period which have value and significance as a result of age, design, or sentiment.

Apartment means a multifamily structure containing three or more dwelling units located on a single lot designed to be occupied by three or more families living independently of one another, excluding hotels or motels.

Approved parking surface, nonresidential means an area of Portland cement concrete poured to a depth of not less than five inches, reinforced with No. 3 reinforcing bar not more than 24 inches on center, each way, clay-fired paving brick or pavestone or an equivalent approved by the city engineer. Such paving material shall be installed upon a base course to be approved by the city engineer.

Approved parking surface, residential means a single, continuous slab of Portland cement concrete poured to a depth of not less than four inches, reinforced with No. 3 reinforcing bar not more than 24 inches on center, each way, clay-fired paving brick or pavestone or an equivalent to be approved by the city engineer. Such paving material shall be installed upon a base course approved by the city engineer.

Art gallery means an establishment in which original works of art or limited editions thereof are bought, sold, loaned, appraised, displayed or exhibited to the public.

Assisted living facility means an establishment that furnishes, in one or more facilities, food and shelter to four or more persons who are unrelated to the proprietor of the establishment and that provides personal care services as defined by chapter 247 of the Texas Health and Safety Code, including assistance with meals, dressing, movement, bathing, or other personal needs or maintenance, the administration of medication by qualified personnel, or the general supervision or oversight of a resident's physical and mental well being.

Attic means the area between the roof and the ceiling of the rooms below that is not habitable and does not have a permanent stairway. Improvement to habitable status shall make the space a story.

Bakery means a retail establishment for the production and sale of baked goods on the premises.

Bank or *financial institution* means an establishment, open to the public, for the deposit, custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds excluding pawnshops, check cashing businesses, payday advance/loan businesses and car title loan businesses.

Barber or *beauty salon* means an establishment employing persons to cut or style men's and women's hair with incidental cosmetic services to include skin and nail care and the sale of hair and beauty products.

Basement means a story partly underground, having at least one-half of its height above the average level of the adjoining ground. A basement shall be counted as a story if subdivided and used for dwelling or business purposes.

Beer and wine package sales means an establishment engaged in the selling of beer and/or wine to the general public for off-site personal or household consumption and rendering services incidental to the sale of such goods.

Boarding kennel means an establishment in which five or more domestic animals more than four months of age are housed, groomed, bred, boarded, trained or sold for commercial purposes.

Book, card, or stationery store means a retail establishment primarily engaged in the sale of books, magazines, newspapers, greeting cards, postcards, paper goods, party supplies, and/or any other printed information, excluding sexually oriented businesses.

Bowling alley means an establishment that devotes more than 50 percent of its gross floor area to bowling lanes, equipment, and playing area.

Breezeway means a roofed, open-sided passageway connecting two structures, such as a house and a garage.

Building means any structure built for support, shelter or enclosure of persons, animals, chattels, records or other movable property, and when separated in a manner sufficient to prevent fire, each portion of such building shall be deemed a separate building.

Camera and photographic supply shop means a retail establishment primarily engaged in the sale, lease, and service of photography equipment and supplies, including incidental on-site film processing or developing.

Car title loan business means an establishment that makes small consumer loans that leverage the equity value of a car or other vehicle as collateral where the title to such vehicle is owned free and clear by the loan applicant and any existing liens on the car or vehicle cancel the application. The loan terms are often for 30 days and failure to repay the loan or make interest payments to extend the loan allows the lender to take possession of the car or vehicle.

Carport means an enclosure, not exceeding 12 feet in height and completely open to the free movement of air from floor to roof on at least two sides, designed primarily for the shelter of motor vehicles.

Carwash means a building in which automobiles and light duty trucks are washed, cleaned and/or waxed.

Catering service means an establishment providing meals and/or refreshments for off-site consumption for a fee, without on-site banquet facilities.

Cellar means a story having more than one-half of its height below the average level of the adjoining ground. A cellar shall not be counted as a story for the purpose of height measurement.

Check cashing business means an establishment that provides to the customer an amount of money that is equal to the face of the check or the amount specified in the written authorization for an electronic transfer of money, less any fee charged for the transaction, and where there is an agreement not to cash the check or execute an electronic transfer of money for a specified period of time, the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose for compensation by any person or entity other than a retail seller engaged primarily in the business of selling consumer goods, including consumables to retail buyers, that cashes checks or money orders or issues money orders or money transfers for a minimum flat fee as a service that is incidental to its main purpose or business, provided such retailer does not cash more than 100 checks in any calendar month. This definition excludes a state or federally chartered bank, savings and loan association or credit union, pawnshop or grocery store.

Childcare center means a facility licensed or certified by the appropriate agency of the State of Texas that provides non-medical care, training, education, or supervision for six or more children under 14 years of age for less than 24 hours per day.

Church means any structure used principally for regular assembly for religious worship and those accessory uses or activities which are customarily associated therewith.

Church parking lot, remote means a parking lot to support the activities of a church that is separated from the lot upon which the church is located by a dedicated public street or alley.

Clothing or apparel store means a retail establishment selling garments, shoes and/or accessories.

Commercial amusement center means a commercially operated facility offering entertainment or games of skill for a fee or charge, conducted indoors or outdoors. Such facilities may include, but are not limited to golf driving ranges, miniature golf courses, bingo parlors, water slides, go-kart tracks or skateboard facilities.

Construction field office means a structure or shelter used in connection with a development or construction project for housing on-site of temporary administrative and supervisory functions and for sheltering employees and equipment allowed by temporary permits issued by the building official.

Contracting operation means a business engaged in construction, repair or service activities, such as heating/air conditioning, plumbing, painting, irrigation, pest control, or carpet cleaning, including the storage of service materials and vehicles related to the business, but excluding heavy construction equipment.

Controlled substance paraphernalia shop means an establishment for the sale of any instrument, device, article, or contrivance used, designed for use, or intended for use in ingesting, smoking, administering or preparing marijuana, hashish, hashish oil, cocaine or any other controlled substance. For purposes of this appendix, “paraphernalia” shall be defined by the laws of the State of Texas.

Convenience store means a retail establishment of less than 10,000 square feet engaged in the sale of packaged foods, beverages, tobacco products, magazines and newspapers, personal or household merchandise.

Country club means land and buildings that may include a golf course, clubhouse, restaurant, swimming pool, tennis courts, pro shop, and similar recreational or service uses available only to members and their guests.

Court means an open, unobstructed space bounded on more than two sides by the walls of a building.

Courtyard means an open space surrounded by walls on four sides.

Department store means a business that is conducted under a single owner’s name wherein a variety of unrelated merchandise and services are housed, exhibited and sold directly to the customer for whom the goods and services are furnished, said merchandise may include but shall not be limited to wearing apparel, home appliances and electronics, furniture and home furnishings, tools and hardware.

Distribution center means a building or facility for the storage and distribution of wholesale items, goods, products or merchandise.

Driving instruction school means a school teaching motor vehicle driving skills to individuals, to include classroom teaching and driving practice in a vehicle with a qualified instructor.

Drugstore or *pharmacy* means an establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics, and related merchandise.

Duplex means a freestanding building on one lot, having separate accommodations for and occupied by not more than two families, one family in each living unit.

Electronic-cigarette means a battery power product that uses an atomizer or similar device that allow users to inhale nicotine vapor or other vapor without fire, smoke, ash or carbon monoxide.

Electronic-cigarette establishment means a business establishment that is dedicated primarily to the sale and/or on premise use of electronic-cigarettes.

End of building, apartment means the narrowest side of a building containing no doors or openings for access. If the narrower side of an apartment building contains doors or openings for access, it shall be subject to the same setback and space requirements as for the sides of a building other than the end.

Fabric store means an establishment engaged in the retail sale of cloth and textile products and related items.

Facade means that portion of any exterior wall on a building extending from the adjacent ground grade to the top of the parapet, wall, or eaves and the entire width of the building elevation.

Family means one or more persons related by blood, adoption or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants. A number of persons, but not exceeding two, living and cooking together as a single housekeeping unit, though not related by blood, adoption or marriage, shall be deemed to constitute a family.

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

Fine arts studio means a school teaching classes in fine arts such as dance, music, painting, sculpting and drama.

Floor area ratio means the ratio of the gross floor area of a building or buildings in relation to the gross land area of the site. The floor area ratio (FAR) shall be expressed as the gross floor area, being the first integer, followed by the gross land area, expressed as a constant of 1, being the second integer.

Florist means an establishment for the display and retail sale of flowers, small plants and accessories.

Fortune-teller, psychic reader, or *spiritual advisor* means an establishment providing predictions or readings of the future based on intuitive or mental powers, astrology, card or tea reading, crystal gazing, palmistry, or spiritual reading.

Fraternal organization means an organized group having a restricted membership engaged in civic, social and fraternal activities.

Front yard. See “Setback, front”.

Furniture, home furnishings, and appliance store means a retail establishment engaged in the sale of new goods for furnishing the home including, but not limited to furniture, floor coverings, window coverings and household appliances.

Garage, attached means an enclosed portion of a residential structure attached to the principal building by a common wall and roof and designed for the parking and storage of vehicles by the occupants of the residence.

Garage, detached means an enclosed structure accessory to the principal residential structure, designed for the parking and storage of vehicles by the occupants of the residence.

Gardening means the cultivation of fruits, vegetables, flowers, etc., on a plot of land or a portion thereof.

Golf course means an area of land laid out for playing at least 18 holes of the game of golf and improved with tees, greens, fairways and hazards and may include incidental uses such as a clubhouse, pro shop or restaurant.

Grocery store means a retail establishment, not a convenience store, for the display and sale of meat, fruits, fresh and packaged foods, cleaning supplies, paper goods, pet supplies, health and beauty products, bakery products, dairy products and similar items for human consumption and may include a bakery, delicatessen or prescription pharmacy.

Gross floor area means the total area of a building, measured from the exterior surface of all exterior walls, including basements, elevator shafts or stairwells at each floor, interior balconies or mezzanines, and floor space in accessory buildings. Off-street parking structures are expressly excluded from this category.

Gross land area means the total land area of a lot, tract or parcel, inclusive of street or alley rights-of-way that are internal to the site, and one-half of adjacent street or alley rights-of-way, provided said adjacent street is not indicated on the master transportation plan of the City of Richardson. No portion of any street required by the master transportation plan shall be counted as gross land area for purposes of determining maximum floor area or minimum landscaping requirements.

Hardboard siding means exterior walls constructed of hardboard siding materials as defined by the Richardson Building Code.

Hardware store means a facility engaged in the retail sale of various basic hardware lines, such as electrical and plumbing goods, tools, paint, glass, wallpaper, housewares, and lawn and garden supplies.

Health club means an indoor facility provided for individual or group exercise and recreational activities including aerobics, workout equipment, calisthenics, weight training, running, swimming and court games, and providing shower facilities and changing areas and may include spas, gymnasiums, and incidental uses such as childcare facilities, food service, and pro shops oriented to customers during their use of the facility.

Height means the vertical distance of a building or portion thereof measured from the mean level of the ground surrounding the building to (1) the highest point of the roof's surface if a flat surface, (2) the deck line for a mansard roof, (3) the mean level for a shed roof, or (4) the mean level between eaves and the ridge for hip and gable roofs, and in any event excluding parapet walls not exceeding four feet in height, chimneys, cooling towers, elevator penthouses,

mechanical equipment rooms, ornamental cupolas, standpipes, elevator bulkheads, domes or spires.

Helipad means a landing pad for use by rotary wing aircraft not including on-site servicing or fueling facilities for such aircraft.

Home occupation means an occupation that is incidental and secondary to the primary use of the premises as a residence and customarily conducted in a residential dwelling unit by a member of the occupant's family, entirely within the main structure, provided such use is not detrimental or injurious to adjoining property. Legal home occupations must meet all of the following conditions:

(1) Shall be conducted entirely within a completely enclosed structure.

(2) The total floor area to be used for the home occupation shall not exceed 20 percent of the total floor area of the principal building.

(3) Shall have no outside storage of materials, goods, supplies or equipment.

(4) Shall have no exterior advertisement, sign or display advertising the business on the premises.

(5) Shall have no building alterations that will alter the residential character of the home. Shall engage in no activity that will indicate from the exterior of the structure that the premises are being used for anything other than a dwelling.

(6) Shall not employ persons other than members of the immediate family or lawful occupants residing on the premises.

(7) Shall have no toxic, explosive, flammable, combustible, corrosive, radioactive, or other hazardous materials on the site for business purposes.

(8) Shall not involve the exhibit or display of goods, wares or merchandise.

(9) Sales incidental to a service shall be allowed; and orders previously made by telephone, internet or at a sales party may be filled on the premises.

(10) Shall not create any condition that is offensive by reason of odor, noise, smoke, vibration, electrical interference, dirt, or heat in excess of those normally found in residential areas.

(11) Shall not create a fire hazard, explosion or accumulation of pests, rodents, flies or vermin.

(12) Shall not involve or include the repair or service of vehicles, internal combustion engines, large equipment or large appliances on the premises.

(13) Shall not generate traffic or parking in greater volumes than normally expected in a residential neighborhood."

Hospital means an institution licensed by the State of Texas having rooms and facilities for sick or injured persons, used for providing services for in-patient medical or surgical care of sick or injured humans, or the treatment of the mentally ill, convalescent, or infirm persons and which may include related facilities such as laboratories, out-patient services, training facilities, and administrative offices provided that such related facilities are incidental and subordinate the principal use and must be an integral part of the hospital.

Hotel means a building or group of buildings offering overnight or temporary lodging accommodations or guest rooms on a daily rate to the general public and may provide

additional services such as food service, meeting rooms and recreational facilities. A hotel may be a full-service hotel, limited-service hotel, or suite hotel.

Hotel, full-service means a hotel offering sleeping accommodations along with full food and beverage service for three meals per day, meeting space of at least 2,000 square feet and other guest amenities. Up to 50 percent of the rooms in a full-service hotel may be suites, each with a parlor and a sleeping room, separated by a floor to ceiling partition.

Hotel, limited-service means a hotel offering sleeping accommodations with food and beverage service for fewer than three meals per day and providing less than 2,000 square feet of meeting area. Suite hotels as defined herein are specifically excluded from this definition.

Hotel, suite means a hotel offering guest rooms, each with a parlor area and sleeping room separated by a floor to ceiling partition. Suite hotels may offer either full or limited-service, but are distinguishable for purposes of this appendix by the separation of the sleeping and sitting areas.

Incidental retail or personal service activities means an establishment or place of business primarily engaged in the provision of frequent or recurrent needed services of a personal nature, typical uses to include, but shall not be limited to barber or beauty salon, jewelry repair, shoe repair shop, cleaning and laundry pickup station, tailor or seamstress and the sale of sundries, said retail activity to constitute an accessory activity in an office or industrial building.

Independent living facility means a facility containing dwelling units, accessory uses and support services specifically designated for occupancy by persons 55 years of age or older who are fully ambulatory or who require no medical or personal assistance or supervision.

Jewelry store means a retail establishment engaged in the sale of precious metals and stones in the form of jewelry.

Large scale retail store means a building or portion of a building with a gross floor area of seventy thousand (70,000) square feet or more the principal use of which is the operation of a single business engaged in the retail sale of goods or merchandise to the general public, but which may also include within such building or portion of building the operation of one or more accessory uses.

In addition to retail stores, this definition specifically includes, but is not limited to, businesses commonly known as membership warehouse clubs, wholesale membership clubs, outlet stores, discount or close-out clubs, grocery stores, and department stores.

Laundromat means a facility where clothing and other fabrics are washed or dried in machines operated by patrons.

Laundry or dry cleaning service means a building or portion thereof in which articles of clothing and other textiles are laundered, pressed or dry cleaned on-site.

Laundry pick-up station means a facility for pickup and delivery of individual consumer clothing or other textiles to be dry cleaned or laundered and without laundry equipment, dry cleaning equipment or operations on the premises.

Lot means a designated parcel, tract or area of land established by a plat to be separately owned, used, developed, or built upon.

Lot coverage means that area or percentage of the lot that may be covered by the principal building and all accessory buildings or structures, excluding breezeways, and covered patios.

Lot depth means the distance measured from the front lot line to the rear lot line, with at least one of the side lot lines meeting the minimum depth required by the applicable zoning district regulations.

Lot width means the minimum width of the lot measured at the required front setback line.

Mailing service means a privately-owned business engaged in providing packing and mailing services and the sale of related supplies and may include the offering of mailboxes for lease to customers.

Manufacturing facility means the manufacturing of finished products or parts, predominately from previously prepared materials, including fabrications, assembly, and packaging of such products and storage and distributions of such products, but excluding the processing of raw materials and goods.

Manufacturing facility, heavy means the manufacturing, processing or treatment of raw materials or goods including, but not limited to, food and animal products, meat packing, chemicals or minerals.

Manufacturing facility, high-tech means a business where electronic, communication, precision scientific and technical equipment may be designed, fabricated, created, assembled and packaged, provided that all activities and storage of equipment and materials take place completely within the principal building.

Martial arts school means a business teaching skills in the martial arts such as judo, karate or tae-kwon-do.

Masonry construction means exterior walls constructed of brick, concrete, or concrete block in accordance with the Richardson Building Code, but in no case shall brick be less than three inches in thickness when applied as a veneer nor shall it be less than the thickness required by the Richardson Building Code when serving as a structural masonry wall; and in no case shall concrete or concrete block be less than 3 5/8 inches in thickness when serving as a structural masonry wall. As an alternative to the masonry materials described herein, other materials which do not meet the thickness requirements when applied as a veneer, including natural and cast stone, may be utilized so long as the thickness satisfies the structural requirements of the Richardson Building Code. Materials used in the recladding of existing residential structures must be architecturally compatible with the principal structure including all new and existing trim, architectural appendages, windows and doors as determined by the Chief Building Official or designee.

Mortuary or *funeral home* means a building used for the storage and preparation of human bodies prior to their burial or cremation and the display of the deceased and the conducting of ceremonies connected therewith before burial or cremation.

Motor vehicle means any vehicle propelled by mechanical power, such as a car, van, pickup or truck, recreational vehicle, motorcycle or boat. For purposes of the zoning ordinance, this definition shall include campers and recreational trailers that are not self-propelled but shall exclude construction equipment, forklifts and farm implements.

Motor vehicle body shop means a business engaged in the repair or straightening of a motor vehicle body or frame, the painting of motor vehicles or the upholstery of motor vehicle interiors.

Motor vehicle, heavy load means a motor vehicle having a gross vehicle weight (GVW) of 7,500 pounds or more, including, but not limited to, recreational vehicles, vans, buses, tractor-trailers and other similar vehicles.

Motor vehicle, light load means a motor vehicle having not more than two axles, and having a gross vehicle weight (GVW) of less than 7,500 pounds, including, but not limited to, pick-up trucks, vans and other similar vehicles.

Motor vehicle parts and accessory sales means the retail sale of small parts and accessories for the repair and enhancement of motor vehicles, but excluding the sale or installation of tires and batteries, sale of major engine or body components and any motor vehicle repairs on the premises.

Motor vehicle rental means an establishment where the primary use is the rental of motor vehicles.

Motor vehicle rental/leasing means the rental or leasing of automobiles, motorcycles, light duty trucks and vans, and general purpose trailers including the incidental parking and servicing of such vehicles.

Motor vehicle repair shop, major means a business located in a single-tenant building in which major repair and service functions are performed on motor vehicles as defined herein, to include repair and reconditioning of engines, air conditioning systems and transmissions; replacement of brake parts, starters, hoses, alternators; emergency towing and road service, but excluding the storage or impoundment of vehicles awaiting repair and the activities of a motor vehicle body shop.

Motor vehicle repair shop, minor means a business in which minor repair and service functions are performed on motor vehicles as defined herein, to include tire and battery sales and installation; oil, filter, and lubricant changes; engine tune-ups; motor vehicle parts and accessory sales as defined herein; window tinting and pin-striping; installation of stereo systems or alarm systems; and the performing of state inspections.

Motor vehicle sales/leasing, new means the sale and/or leasing of new motor vehicles including, as accessory uses on the same lot or tract, the sale of used motor vehicles and the repair, servicing and storage of motor vehicles.

Motor vehicle sales/leasing, used means the sale and/or leasing of used motor vehicles.

Motor vehicle service station means a building or premises, or any portion thereof, for the retail dispensing and sale of motor vehicle fuels, lubricants and automobile accessories including minor motor vehicle repair. This term shall also include convenience stores which sell motor vehicle fuels.

Motor vehicle storage lot means an approved parking surface used solely for the storage of motor vehicles in transit to a motor vehicle sales and service center or motor vehicle repair shop.

Movie theater means a building or portion of a building devoted primarily to the showing of movies or motion pictures and including the sale of concessions to theater patrons and excluding sexually oriented businesses.

Multitenant building means a single building on a single lot or tract containing more than one tenant or more than one principal use.

Multiuse project means a group of buildings on a single lot operating under a common ownership, control, name, identity or management.

Musical instrument sales and repair means an establishment engaged in the sale and repair of new and used musical instruments to the general public.

Noncombustible construction means exterior walls constructed of materials that meet the noncombustibility tests or requirements of the Richardson Building Code and the Fire Code.

Nonconforming use means a use of a building, structure or land lawfully occupied at the time of the effective date of this appendix or amendments thereto, but which does not conform to the current use regulations of the zoning district in which it is situated.

Nonmasonry construction means exterior walls constructed of materials other than masonry construction that meet the requirements for exterior walls as defined by the Richardson Building Code.

Nursery or *greenhouse* means an establishment for the retail sale of shrubs, trees, plants and related products to the consumer, including seeds, nursery products, potting soil, hardware, garden equipment and including outdoor storage and display of plants.

Nursing/convalescent home means a residential institution licensed by the State of Texas providing in-patient health care, personal care or rehabilitative services over a long period of time generally exceeding thirty days to persons chronically ill, aged or disabled who need on-going health supervision but not including hospitals. Nursing/convalescent home includes homes for the aged, and convalescent and rest homes.

Office means a room, studio, suite or group thereof used for administrative, executive, or management functions or for the conduct or transaction of a business, profession, service industry, occupation or government, provided no goods are offered for sale on the premises except the incidental sale of medical or optical goods in a medical or dental office. An office does not include or involve the manufacture, fabrication, production, processing, assembly, cleaning, testing, or storage for sale of materials, goods or products.

Office furniture, equipment, and supply store means a retail establishment engaged in the sale of office equipment and supplies, including, but not limited to, furniture, computers and business machines, stationery products and related items.

Outdoor storage means the placement in an unenclosed area in a nonresidential zoning district for a continuous period in excess of 24 hours of goods, materials, merchandise or vehicles, said storage being accessory to the principal use on the property, but in no case shall outdoor storage be considered a principal use.

Parking lot, accessory means an approved parking surface, a building or a structure where motor vehicles may be stored for the purpose of temporary, daily or overnight off-street parking. An accessory parking lot supports the principal activity on the tract, lot or parcel of land.

Parking lot or garage, commercial off-street means an approved parking surface, building or structure, other than an accessory parking lot as described herein, where motor vehicles may be stored for the purpose of temporary, daily or overnight off-street parking for a fee, charge or permit.

Parking space means a motor vehicle parking area to accommodate one vehicle, together with its access drives and/or maneuvering space, constructed of an approved parking surface as

defined herein, configured and sized in accordance with the parking lot design manual and other ordinances or regulations adopted by the City of Richardson.

Patio means a paved outside area, usually uncovered and attached to a dwelling, adapted for recreational purposes and social gatherings.

Patio home means a single-family detached dwelling on a separate lot with open space on only three sides, with one side wall of the dwelling placed coincident with the side property line.

Pawnshop means a retail establishment engaged in the lending of money on the security of personal property pledged in the keeping of the pawnshop owner (pawnbroker) or the purchase of goods on the condition that the goods may be redeemed or repurchased by the seller for a fixed price within a fixed period, and the retail sale of such goods and personal property as used merchandise subject to the ordinances of the city.

Payday advance/loan business means an establishment that makes small consumer loans, usually backed by a 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 an applicant's next payday, and then cashed unless the customer repays the loan to reclaim such person's check.

Pet sales and grooming means a retail establishment offering small animals, fish and birds for sale as pets and including grooming services and the sale of associated pet supplies.

Photography or art studio means a business used as a place of work for a photographer or artist.

Plat (including a replat and/or amending plat) means a legal document that describes a lot by metes and bounds and dedicates rights-of-way and easements necessary for a development.

Porch means a covered entrance to a building.

Principal building means the building in which is conducted the principal use of the lot on which it is located.

Principal use means the primary or predominant use of any lot or building.

Print shop, major means an establishment specializing in long-run operations using a variety of printing presses. Long-run operations involve book publishing, die cutting, printing of catalogue sheets or newspapers, engraving, four-color printing, lithography and other similar processes.

Print shop, minor means an establishment specializing in short-run operations such as the copying of newsletters, flyers and resumes, using photocopying machines, as well as blueprinting, facsimile sending and receiving. Placement of orders for major printing jobs or long-run operations conducted off-premises is permitted.

Private club means an establishment defined as a private club under chapter 4 of the Code of Ordinances.

Private amenity center means a private recreation facility for the exclusive use of private residents or neighborhood groups of a particular residential development and their guests.

Private recreation club means an establishment defined as a private recreation club under chapter 4 of the Code of Ordinances.

Public building means a building, structure or facility owned, leased, controlled, occupied, managed, primarily used and/or primarily occupied by the United States Government, the State

of Texas, the city, an independent school district or political subdivision or agency of the State of Texas.

Radio or television station means a facility for the transmission of commercial programming by the radio or television media and which may contain facilities and equipment necessary for the production of such programming.

Radio, recording, or television studio means a facility for the production of radio or television programs, excluding transmission or broadcasting towers, antennae, or facilities

Rainwater harvesting system means any system used for the capture, storage, and distribution of untreated rainwater from a rooftop catchment surface or from precipitation captured directly from the sky to be used for outdoor landscape irrigation or foundation watering.

Rear yard. See "Setback, rear".

Reconstruction means the removal or replacement of sixty (60) percent of the exterior walls of a structure.

Repair shop, household items means a business engaged primarily in the repair and service of household items, including appliances, electrical and electronic equipment, lawn equipment and bicycles, but excluding motor vehicle repair shop, major or minor.

Repair shop, personal items means an establishment primarily engaged in the provision of minor repair services to personal items, including, but not limited to, repair of shoes, jewelry and watches.

Research laboratories and facilities means a business engaged in research and new product development activities in the field of medicine or in high-technology intensive fields, including the on-site manufacture and assembly of high-technology prototypes, provided all activities and storage of equipment and materials take place within the principal building.

Restaurant means an establishment engaged primarily in the preparation and sale of food and beverages to the public for on-site consumption, including outdoor dining areas. Take-out service is allowed as an incidental use; however, drive-through or curb service is subject to the approval of a special permit in accordance with this ordinance.

Restaurant with curb service means an establishment where food and/or beverage is delivered to a consumer who is in a motor vehicle or otherwise outside the building by a waiter, waitress or carhop, who is also outside the building, with the intent of said food being consumed on or off the premises.

Restaurant with drive-through service means an establishment where food and/or beverage is delivered to a consumer who is outside the building, said delivery to be accomplished by handing or passing the food and/or beverage through a window, or other opening in the building.

Retail sales of prepackaged food or beverages for off-premises consumption in a drive-up, drive-through or drive-in facility means an establishment that sells food, beverages or other consumable products for off-premises use or consumption to customers in motor vehicles. This term shall not apply to restaurants that provide a drive-up, drive-through or drive-in service.

Retail store or *retail activities* means an establishment engaged in selling goods or merchandise to the general public in small quantities for personal or household consumption and rendering services incidental to the sale of such goods.

Riding academy/public stables means a commercial establishment located on at least five contiguous acres of land engaged in the housing and boarding of horses, and offering instruction in riding, jumping, and showing of horses and providing horses for hire.

Roof architectural appendage means ornamentation or decorative features extending above the roof of a building.

School, parochial means a school under the sponsorship of a religious agency providing an elementary or secondary curriculum, excluding a technical training school.

School, private means a school under the sponsorship of a private agency or corporation other than a public or religious agency, having a curriculum generally equivalent to public elementary or secondary schools.

School, public means a school under the sponsorship of a public agency providing elementary or secondary curriculum, excluding a technical training school.

Self-service warehouse means a building or group of buildings containing separate individual self-storage units for rent or lease restricted solely to the temporary storage of items, but not including a residence for an on-premises caretaker. The conduct of sales, business or any activity other than storage within the individual storage units, is not allowed.

Self-service warehouse (secondary use) means a use within an enclosed building, not exceeding fifty percent (50%) of the area of the principal building, and in no instance exceeding twenty thousand (20,000) square feet, consisting of separate individual self storage units for rent or lease restricted solely to the temporary storage of items without motor vehicle/equipment rental or leasing, outside storage or an on-premises caretaker's residence The conduct of sales, business or any other activity other than storage within the individual storage units is not allowed.

Servant's quarters means an accessory building located on the same lot as the principal building or portion of the principal building in a residential zoning district used and occupied as living quarters for persons employed on the premises by the occupant of the premises, on a full-time basis as domestic help, such as a maid, gardener, chauffeur, cook and not rented or otherwise used as a separate dwelling and which shall not have kitchen facilities or separate utility connections.

Setback means the minimum required distance between a structure and the lot lines of the lot on which it is located.

Setback, front means the setback extending the full width of the lot between side lot lines and measuring the minimum required distance between the front lot line and the closest point allowed for any structure.

Setback, rear means the setback extending the full width of the lot between side lot lines and measuring the minimum required distance between the rear lot line and the closest point allowed for any structure.

Setback, side means the setback extending from the required front setback line to the required rear setback line and measuring the minimum required distance between the side lot line and the closest point allowed for any structure.

Sexually oriented business means an establishment as defined in section 12-161 of the Code of Ordinances, as amended.

Side yard. See “Setback, side”.

Single-family attached dwelling means a dwelling attached 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 located on a separate lot.

Single-family detached dwelling means a structure containing one dwelling unit, not attached to any other dwelling, entirely surrounded by open space on the same lot and designed exclusively for the use and occupancy of one family.

Single-tenant building means a single building, on a separate lot or tract, containing only one tenant and only one principal use.

Smoking establishment means a business 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 substances and products to the customer; and (2) the onsite smoking of tobacco or other substances. This definition shall be construed to include establishments known variously as retail tobacco stores, 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.

Sporting goods store means an establishment engaged in the retail sale of sporting goods and related merchandise to the general public.

Story means that portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling above. A basement shall be counted as a story if used as a dwelling or for business purposes. A cellar shall not be counted as a story for the purpose of height measurement. An attic space shall not be counted as a story for height measurement unless improved to a habitable status.

Structure means anything constructed or erected, the use of which requires permanent location on the ground, or which is attached to something having a fixed location on the ground.

Stucco means an exterior plaster material composed primarily of cement and sand applied in a plastic state to form a hard covering for exterior walls and installed in strict conformance with the applicable requirements of the Richardson Building Code. Stucco or exterior plaster is not considered masonry construction.

Tailor shop means an establishment engaged in custom making or altering of men’s and women’s clothing.

Technical training school means a facility that provides on-site training in business, commercial and/or trade skills, typical uses to include, but shall not be limited to accounting, data processing, court reporting, and computer repair and operation.

Temporary open air market means a temporary outdoor market place, on private property where individual vendors offer produce, food, or other products are distributed, offered for sale, or sold directly to consumers by the persons that have raised, grown, made, crafted, processed, or produced the products, approved foods such as fruits, eggs, vegetables, pasteurized dairy products and honey, and other allowed foods. Temporary open air market does not include a

flea market or other gatherings or markets offering merchandise, personal effects, tools, or outdoor retail sale or promotion subject to Article IV of Chapter 12 of the Code of Ordinance.

Tenant means any person or entity occupying or having a leasehold interest in any land or building, or portion thereof.

Townhome means a single-family dwelling in a row of at least three attached units, each on its own platted lot and having its own front and rear access to the outside. No unit shall be located over another unit and there shall be no visible separation between walls or roofs of adjoining units. Each unit shall be separated from other units by one or more vertical common firewalls.

Toy or hobby shop means an establishment engaged in the retail sale of children's toys, merchandise used for hobbies, arts and crafts, and may include incidental hobby or craft classes.

Veterinary office means an establishment where domestic animals and household pets are admitted for examination for medical treatment and are cared for during the time of such treatment. Boarding of animals in connection with medical treatment shall be permitted in conjunction with the primary use of the facility as a veterinary office. Overnight boarding of animals shall be permitted on a short-term basis, and must be incidental to the veterinary activities. All boarding shall take place within the confines of the building containing the veterinary office.

Video redemption machine means a skill or pleasure coin-operated machine that is designed, made, and adapted solely for bona fide amusement purposes, and 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 noncash merchandise prizes, toys, or novelties, or a representation of value redeemable for those items, that have a wholesale value from a single play of the machine of not more than ten times the amount charged to play the machine or $5.00, whichever is less.

Video rental store means an establishment engaged in the retail sale and rental of videotapes, CD-ROMs, laser discs, DVDs, electronic games, but excluding sexually oriented businesses.

Warehouse means a building or portion thereof used primarily for the storage and distribution of manufactured products, supplies, and equipment, but excluding the storage and distribution of goods and materials that are flammable, hazardous or explosive.

Wholesale establishment means a business primarily engaged in the sale and/or distribution of merchandise to retailers, industrial, commercial, institutional, or professional business users, or to other wholesalers.

Wrecker service means a towing service and an impoundment yard for inoperable motor vehicles waiting to be claimed by the owner or awaiting repair.

Yard means an open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upwards.

(Ord. No. 514-A, § 1, 6-8-67; Ord. No. 603-A, § 1, 12-30-68; Ord. No. 836-A, §§ 1, 2, 3-26-73; Ord. No. 914-A, § 1, 8-12-74; Ord. No. 916-A, § 1, 8-19-74; Ord. No. 948-A, § 3, 3-31-75; Ord. No. 986-A, § 1, 12-30-75; Ord. No. 1001-A, § 1, 2-24-76; Ord. No. 1077-A, § 1, 5-23-77; Ord. No. 2033-A, 6-19-78; Ord. No. 2226-A, § 1(1), 12-22-80; Ord. No. 2418-A, § 1, 4-16-84; Ord. No. 2665-A, § 1, 6-13-88; Ord. No. 2715-A, § 1, 2-13-89; Ord. No. 2728-A, § 1, 5-22-89; Ord. No. 2816-A, § 1, 1-14-91; Ord. No. 3009-A, § 1A, 2-13-95; Ord. No. 3063-A, § 1, 2-26-96; Ord.

No. 3172-A, § 1, 4-13-98; Ord. No. 3377-A, § 1, 1-14-02; Ord. No. 3412-A, § 1, 1-27-03; Ord. No. 3531, §§ 1, 2, 11-28-05; Ord. No. 3581, § 1, 11-13-06; Ord. No. 3598, § 1, 2-26-07; Ord. No. 3593, § 1, 4-9-07; Ord. No. 3685, § 1, 11-12-07; Ord. No. 3692, § 1, 1-14-08; Ord. No. 3715, § 1, 7-14-08; Ord. No. 3730, § 1, 11-10-08; Ord. No. 3766, § 1, 3-22-10 ; Ord. No. 3768, § 1, 3-22-10; Ord. No. 3807, § 1, 2-14-11; Ord. No. 3809, § 1, 2-28-11; Ord. No. 3848, § 1, 12-19-11; Ord. No. 4013, § 1, 7-22-13; Ord. No. 4033, § 1, 11-25-13; Ord. No. 4084, § 1, 11-10-14)

Sec. 3. General provisions.

Except as hereinafter provided, no building shall be constructed, reconstructed, erected, converted, enlarged or structurally altered nor any building or land used which does not comply with all the regulations established by this appendix in the district in which such building or land is located and any other applicable codes and ordinances.

Except as hereinafter provided, no lot area shall be so reduced or diminished that the setbacks or other open spaces shall be smaller than herein prescribed.

Except as hereinafter provided, no setback or other open space to be used in connection with any building for the purpose of complying with the provisions of these regulations shall be considered as providing a setback or open space for any other building, nor shall a setback or other open space on adjoining property be considered as providing a setback or open space on a lot wherein a building is to be erected.

Except as hereinafter provided, every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one principal building and its accessory buildings on one lot except as specifically provided herein for commercial and industrial districts.

Building lines in subdivisions previously platted and accepted by the City of Richardson prior to the adoption of this ordinance shall be controlled by such subdivision plats and not by the building line requirements of this ordinance.

The percentage lot coverage shall be that defined under each specific zoning district.

(Ord. No. 823-A, § 1, 12-18-72; Ord. No. 948-A, § 4, 3-31-75; Ord. No. 3377-A, § 1, 1-14-02)

Sec. 3-B. Interpretation of zoning district boundaries.

In all instances the official zoning map of the City of Richardson (hereafter called the “zoning map”) shall be used to determine the district classification of property. In cases of uncertainty with respect to the exact location of boundary lines as shown on the zoning map, the following rules shall govern:

(1) Where district boundaries are indicated as approximately following the centerlines of streets, alleys, highways or railroad rights-of-way, such centerlines shall be construed to be such boundaries.

(2) Where district boundaries are indicated as approximately following platted lot lines, said boundaries shall be construed as following said platted lot lines.

(3) Whenever any street, alley or other public way is vacated or abandoned, the district classification of the property to which the vacated portions of land accrue shall become the classification of the vacated land.

(Ord. No. 2376-A, § 1, 10-17-83)

Sec. 4. Auto wrecking yards.

No property located within the corporate limits of the City of Richardson shall be used and no building shall be erected for or converted to be used as an auto wrecking yard, junkyard, salvage storage, scrap metal storage yard or wrecking material yard.

(Ord. No. 147-A, 3-29-60)

Sec. 5. Swimming pools.

Swimming pools may be located on any residential district lot or any duplex district lot as follows: swimming pools, spas and related equipment may be located anywhere behind the front building line and a minimum distance of three feet from any other property line. Swimming pools or spas may not be located in any area which cannot be fenced in accordance with the city fence regulations. Any accessory building to the pool or spa shall be regulated as is prescribed for detached buildings.

(Ord. No. 948-A, § 5, 3-31-75; Ord. No. 986-A, § 2, 12-30-75; Ord. No. 2816-A, § 1, 1-14-91)

Sec. 6. Reserved.

Editor's note: *Ord. No. 3685, § 1, adopted Nov. 12, 2007, repealed § 6, which pertained to open storage and derived from Ord. No. 2816-A, § 1, adopted Jan. 14, 1991; and Ord. No. 3377-A, § 1, adopted Jan. 14, 2002.*

Sec. 7. Parking.

(a) Reserved.

(b) Reserved.

(c) Reserved.

(d) *[Parking facilities.]* Any new construction of parking facilities shall comply with the paving provisions of this section and the paving requirements found in chapter 21, Subdivision and Development, of the Code of Ordinances, shall apply.

(e) Reserved.

(f) Reserved.

(g) Reserved.

(Ord. No. 2816-A, § 1, 1-14-91; Ord. No. 2878-A, § 5, 5-11-92; Ord. No. 3080-A, § 1, 7-22-96; Ord. No. 3531, § 2, 11-28-05; Ord. No. 3598, § 1, 3-26-07)

End of Article I