



**ORDINANCE NO. 2614**

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED; BY ESTABLISHING AN "INSTITUTIONAL-RELIGIOUS USES" ("I-RU") ZONING DISTRICT AND AMENDING ARTICLES 3, 8, 9, 11, 12, 14, 16, and 20; ESTABLISHING PERMITTED USES AND DEVELOPMENT STANDARDS FOR THE "INSTITUTIONAL-RELIGIOUS USES" ("I-RU") ZONING DISTRICT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend amendments to the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; 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; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and



WHEREAS, the City Planning and Zoning Commission of the City of Farmers Branch and the City of Farmers Branch City Council, in compliance with the Charter of the City of Farmers Branch, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the City of Farmers Branch City Council is of the opinion that said change in zoning should be made;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:**

**SECTION 1.** That all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

**SECTION 2.** That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended by establishing an "Institutional-Religious Uses" zoning district and establishing permitted uses and development standards for the "Institutional-Religious Uses" zoning district.

**SECTION 3.** That all uses in the "Institutional-Religious Uses" zoning district shall conform in operation, location and construction to the development standards as set forth in this Ordinance.

**SECTION 4.** That Article 3-100 ("Zoning Districts Established") is hereby amended to include the "Institutional-Religious Uses" zoning district with an abbreviated designation of "I-RU".

**SECTION 5.** That Article 8-102 ("Educational, Institutional, and Special Uses Schedule of Uses") "Church or Rectory" is hereby replaced in its entirety and amended to state "Worship Facility." The zoning districts shall remain unchanged with respect to permitted uses allowed by right and uses allowed subject to approval of a specific use permit, except as amended by Ordinance 2614, Section 7 herein. The term "Worship Facility" shall be defined per Ordinance 2614, Section 14 herein.

**SECTION 6.** That Article 8-102 ("Educational, Institutional, and Special Uses Schedule of Uses") "Monastery or Convent" is hereby replaced in its entirety and amended to state "Rectory, Monastery, or Convent." The zoning districts shall remain unchanged with respect to permitted uses allowed by right and uses allowed subject to approval of a specific use permit, except as amended by Ordinance 2614, Section 7 herein. The term "Rectory, Monastery, or Convent" shall be defined per Ordinance 2614, Section 15 herein. A reference to the definition number for "Rectory, Monastery, or Convent" shall also be included in Article 8-102.

**SECTION 7.** That Article 8-102 ("Educational, Institutional, and Special Uses - Schedule of Uses") is hereby amended to establish the following permitted uses, uses requiring approval of a specific use permit, and other restricted uses within the "Institutional-Religious Uses" ("I-RU") district:

City of Farmers Branch P.O. Box 819010 Farmers Branch, Texas 75381-9010 972/247-3131  
Linked in Friendship with District of Bassetlaw, England, Garbsen and Schönebeck, Germany.  
Internet URL...<http://www.ci.farmers-branch.tx.us>

**A. Permitted Uses:** The use permitted by right in this section is subject to the requirement that the primary use of any platted lot on which such use is located is a worship facility, as defined in Ordinance 2614, Section 14 herein.

- Worship Facility

**B. Permitted Uses subject to approval of a Specific Use Permit:** All uses permitted subject to approval of a specific use permit in this section are subject to the requirement that the primary use of any platted lot on which such use is located is a worship facility, as defined in Ordinance 2614, Section 14 herein.

- Adult Day Care
- Benevolence Storage & Distribution Center
- Cemetery or Mausoleum
- Church denominational School (or day nursery) (subject to the requirements of Article 8-116)
- Day Camp (subject to the requirements of Article 8-116)
- Day Nursery or Kindergarten School (subject to the requirements of Article 8-116)
- Nursing Home or Residence Home for Aged
- Rectory, Monastery, or Convent
- School, denominational (subject to the requirements of Article 8-116)
- School, Private Primary or Secondary (subject to the requirements of Article 8-116)

**C. Other Restricted Uses**

- Temporary Use of Civic or Philanthropic Nature (as allowed by Resolution of City Council)

**SECTION 8.** That Article 8-103 ("Utility, Accessory and Incidental Uses - Schedule of Uses") is hereby amended to establish the following permitted uses, uses requiring approval of a specific use permit, and other restricted uses within the "Institutional-Religious Uses" ("I-RU") district:

**A. Permitted Uses:**

- Accessory Building
- Electrical Transmission Line
- Gas Transmission Line
- Local Utility Distribution Lines
- Off-Street Parking Incidental to Main Use
- Swimming Pool (Private) (subject to the requirements of Article 8-116)
- Telephone Line



- Water Reservoir, Water Pumping Station or Well

**B. Permitted Uses subject to approval of a Specific Use Permit:**

- Electrical Substation
- Telephone Exchange Switching or Relay Station
- Gas Metering Station

**C. Other Restricted Uses**

- Field or Construction Office (Temporary) [Subject to Approval and Control by Building Inspector (See Article 16-103)]

**SECTION 9.** That Article 8-105 (“Transportation Related Uses - Schedule of Uses”) is hereby amended to establish the following permitted uses within the “Institutional-Religious Uses” (“I-RU”) district:

**A. Permitted Uses:**

- Railroad Track or Right-of-way

**SECTION 10.** That Article 8-108 (“Sign and Identification Uses – Schedule of Uses”) is hereby amended to establish the following permitted uses within the “Institutional-Religious Uses” (“I-RU”) district:

**A. Permitted Uses:**

- Name Plate
- Sign, Construction
- Sign, Institutional
- Sign, Real Estate

**SECTION 11.** That Article 8-112 (“Special Industrial Processes – Schedule of Uses”) is hereby amended to establish the following restricted uses within the “Institutional-Religious Uses” (“I-RU”) district:

**A. Restricted Uses:**

- Temporary On-Site Batching Plant (Allowed, not to exceed 60 days By Resolution of City Council)
- Temporary Off-Site Batching Plant (Allowed, not to exceed 60 days By Resolution of City Council)

**SECTION 12.** That Article 8-114 (“Miscellaneous Uses – Schedule of Uses”) is hereby amended to establish the following permitted and restricted uses within the “Institutional-Religious Uses” (“I-RU”) district:

**A. Permitted Uses:**

- Lift Station (Sewage)
- Municipal Water Tower

**B. Restricted Uses:**

- Temporary Carnival or Circus (Council Approval Required – Ordinance 1770)

**SECTION 13.** That Article 8 (“Use Regulation Districts”) is hereby amended to establish Section 116 “Worship Facilities within the Institutional-Religious Uses (I-RU) District” said section shall read as follows:

Subsection (1): If a rezoning application is submitted to the City requesting to rezone a property to the “Institutional-Religious Uses” (“I-RU”) district, then the minimum size of said property shall be two (2) acres, subsequent to the dedication of any rights-of-way.

If a rezoning application is submitted to the City requesting to rezone two (2) or more properties to the “Institutional-Religious Uses” (“I-RU”) district, then said properties shall be contiguous and said properties shall be a minimum total size of two (2) acres, subsequent to the dedication of any rights-of-way.

Subsection (2): If a worship facility includes outdoor recreational facilities then approval of a site plan by the City Manager or appointed Designee shall be required.

If a worship facility includes children playground areas located within fifty (50) feet of One-Family Residence Districts or Two-Family Residence Districts then approval of a site plan by the City Manager or appointed Designee shall be required.

If any outdoor recreational facilities or any children playground areas are illuminated then approval of a site plan by the City Manager or appointed Designee shall be required.

An applicant may appeal a decision of the City Manager or appointed Designee to the Planning and Zoning Commission and City Council. An appeal request shall be submitted in writing to