



**FARMERS
BRANCH**

ORDINANCE NO. 2071

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, AS HERETOFORE AMENDED; BY ESTABLISHING REVISED DEVELOPMENT STANDARDS FOR THE PLANNED DEVELOPMENT NO. 39 (PD-39) ZONING DISTRICT ALLOWING HIGH DENSITY OFFICE USES, AND WHICH IS BOUNDED BY THE LBJ FREEWAY (I-635) TO THE SOUTH, WELCH ROAD TO THE WEST, SIMONTON ROAD AND A 40' RAILROAD RIGHT-OF-WAY TO THE NORTH, AND INWOOD ROAD TO THE EAST; REPEALING ORDINANCE NO. 1414; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2000.00); 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 granting changes of zoning under the Zoning Ordinance Regulations and Zoning Map, have 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 due to a change in condition and in order to protect the public health, welfare, and safety, said changes of zoning should be granted, as set forth herein;

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 amending the Planned Development Number Thirty-nine (PD-39) Development Standards on the tract of land shown in Exhibit "A" and generally described as being bounded by the LBJ Freeway (I-635) to the south, Welch Road to the west, Simonton Road and a 40' railroad right-of-way to the north, and Inwood Road to the east.

SECTION 2. That all uses in PD-39 shall conform in operation, location, and construction to the performance standards established by the Comprehensive Zoning Ordinance of the City of Farmers Branch.

SECTION 3. That all uses in PD-39 shall conform to the development standards set forth in Exhibit "B".

SECTION 4. That the above described tract of land shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as heretofore amended, and as amended herein.

SECTION 5. That Ordinance No. 1414 is hereby repealed.

SECTION 6. 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 punished by a fine not to exceed the sum of Two Thousand Dollars (\$2000.00) for each offense.

SECTION 7. 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 part or portion thereof, other than that portion so decided to be invalid or unconstitutional.

SECTION 8. Injunctive Relief. 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.

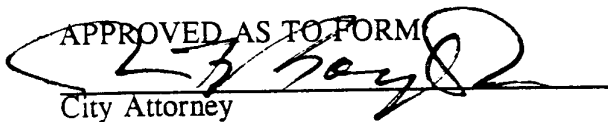
SECTION 9. Whereas, it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development, and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage, and publication of the caption of said ordinance, as the law in such case provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, on this the 16th day of August, 1993.

APPROVED:

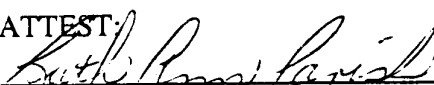


APPROVED AS TO FORM



City Attorney

ATTEST:



City Secretary

EXHIBIT "B"

**DEVELOPMENT STANDARDS
FOR PLANNED DEVELOPMENT DISTRICT
NUMBER 39**

The following standards shall be considered in the design, location and siting of structures and other development features within the Planned Development District. A comprehensive site plan will be required with each development as described in paragraph 8-502 of the Zoning Ordinance as well as herein.

I. BASIC PERFORMANCE STANDARDS

A. PRINCIPAL USES PERMITTED

The following principal uses shall be permitted subject to approval of conceptual and detailed site plans.

1. Office buildings

This includes but is not limited to: private corporate offices, speculative offices, professional offices, medical and diagnostic offices.

2. Hotels and Motels. (SUP)

3. Retail and restaurant functions serving the office and hotel uses.

4. Financial institutions.

5. Automobile Dealership.

B. SECONDARY USES PERMITTED

The following secondary uses shall be permitted only in a PD district which includes office and one other principal use.

1. Automobile oriented uses limited to:

- a) drive-in banks
- b) service stations (by Specific Use Permit)

2. Business service establishments.

3. Commercial recreation uses (by Specific Use Permit) limited to:
 - a) commercial health clubs, including swimming pools and racquet sport courts.
 - b) skating rinks, ice or roller.
 - c) theaters, cinema or legitimate.
 - d) any other similar retail recreation use.
4. Dwellings, 30 dwelling units per acre and above.
5. Dining establishments.
6. Private clubs (by Specific Use Permit).
7. Commercial off-street parking.
8. Personal service establishments.
9. Transportation facilities, limited to:
 - a) heliports (by Specific Use Permit).
 - b) mass transit stops.

Secondary uses shall be designed to serve primarily the needs of occupants of the planned development in which they are located. Such uses shall be designed so as to maintain and protect the character of adjacent properties. Recognizing that developments may be subdivided for creation of specialty uses on separate sites, the requirements for one or more principal uses may be waived by the City for sites of one acre and smaller.

C. USE LIMITATIONS

1. All development shall conform to standards set forth in maximum and minimum development standards.
2. Secondary uses shall be permitted only in the presence of office uses.
3. The gross floor area of secondary uses, except parking, shall not exceed 20% of the total principal uses of the development.
4. All uses shall be permitted only in the location shown on the approved final site development plan. Once constructed, any alteration to a given structure or change in a given use shall be governed by the regulations of that conventional zoning district which most closely characterizes the

given development, such conventional district to be determined by the City Staff subject to review by the Planning and Zoning Commission and City Council. Should a desired alteration or change in use represent a substantial departure from the approved final development plan, then such shall be allowed only after resubmittal of the amended site plan.

D. BUILDING VOLUME REGULATIONS

- see Ord 2143*
1. Maximum floor area ratio, 4:1 (Floor is defined as the gross area of any built structure, exclusive of garages, parking structures and enclosed walkways connecting separate buildings, from grade level up. Basements of office and parking structures will not be counted in this ratio).
 2. Maximum building heights: No greater than that allowed by FAA. A copy of approved FAA building height shall be submitted to the City Planner.
 3. Building setbacks.

Public street right-of-way: structures shall be set back 20 feet from the property line.

Public alleys and service ways: alleys and service ways will have a minimum right-of-way of 30 feet; structures shall be set back five feet from the property line.

Side and rear property lines: structures shall be set back a minimum of 10 feet from property lines shared with adjacent properties and not fronting onto public right-of-way. The intent shall be to guarantee a permanently unobstructed area of 20 feet between structures for fire access purposes.

E. SITE COVERAGE AND LANDSCAPE

1. The gross building footprint of buildings and parking garages should not exceed 50% of the gross site area.
2. The landscaped open space shall be not less than 5% of gross site area.
3. Site coverage may be increased as landscaped open space is increased. For every 1% increase above 5% in landscaped open space, site coverage may be increased 2% above the 50% limit. This allowable increase shall proceed to an absolute maximum site coverage of 70% gross site area.

4. Parking lots at grade must have not less than 5% of their interior area landscaped. Border plantings at the perimeter of the lot shall not be considered as part of the interior landscaping requirements.
 5. Landscaped areas shall be interpreted to mean zones of grass, ground cover, trees and shrubs, paved and landscaped areas for pedestrian uses, and lakes or fountains.

Paved areas for parking or regular traffic flow shall not be considered as part of this classification.
- F. Parking shall be provided for the proposed uses at the following minimum ratios, and shall be accommodated at grade or in structures.
1. Offices: one space per 333 square feet of gross area.
 2. Hotels and Motels: one space per rental unit for the first 250 rooms, three-quarter space per rental unit for 251 to 500 rooms, and one-half space per rental unit for all additional rooms, plus such spaces as required by restaurants, ballrooms, and affiliated facilities.
 3. Retail and affiliated office support services, one space per 250 square feet of gross area.
 4. Eating establishments: one space per 100 square feet of gross area.
 5. Theaters: one space for every four seats.
 6. Mixed use parking discounts: In order to provide adequate off-street parking for large-scale mixed-use development projects, the following are excluded in the calculation of off-street parking requirements.
 - a) Discount ten percent of the required parking for an office use when that use totals in excess of 250,000 square feet in gross area and is developed on the same lot with qualifying hotel, retail, or restaurant uses outlined in this subsection.
 - b) Discount ten percent of the required parking for a hotel use when that use totals in excess of 250 guest rooms and is developed on the same lot with qualifying office, retail, or restaurant uses outlined in this sub-section.
 - c) Discount ten percent of the required parking for all retail uses, when those uses total in excess of 10,000 square feet and are

developed on the same lot with qualifying office, hotel, or restaurant uses outlined in this sub-section.

- d) Discount fifty percent of the required parking for all recreation, entertainment, bar, and restaurant uses when developed on the same lot as qualifying office or hotel uses outlined in this sub-section.
7. It is recognized that existing office and hotel uses may be integrated into future developments. To foster mixed-use interaction between existing and future uses, the Planning and Zoning Commission shall consider shared parking agreements between owners of adjacent properties, and authorize a reduction in the required parking as outlined in Section F-6 above. This shall be established on site plan by developers.
8. Standard parking stalls shall be at least eight feet, six inches (8'6") wide and eighteen feet (18') in length and no parking bay (comprised of two rows of standard parking stalls and one travel aisle from which motor vehicles enter and exit the stalls) shall be less than sixty feet (60') in width, inclusive of any structural columns.
9. A maximum of twenty percent (20%) of the required parking may be devoted to compact car spaces measuring not less than seven feet, six inches (7'6") wide and sixteen feet (16') in length. No more than twenty percent (20%) of any parking structure, parking lot or parking area shall be comprised of compact car parking spaces.

G. SERVICE FACILITIES

1. All office, commercial, hotel and restaurant uses shall provide and maintain off-street loading facilities in the quantities stated below:
 - (a) Up to 150,000 gross square feet: 1 space
 - (b) 1 additional space for each additional 350,000 square feet or fraction thereof.
2. The City Staff shall determine off-street loading requirements for uses not specified, based on the most similar use listed above.
3. A structure containing more than one use must meet the loading requirements of each use unless one use occupies 90 percent or more of the gross building area, in which case the loading requirement is calculated as if that use occupied the entire structure.

4. The first required space, and thirty percent of all other spaces, must be suitable for semi-tractor trailer delivery vehicles.
5. Loading facilities for more than one building may be provided in a common terminal if connections between building and terminal are off-street.
6. Loading facilities shall be designed to minimize interference with traffic flow.

H. STREETS

All streets shall be constructed in conformance with City Engineering design criteria.

I. PHASING

If a tract is to be developed in phases under this Planned Development Ordinance, each sub-tract shall conform to the basic performance standards of the Planned Development Ordinance, as though it were a separate site.

II. REQUIRED SUBMISSIONS

A. CONCEPTUAL DEVELOPMENT PLAN

The following are submittal requirements for approval of a conceptual development plan under the proposed Planned Development designation for an entire site.

1. A vicinity map at a scale not smaller than 1 inch = 2,000 feet.
2. A boundary survey of the property, including the following:
 - a) Metes and bounds of all property lines
 - b) Total area of property
 - c) Scale and north arrow
 - d) Names and route numbers of boundary streets and rights-of-way
 - e) Existing topography with a maximum contour interval for two feet
3. A statement confirming ownership of the subject property and stating the place of the record of the latest instrument in the chain of title.
4. An aerial photograph of the subject property and all adjacent properties within at least 500 feet.

5. A generalized land use plan showing approximate location of proposed land uses, circulation corridors, and public utility corridors. This should include a statement of maximum allowable building and parking space and anticipated building heights as allowed by the Planned Development Ordinance.
6. A statement or visual presentation of how adjacent and neighboring properties shall be affected by the proposed development. This statement should address vehicular access plans, site context, and existing and anticipated land uses.