



## **FARMERS BRANCH**

### **ORDINANCE NO. 3007**

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED, BY AMENDING PLANNED DEVELOPMENT NO. 24 (PD-24) ORDINANCE NO. 1179 AS HERETOFORE AMENDED BY ORDINANCE NOS. 1638, 2190, 2234 AND 2417; FOR THE TRACT OF LAND BOUNDED ON THE NORTH BY THE CENTERLINE OF VALLEY VIEW LANE, ON THE EAST BY THE CENTERLINE OF U.S. INTERSTATE 35E, ON THE WEST BY THE EASTERN RIGHT-OF-WAY LINE OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD AND ON THE SOUTH BY NORTHERN PROPERTY LINE OF THE WESTSIDE ADDITION SECTION 2, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; BY AMENDING THE ALLOWABLE USES; BY PROHIBITING ADULT ARCADES, ADULT BOOKSTORES, ADULT VIDEO STORES, ADULT CABARETS, ADULT MOTION PICTURE THEATER, ADULT THEATER, ADULT MOTELS, ADULT NOVELTY RETAIL, NUDE MODELING STUDIOS, SEXUAL ENCOUNTER CENTER, MASSAGE STUDIOS, PAWN SHOPS, TATTOO STUDIOS AND SALE OF USED MERCHANDISE; PROVIDING FOR A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

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

**SECTION 1.** That the Comprehensive Zoning Ordinance and Zoning Map of the City of Farmers Branch, Texas, be and the same is hereby amended, by amending and restating Planned Development No. 24 (PD-24) Ordinance No. 1179 as heretofore amended by Ordinance Nos. 1638, 2190, 2234 and 2417, for the tract of land bounded on the north by the centerline of valley view lane, on the east by the centerline of U.S.. Interstate 35E, on the west by the eastern right-of-way line of the Chicago, Rock Island and Pacific Railroad and on the south by northern property line of the Westside Addition Section 2, and being further described in Exhibit "A" attached hereto and made a part hereof for all purposes by amending the allowable uses and prohibiting adult arcades, adult bookstores, adult video stores, adult cabarets, adult motion

picture theater, adult theater, adult motels, adult novelty retail, nude modeling studios, sexual encounter center, massage studios, pawn shops, tattoo studios and sale of used merchandise as set forth herein.

**SECTION 2.** The property shall be developed and used only in accordance with the following development conditions.

**A. Base Zoning District.** The property shall be used and developed only in accordance with the LI Light Industrial District regulations of the Comprehensive Zoning Ordinance, except as otherwise provided herein.

**B. Permitted Uses.** The property may be used for any of the uses permitted by right in the LI Light Industrial District except as otherwise provided herein.

Primary Residential Uses

hotel or motel by specific use permit only

Educational, Institutional & Special Uses

art gallery or museum  
church or rectory by specific use permit only

college or university  
community center (public)  
day camp  
day nursery or kindergarten school  
fraternal organization, lodge or civic club  
hospital (general acute care)  
hospital (chronic care)  
institutions of religious or philanthropic nature  
library (public)  
monastery or convent  
nursing home or residence home for the aged by specific use permit only  
park, playground or public community center  
school, private primary or secondary  
school, public or denominational  
school, business or trade  
dental assistants training school  
adult daycare by specific use permit only  
church denominational school (or day nursery)

Utility, Accessory and Incidental

accessory building  
community center (private)  
electrical generating  
electrical substation  
electrical transmission line  
fire station or similar public safety building  
gas transmission line and metering station  
local utility distribution lines

off-street parking incidental to the main use	
public utility shop or yard	
public building, shop or yard of local, state or federal government	
radio or television micro-wave tower	by specific use permit only
servants quarters or caretakers	by specific use permit only
sewage treatment plant	by specific use permit only
swimming pool (private)	
telephone, business office	
telephone line and exchange switching or relay station	
water reservoir, water pumping station or well	
water treatment plant	

Recreational and Entertainment Uses

amusement, commercial (outdoor)	by specific use permit only
amusement, commercial (indoor)	by specific use permit only
country club, (private) with golf course	
golf course (public)	
golf course (commercial)	
park or playground (public)	
playfield or stadium (public)	
private club	by specific use permit only
swim or tennis club	
theatre, indoor	with a specific use permit

Transportation Related Uses

bus station or terminal	
hauling or storage company	
railroad freight terminal	
railroad passenger station	
railroad track or right-of-way	
parking lot or structure commercial	
heliports	by specific use permit only

Automobile and Related Service Uses

Auto-Related Sales, Repair and Service	by specific use permit only
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Retail and Service Type Uses

antique shop	
bakery or confectionery shop (retail)	
cafeteria	
cleaning and pressing small shop and pickup	
customer personal service shop	
drapery, needlework or weaving shop	
florist or garden shop	
greenhouse plants or nursery stock (retail)	by specific use permit only
household appliance repair	

laundry or cleaning self service  
mimeograph, stationery or letter shop  
mortuary or funeral shop

offices, professional and administrative  
retail stores and shops other than listed  
studio for photographer, musician, artist or health  
small hand tool and hand carried equipment (indoor)  
optical shops  
travel agencies

#### Agricultural Type Uses

animal clinic or hospital (no outside runs or pens)  
greenhouse or plant nursery (commercial)

by specific use permit only  
with a specific use permit

#### Commercial Type Uses

bakery (wholesale)  
cabinet and upholstery shop  
cleaning plant, bags or carpets (special equipment)  
clothing manufacture or light compounding or fabrication  
engine & motor repairing  
feed store  
job printing or newspaper printing  
laundry plant (commercial)  
milk depot, dairy or ice cream plant  
paint shop  
petroleum products storage-wholesale  
plumbing shop  
scientific or research laboratories  
storage or sales warehouse  
Trade or commercial school  
transfer, storage & baggage terminal  
wholesale office and sample room  
cleaning & dyeing plant (commercial)

#### Special Industrial Processes

Welding or machine shop

#### General Manufacturing and Industrial Uses

light manufacturing or industrial uses  
inside paper sorting & bailing for recycling

by specific use permit only

#### Miscellaneous Uses

pet shop, small animals and related, no outside runs

barber shop  
beauty shop  
banks & savings and loan associations  
food processing  
medical & dental offices and clinics  
restaurant with drive-in service  
non drive-in restaurant with outside sales window  
non drive-in restaurant without outside sales window  
lift station (sewage)  
municipal water tower  
lab, medical or dental  
paint, wallpaper and related (retail)  
household appliance sales with minor service  
snack and sandwich shops  
mobile food prep vehicle  
catering vehicle

by specific use permit only  
by specific use permit only  
by specific use permit only

Tires, Batteries and Accessories

commercial parking lot for cars  
new accessories and/or parts sales (retail only)  
new accessories and/or parts sales (wholesale) no installation  
gasoline service station  
car wash primary use  
new auto parts retail or wholesale (inside storage only)

by specific use permit only  
by specific use permit only

Auto Repairs, Service and Installations

general repairs (garage and auto repair)  
brake and alignment  
tune-up ignition carburation  
muffler, shock absorbers  
upholstery, tops, fabric, carpet, seat covers  
tires, batteries and accessories  
paint & body repair shop  
enclosed auto storage  
manufacture or assembly of auto/trucks, new  
re-building of auto parts (engine, transmission, etc.)

by specific use permit only  
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by specific use permit only

**C. Prohibited Uses.** The following uses are prohibited:

Adult Arcade  
Adult Bookstore  
Adult Video Store  
Adult Cabaret  
Adult Motel  
Adult Motion Picture Theater  
Adult Theater  
Adult Motel

Adult Novelty Retail  
Nude Modeling Studio  
Sexual Encounter Center  
Massage Studios  
Pawn Shop  
Tattoo Studios  
Specialty /Novelty Retail  
Sale of Used Merchandise

Outdoor sales or storage of any type (primary or accessory uses)

**D. Frontage on Interstate Highway 35E**

Loading dock doors and truck courts (including any area used for truck or trailer maneuvering, staging, parking or storage) shall not front Interstate Highway 35E (Stemmons Freeway).

**SECTION 3.** That the above described tracts shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended, and as amended herein.

**SECTION 4.** That all provisions of the ordinances of the City of Farmers Branch in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Farmers Branch not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 5.** That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

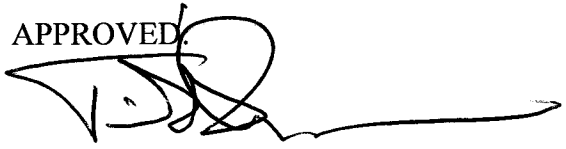
**SECTION 6.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 7.** That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 8.** In addition to and accumulative of all other penalties, the City of Farmers Branch shall have the right to seek injunctive relief for any and all violations of this ordinance.

**SECTION 9.** This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

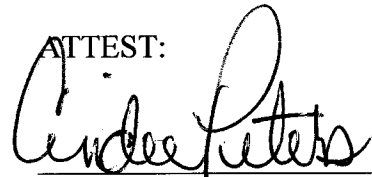
DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS  
BRANCH, TEXAS, on this the 20th day of January, 2009.

APPROVED: 

\_\_\_\_\_  
Tim O'Hare, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Peter G. Smith, City Attorney

ATTEST:  
  
\_\_\_\_\_  
Cindee Peters, City Secretary

**EXHIBIT "A"**  
**PLANNED DEVELOPMENT NUMBER 24 (PD-24)**  
**GENERAL AREA DESCRIPTION**

**BEING** a tract of land in the City of Farmers Branch, Dallas County, Texas and bounded on the east by the centerline of U.S. Interstate 35E, on the north by the centerline of Valley View Lane, on the west by the eastern right-of-way line of the Chicago, Rock Island and Pacific Railroad and on the south by following description:

BEGINNING in an easterly direction at the most westerly north corner of property line of the Westside Addition Section 2 (Plat 200600172709);

THENCE along the northerly line of said Block A Westside Addition Section 2, South 83° 00'03 East, a distance of 18.19 feet to a point;

THENCE along the northerly line of said Block A Westside Addition Section 2, South 59° 25'40" East, a distance of 96.43 feet to a point;

THENCE along the northerly line of said Block A Westside Addition Section 2, South 45° 08'55" East, a distance of 107.01 feet to a point;

THENCE along the northerly line of said Block A Westside Addition Section 2, North 47° 58'52" East, a distance of 134.59 feet to a point;

THENCE along the northerly line of said Block A Westside Addition Section 2, North 70° 15'08" East, a distance of 99.68 feet to a point;

THENCE along the northerly line of said Block A Westside Addition Section 2, North 80° 02'32" East, a distance of 105.72 feet to a point;

THENCE along the northerly line of said Block A Westside Addition Section 2, North 82° 50'28" East, a distance of 63.13 feet to a point;

THENCE along the northerly line of said Block A Westside Addition Section 2, North 85° 32'28" East, a distance of 79.41 feet to a point;

THENCE along the northerly line of said Block A Westside Addition Section 2, North 89° 30'55" East, a distance of 472.13 feet to a point;

THENCE along the northerly line of said Block A Westside Addition Section 2, North 00° 27'30" West, a distance of 834.81 feet to a point;

THENCE along the northerly line of said Block A Westside Addition Section 2, North 89° 16'39" East, a distance of 371.39 feet to a point;



THENCE along the northerly line of said Block A Westside Addition Section 2, North 00° 00'14" West, a distance of 422.26 feet to a point;

THENCE North 89°13'50" East, along the northerly line of Block A Westside Addition Section 2 to a point at the southwest corner of the eastern one-half of Lot 12 of the Willowdale Addition, an unrecorded addition to the city of Farmers Branch, Dallas County, Texas:

THENCE departing said north line of Block A Westside Addition Section 2, in a northerly direction along the west side of said eastern one-half of Lot 12, a distance of 175 feet, more or less, to the northwest corner of said eastern one-half of Lot 12, and being a point in the south right of way line of Spring Lake Road;

THENCE departing said northwest corner of said lot, in an easterly direction along said right of way line, passing Lot 13 for a total distance of 187.5 feet at the northeast corner of Lot 14 of said unrecorded addition;

THENCE departing south right of way line and said northeast corner of Lot 14, in a southerly direction along the east side of said Lot 14, a distance of 175 feet to a point at the southeast corner of said Lot 14, said point also being in the northerly line of Block A Westside Addition Section 2;

THENCE North 89° 13' 50" East, along said northerly line of Block A Westside Addition Section 2 to a point in the west right-of-way line of Interstate Highway 35East (IH35E)(a variable width right-of-way) said being the northeast corner of said Block A Westside Addition Section 2;

THENCE South 04°47'56" East, along the west right-of-way line, for a distance of 1447.46 feet to a point:

THENCE North 90°00'00" East to the centerline of Interstate Highway 35East (IH35E)(a variable width right-of-way) to the general **POINT OF BEGINNING** and **CONTAINING 109 Acres** of land, more or less.

# Map of Planned Development Number 24 (PD-24)

