



ORDINANCE NO. 3540

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 AMENDING ARTICLE 2 “ZONING DISTRICTS” SECTION 2.4 “PERMITTED USES,” SUBSECTION C “USE TABLE” BY ADDING “VEHICLE DISPATCH AND STORAGE, MINOR” AND “VEHICLE DISPATCH AND STORAGE, MAJOR” AS USES TO BE PERMITTED BY RIGHT OR BY SPECIFIC USE PERMIT IN SPECIFIED DISTRICTS, AND AMENDING SECTION 2.5 “LAND USES REQUIRING SPECIAL PERFORMANCE STANDARDS” BY ADDING SUBSECTION F “VEHICLE DISPATCH AND STORAGE;” BY AMENDING ARTICLE 4 “SITE DEVELOPMENT STANDARDS,” SECTION 4.3 “PARKING AND LOADING” BY ADDING MINIMUM PARKING SPACE REQUIREMENTS RELATING TO VEHICLE DISPATCH AND STORAGE USES; AND BY AMENDING ARTICLE 7, “DEFINITIONS,” SECTION 7.3 “DEFINITIONS OF USES” BY ADDING DEFINITIONS FOR “VEHICLE DISPATCH AND STORAGE, MAJOR” AND “VEHICLE DISPATCH AND STORAGE, MINOR;” PROVIDING FOR A CONFLICTS RESOLUTION 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; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING PUBLICATION

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 interested persons, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance should be amended;

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

SECTION 1. Chapter 94 “Zoning” of the Code of Ordinances of the City of Farmers Branch, Texas, as previously amended, (i.e. the Comprehensive Zoning Ordinance) is hereby further amended as follows

- A.** Article 2 “Zoning Districts and Uses,” Section 2.4.C “Use Table” is amended by adding “Vehicle Dispatch and Storage, Major” and “Vehicle Dispatch and Storage, Minor” under the section of said table titled “Transportation Related Uses,” designating the zoning districts in which such uses are permitted and permitted following the approval of a specific

use permit, and amending the footnote as it relates to the East Side Business District as follows:

Use		R-1	R-2	R-3	R-4	R-5	R-6	D-1	D-2	MF-1	MF-2	MF-3	MF-4	I-RU	O	LR-1	LR-2	C	LI	HI	Use Std's
		KEY: X=Permitted S=Specific Use Permit Required T=Temporary Blank Cell=Use Not Permitted																			
		Transportation Related Uses																			
Vehicle Dispatch and Storage, Minor																		S	S	X	2.5F
Vehicle Dispatch and Storage, Major																		S	S	X	2.5F

* Use is not allowed in the East Side Business District.

- B.** Article 2 “Zoning Districts and Uses,” Section 2.5 “Land Uses Requiring Special Performance Standards” is amended by adding Subsection F titled “Vehicle Dispatch and Storage” to read as follows:

F. Vehicle Dispatch and Storage.

The following conditions are required for approval for all vehicle dispatch and storage uses:

1. Parking spaces used for vehicle storage shall be in designated areas that comply with the requirements of Section 4.3 Parking and Loading. Parking spaces designated for vehicle storage shall be in addition to the number of on-site parking spaces required pursuant to Section 4.3 for property developed and used for vehicle dispatch and storage purposes.
2. Vehicle storage spaces shall be located at the rear of the property or on the side of the building; however, vehicle storage shall not be located forward of the front face of the building. Vehicle storage areas shall be designated on a site plan approved by the City Manager or designee prior to commencement of use of property for vehicle dispatch and storage.
3. For major vehicle dispatch and storage uses, vehicle storage areas must be screened along all sides by a masonry wall not less than six (6) feet and no greater than eight (8) feet in height. For vehicles visible above the masonry wall, non-ornamental trees must be provided to effectively screen vehicles at a space of 1 tree per 30 linear feet (minimum 3-inch caliper at planting) for the length of the masonry wall, planted at the exterior side of the masonry wall. Trees may be clustered as approved by the City Manager or designee.

4. For minor vehicle dispatch and storage uses, where vehicle storage is visible from the public street evergreen screening shrubbery (minimum 36 inches at planting) and non-ornamental trees (minimum 3-inch caliper at planting) at a spacing of 1 tree per 30 linear feet must be provided to effectively screen vehicles from view of public streets.

- C. Article 4 “Site Development Standards,” Section 4.3 “Parking and Loading” is amended by adding regulations relating to minimum off-street parking for “Vehicle Dispatch and Storage, Major” and “Vehicle Dispatch and Storage, Minor” uses as follows:

Use	Minimum Parking Spaces Required
Vehicle Dispatch and Storage, Minor and Major	One space per 2 employees, or one space per 1,000 sq ft of gross floor area, whichever is greater

- D. Article 7 “Definitions,” Section 7.3 “Definitions of Uses” is amended by adding definitions for “Vehicle Dispatch and Storage, Major” and “Vehicle Dispatch and Storage, Minor” to read as follows:

Vehicle Dispatch and Storage, Major - A commercial transportation service not operated by, or exclusively under a contract with, a governmental entity as part of a public transportation system, that specializes in the dispatch and provision of non-heavy-load vehicles such as ambulances, hearse, limousines, taxis, paratransit, and rideshare vehicles for a fee. The term includes facilities for storage of 11 or more vehicles used for the transportation service, office space, and sleeping quarters for employees who are on-call. Vehicle storage shall not be the primary use of the property. Vehicle maintenance on-site will be limited to those activities as defined in the Comprehensive Zoning Ordinance and shall be considered an accessory use.

Vehicle Dispatch and Storage, Minor – A commercial transportation service not operated by, or solely under a contract with, a governmental entity as part of a public transportation system, that specializes in the dispatch and provision of non-heavy-load vehicles such as ambulances, hearse, limousines, taxis, paratransit, and rideshare vehicles for a fee. The term includes facilities for storage of 10 or fewer vehicles used for transportation service, office space, and sleeping quarters for employees who are on-call. Vehicle storage shall not be the primary use of the property. Vehicle maintenance on-site shall be limited to washing, waxing, and cleaning of vehicles.

SECTION 2. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Farmers Branch and the provisions of this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION 3. 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 4. 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 5. 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 6. 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 6TH DAY OF NOVEMBER 2018.

ATTEST:

APPROVED:

Amy Piukana, TRMC, City Secretary

Robert C. Dye, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:10/22/18:103673)