

**FARMERS
BRANCH**

PD-78

ORDINANCE NO. 2423

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 CHANGING THE ZONING DISTRICT CLASSIFICATION OF APPROXIMATELY 330 ACRES OF PROPERTY GENERALLY BOUNDED BY INTERSTATE HIGHWAY 635 TO THE SOUTH, THE CITY LIMITS TO THE WEST AND NORTH, AND, RAILROAD RIGHT-OF-WAY OWNED BY THE CITY OF DALLAS WATER UTILITIES TO THE EAST, FROM PLANNED DEVELOPMENT NO. 22 (PD-22) TO PLANNED DEVELOPMENT NO. 78 (PD-78); ESTABLISHING USE AND DEVELOPMENT STANDARDS FOR PD-78; 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 Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the 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 governing body of the City of Farmers Branch 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 the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended by changing the zoning district classification of the following described tracts of land, approximately 330 acres in area, from Planned Development Number 22 (PD-22) to Planned Development No. 78 (PD-78), and establishing use and development standards as set forth in Exhibit "B". Said property being shown on Exhibit "A" and more specifically described as follows:

The tracts of land bounded by Interstate Highway 635 (i.e., LBJ Freeway) to the south; the Elm Fork of the Trinity River and the City of Irving to the west; Valley View Lane and the City of Carrollton to the north, west of Luna Road; the CentrePlace First Installment and CentrePlace Second Installment additions to the north, east of Luna Road; and the railroad right-of-way

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owned by the City of Dallas Water Utilities to the east, inclusive, to a point approximately 1,300 feet south of its intersection with Valley View Lane.

SECTION 2. That all uses in the Planned Development No. 78 zoning district (PD-78) shall conform in operation, location and construction to the development standards as set forth in Exhibit "B", and to the extent not in conflict with Exhibit "B", to the development and performance standards as established by the Comprehensive Zoning Ordinance of the City of Farmers Branch.

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

SECTION 4. 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, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

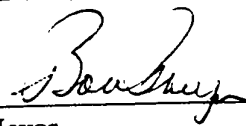
SECTION 5. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 6. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 7. Whereas, it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

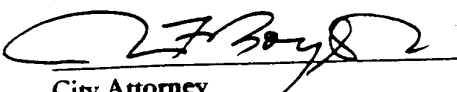
DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, on this the 8th of September, 1998.

APPROVED:



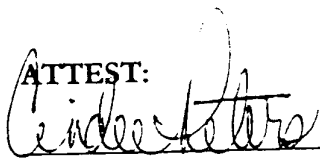
Mayor

APPROVED AS TO FORM:



City Attorney

ATTEST:



City Secretary

EXHIBIT "B"
DEVELOPMENT STANDARDS
FOR PLANNED DEVELOPMENT ZONING DISTRICT
NUMBER 78 (PD-78)

The following standards shall be considered in the design, location, and siting of structures and other development features within the Planned Development No. 78 (PD-78) zoning district. A comprehensive site plan will be required for each development as described in paragraph 8-502 of the Comprehensive Zoning Ordinance. Variances to these development standards may be requested by the developer and shall be considered as a part of the site plan approval.

I. USES PERMITTED:

Educational, Institutional & Special Uses

art gallery or museum	
church or rectory	<i>with a specific use permit</i>
college or university	
community center (public)	
day camp	
day nursery or kindergarten school	
fairground or exhibition area	<i>with a specific use permit</i>
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	<i>with a specific use permit</i>
park, playground or public community center	
school, private primary or secondary	
school, public or denominational	<i>with a specific use permit</i>
school, business or trade	
dental assistants training school	
adult daycare	<i>with a specific use permit</i>
church denominational school (or day nursery)	

Utility, Accessory and Incidental

accessory building
community center (private)
electrical generating
electrical substation
electrical transmission line

Utility, Accessory and Incidental (continued)

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 storage
public building, shop or yard
 of local, state or federal government
radio or television micro-wave tower
servants quarters or caretakers
sewage treatment plant
swimming pool (private)
telephone, business office
telephone line and exchange switching or relay station
water reservoir, water pumping station or well
water treatment plant
lift station (sewage)
municipal water tower

with a specific use permit

with a specific use permit

with a specific use permit

with a specific use permit

with a specific use permit

Recreational and Entertainment Uses

amusement, commercial (outdoor)
amusement, commercial (indoor)
country club, (private) with golf course
golf course (public)
golf course (commercial)
park or playground (public)
playfield or stadium (public)
private club
swim or tennis club
theater, indoor

with a specific use permit

with a specific use permit

with a specific use permit

with a specific use permit

Transportation Related Uses

railroad passenger station
railroad track or right-of-way
parking lot or structure commercial
heliports

with a specific use permit

with a specific use permit

with a specific use permit

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

Retail and Service Type Uses (continued)

florist or garden shop	<i>with a specific use permit</i>
greenhouse plants or nursery stock(retail)	<i>with a specific use permit</i>
household appliance repair	
laundry or cleaning self service	
mimeograph, stationery or letter shop	<i>with a specific use permit</i>
mortuary or funeral shop	
offices, professional and administrative	
retail stores and shops other than listed	
studio for photographer, musician, artist or health	<i>with a specific use permit</i>
massage studio	
small handtool and hand carried equipment (indoor)	
optical shops	
travel agencies	
pet shop, small animals and related, no outside runs	
barber shop	
beauty shop	
banks & savings and loan associations	
medical & dental offices and clinics	
restaurant with drive-in service	<i>with a specific use permit</i>
non drive-in restaurant	
with outside sales window	<i>with a specific use permit</i>
non drive-in restaurant	
without outside sales window	<i>with a specific use permit</i>
paint, wallpaper and related (retail)	
household appliance sales with minor service	
snack and sandwich shops	
mobile food prep vehicle	
catering vehicle	
hotel or motel	<i>with a specific use permit</i>

Sign and Identification Uses

name plate
sign, real estate
sign, construction
sign, institutional
sign, apartment name
sign, on-premise

Commercial Type Uses

scientific or research laboratories	<i>with a specific use permit</i>
trade or commercial school	<i>with a specific use permit</i>
wholesale office and sample room	<i>with a specific use permit</i>
lab, medical or dental	

Motor Vehicle and Related Service Uses

auto or motorcycle sales and repair (in building)	<i>with a specific use permit</i>
commercial parking lot for cars	<i>with a specific use permit</i>
new accessories and/or parts sales (retail only)	
new accessories and/or parts sales (wholesale)	
no installation	
gasoline service station	<i>with a specific use permit</i>
car wash primary use	<i>with a specific use permit</i>
brake and alignment	<i>with a specific use permit</i>
tune-up ignition carburetion	<i>with a specific use permit</i>
muffler, shock absorbers	<i>with a specific use permit</i>
upholstery, tops, fabric, carpet, seat covers	<i>with a specific use permit</i>
tires, batteries and accessories	<i>with a specific use permit</i>

II. STREETS:

All streets shall be constructed in conformance with the major thoroughfare plan as to type and location, and the engineering design criteria of the City. The following standards shall be considered as a minimum for development within the PD-78 district:

Major Street (Divided):

Minimum right-of-way width.....	110 feet
Minimum roadway paving width.....	37 feet
Minimum number of roadways	2
Minimum median width.....	14 feet

Major Street (Undivided):

Minimum right-of-way width.....	100 feet
Minimum roadway paving width.....	73 feet

Secondary Street (Divided):

Minimum right-of-way width.....	84 feet
Minimum roadway paving width.....	25 feet
Minimum number of roadways	2
Minimum median width.....	14 feet

Secondary Street (Undivided):

Minimum right-of-way width.....	70 feet
Minimum roadway paving width.....	49 feet

Minor Street (Undivided):

Minimum right-of-way width.....64 feet
Minimum roadway paving width.....44 feet

III. BUILDING SETBACKS:

Front: Structures shall be setback a minimum distance from the right-of-way line of streets as described following, and such setbacks shall be required on all sides of any structure facing on a street. Setbacks shall apply to all parts and variations in heights of structures.

Major Street – Structures shall be setback a minimum of 50 feet from the street right-of-way line.

Secondary Street – Structures shall be setback a minimum of twice the building height from the street right-of-way line, except where such street has a landscaped median of at least 50 feet in width, in which case the minimum structure setback from the street right-of-way line shall be a distance equal to the height of the building.

Minor Street – Structures shall be setback from the street right-of-way line a minimum distance equal to the height of the structure.

Side: No minimum setback shall be required from side property lines except that a side setback shall be required such that structures in adjacent properties shall be no closer than 20 feet, with such area being permanently unobstructed for fire access purposes.

Rear: No minimum setback shall be required from rear property lines except for fire access purposes and except that a rear setback shall be required such that structures on adjacent properties shall be no closer than 20 feet, with such area being permanently unobstructed for fire access purposes.

IV. SITE COVERAGE:

No building or accessory buildings shall be constructed which, in the aggregate, would cover more than 50 percent of the total lot area. The remaining area may be utilized for surfaced parking or maneuvering area, and landscaping.

V. OFF-STREET PARKING:

Surfaced off-street parking shall be provided adequate for all of the parking requirements of the use to eliminate totally the need for on-street parking. As a minimum, the following shall be required, whichever is greater:

Parking in relation to personnel:

- 1 space for each 1 ½ production or warehousing employee
- 1 space for each managerial personnel
- 1 visitor space for each 10 managerial personnel

Parking in relation to building area (total floor area):

- 1 space for each 1,000 square feet of gross floor area used for warehousing and distribution
- 1 space for each 500 square feet of gross floor area used for production or manufacturing
- 1 space for each 300 square feet of gross floor area used for office

Site Positioning – Off-street parking shall be setback from the right-of-way line of streets as described following, and such setbacks shall be required along all streets.

Major Street: No paving shall be permitted forward of the building setback line except where such street has a landscaped median of at least 50 feet in width, in which case the minimum paving setback shall be 15 feet from the street right-of-way line.

Secondary Street: No paving shall be permitted forward of the building setback line, except where such street has a landscaped median of at least 50 feet in width, in which case the minimum paving setback shall be 15 feet from the street right-of-way line.

Minor Street: The minimum paving setback shall be 15 feet from the street right-of-way line.

VI. LOADING AND MANEUVERING:

Adequate area shall be required on the property for all loading and maneuvering of trucks and other vehicles such that such operations will not be carried out in the streets, and such areas shall be located and screened as described following:

Major Street: No loading doors shall face the street nor be placed on the sides of buildings for a distance of 65 feet from the building setback line.

Secondary Street: Loading doors may face the street provided that the building is setback a minimum of 80 feet from the street right-of-way and provided that screening is constructed. Loading doors may be located on the sides of buildings closer than 65 feet from the building setback line provided that screening is constructed.

Minor Street: Loading doors may face the street provided that the building is setback a minimum of 80 feet from the street right-of-way line and provided that screening is constructed. Loading doors may be located on the sides of buildings.

VII. SCREENING:

All roof-mounted equipment shall be screened on all sides. All loading areas requiring screening shall be screened on all sides fronting on a street. Screening shall, at a minimum, consist of a solid opaque man made fence or wall, a minimum of 6 feet and a maximum of 8 feet in height, and shall be architecturally consistent with the adjoining structure. Gates, if provided at drives, need not be solid or opaque. The type and location of screening shall be shown on the site plan and such screening shall be located no closer than 15 feet to a street right-of-way line.

Loading areas which are allowed to face the street may provide as alternative screening a landscaped area adjacent to the street of at least 25 feet in width with an earthen berm averaging 5 feet in height.

VII. OUTSIDE STORAGE:

Outside storage, either as an accessory use or a primary use, is prohibited.

IX. SITE LANDSCAPING:

A landscape plan shall be required for each site. Parking areas visible from the street shall be broken up with vertical landscaping and shown on the landscaping plan. A minimum of 5 percent of the total property area shall be landscaped between the building and all street right-of-way lines. As a minimum, the following shall be required:

Major Street: Paving areas (except drives) placed closer than 50 feet to the street right-of-way line shall be screened from the street with a landscaped earthen berm averaging 3 feet in height. Where no paving is forward of the building line, trees shall be installed in the front yard at irregular intervals at the rate of no less than one tree per 30 lineal feet of front property line.

Secondary Street: Paving areas (except drives) placed forward of the building setback line shall be screened from the street with a landscaped earthen berm averaging 3 feet in height. Where no paving is forward of the building line, trees shall be installed in the front yard at irregular intervals at the rate of no less than one tree per 30 lineal feet of front property line.

Minor Street: A landscaping area of at least the required building setback, except that no more than 15 feet shall be required, shall be planted with trees or other vertical landscape material at the rate of no less than one tree per 30 lineal feet of front property line.

X. SIGNS:

No billboards or advertising signs other than those identifying the user, nature of the business, and products shall be allowed. All signs shall be affixed at ground level or on the face of the building. Only two signs shall be permitted for each site, and these shall be of a design and material consistent with the building itself. The only other allowed signs would be of a directional nature, or temporary signs indicating "for sale" or "for rent".

EXHIBIT A

