



ORDINANCE NO. ____

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 THE DEVELOPMENT AND USE REGULATIONS OF PLANNED DEVELOPMENT NO. 24 (PD-24) AS ESTABLISHED BY ORDINANCE NO. 1179 AND AMENDED BY ORDINANCE NOS. 1638, 2190, 2417, AND 3007 BY AMENDING THE USES PERMITTED, PERMITTED UPON APPROVAL OF A SPECIFIC USE PERMIT, AND PROHIBITED; REPEALING ORDINANCE NOS. 1179, 2190, 2417, AND 3007; 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; 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, THAT:

SECTION 1. 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 as set forth in Section 2 of this Ordinance the use and development regulations of Planned Development No. 24 (PD-24) as previously amended and restated in their entirety in Section 2 of Ordinance No. 3007, relating to the use and development of the tract of land depicted in Exhibit "A" attached hereto and made a part hereof for all purposes ("the Property").

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 developed only in accordance with the development regulations of the Light Industrial (LI) District of the Comprehensive Zoning Ordinance, except as otherwise provided herein.
- B. **Permitted Uses.** The Property may be developed and used solely for the following purposes as a permitted use or, where indicated, following approval of a specific use

permit for such use in accordance with the procedures required by the Comprehensive Zoning Ordinance:

Primary Residential Uses

Hotel or Motel	By Specific Use Permit Only
Live Work Units	

Educational, Institutional & Special Uses

Adult Daycare	By Specific Use Permit Only
Art Gallery or Museum	
Worship Facility	By Specific Use Permit Only
School, Denominational (or Day Care)	
School, College or University	
Community Center (Public)	
Day Camp	
Driving School	
Home for care of Alcoholic, Narcotic, or Psych	
School, Nursery, Kindergarten (or Day Care)	
Dental Assistants Training School	
Fraternal Organization, Lodge or Civic Club	
Hospital (Chronic Care)	
Hospital (General Acute Care)	
Institutions of Religious or Philanthropic Nature	
Library (Public)	
Local Government Public Facilities	
Mortuary or Funeral Home	
Rectory, Monastery or Convent	
Nursing Home or Residence Home for the Aged	By Specific Use Permit Only
Park, Playground (Public)	
School, Business or Trade	
School, Private Primary or Secondary	
School, Public	

Utility, Accessory and Incidental

Accessory Building
Community Center (Private)
Electrical Generating Plant
Electrical Substation
Electrical Transmission Line
Fire Station or Similar Public Safety Building
Gas Transmission Line
Gas Metering Station
Local Utility Distribution Lines

Municipal Water Tower	
Off-Street Parking Incidental to the Main Use	
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 Exchange, Switching Relay and Transmitting Equipment	
Water Reservoir, Water Pumping Station or Well	
Water Treatment Plant	

Recreational and Entertainment Uses

Amusement, Commercial (Indoor)	By Specific Use Permit Only
Amusement, Commercial (Outdoor)	By Specific Use Permit Only
Country Club, (Private) With Golf Course	
Golf Course (Commercial)	
Golf Course (Public)	
Park or Playground (Public)	
Playfield or Stadium (Public)	
Private Club	By Specific Use Permit Only
Stable	
Swim or Tennis Club	
Theatre, Indoor	By Specific Use Permit Only

Transportation Related Uses

Heliports	By Specific Use Permit Only
Off-Street Parking Incidental to Main Use	
Parking Lot or Structure Commercial	
Railroad Freight Terminal	
Railroad Passenger Station	
Railroad Track or Right-Of-Way	

Retail and Service Type Uses

Antique Shop	
Bakery (Retail)	
Bicycle sales and service	
Cafeteria	
Cleaning and Pressing Small Shop and Pickup	
Consignment Store	
Customer Personal Service Shop	
Drapery, Needlework or Weaving Shop	
Dry Cleaners (Full Service)	

Dry Cleaning/Laundry Pickup Station	
Gun (Firearm) Sales	
Florist or Garden Shop	
Furniture Store (New)	
Greenhouse Plants or Nursery Stock (Retail)	By Specific Use Permit Only
Household Appliance Repair	
Household Appliance Sales	
Laundromat (Self Service)	
Mimeograph, Stationery or Letter Shop	
Mortuary or Funeral Parlor	
Offices, Medical & Dental Offices and Clinics	
Offices, Professional and Administrative	
Optical Store	
Paint, Wallpaper and Related	
Pharmacy	
Printing or copy center	
Restaurant, General	
Restaurant, Qualifying	
Retail, General,	
Retail, Personal Service	
Retail, Warehouse	
Small Hand Tool and Hand Carried Equipment (Indoor)	
Studio for Photographer, Musician, Artist or Health	
Supermarket	
Travel Agencies	

Agricultural Type Uses

Animal Clinic or Hospital (No Outside Runs or Pens)	By Specific Use Permit Only
Community Garden	
Farm or Ranch	
Farmers Market	
Greenhouse or Plant Nursery (Commercial)	By Specific Use Permit Only

Commercial Type Uses

Alcohol Sales (Wholesale)	
Bakery (Retail)	
Beauty Salon	
Brewery	
Brewpub	
Cabinet and Upholstery Shop	
Car Wash	By Specific Use Permit Only
Catering Services	
Cleaning Plant, Bags or Carpets (Special Equipment)	
Cleaning & Dyeing Plant (Commercial)	

Clothing Manufacture or Light Compounding Or Fabrication
Dry Cleaning and Laundry Plant
Feed Store
Gasoline Service Station
Job Printing or Newspaper Printing
Laundry Plant (Commercial)
Paint Shop
Plumbing Shop
Lab, Medical or Dental
Lab, Scientific or Research
Lawn Mower Sales, Service, and Repair (Small Engine)
Manufacture or Light Compounding or Fabrication
Radio/TV/Cable Broadcast Studio
Storage or Sales Warehouse
School, Business or Trade
Wholesale Office and Showroom

By Specific Use Permit Only

General Manufacturing and Industrial Uses

Inside Paper Sorting & Bailing for Recycling
Light Manufacturing or Industrial Uses

By Specific Use Permit Only

Miscellaneous Uses

Banks or Financial Institution
Barber Shop
Beauty Shop
Catering Vehicle
Food Processing
Household Appliance Sales
Lab, Medical or Dental
Lift Station (Sewage)
Offices, Medical & Dental Offices and Clinics
Mobile Food Prep Vehicle
Municipal Water Tower
Non Drive-In Restaurant With Outside Sales Window
Non Drive-In Restaurant Without Outside Sales Window
Paint, Wallpaper and Related
Pet Store, Small Animals and Related, No Outside Runs
Restaurant, with Drive-In Service
Snack and Sandwich Shops

By Specific Use Permit Only

By Specific Use Permit Only

By Specific Use Permit Only

C. **Prohibited Uses.** The development and use of the Property for the following purposes is prohibited:

Auto or motorcycle sales and repair
Auto-Related Sales, Repair and Service
Bakery (Wholesale)
Brake and alignment
Building Material Sales
Bus Station or Terminal
Bottling Plant
Commercial parking lot for cars
Enclosed auto storage
Engine & motor repairing
General repairs (garage and auto repair)
Hauling or Storage Company
Heavy Machinery Sales and Storage
Manufacture or assembly of auto / trucks new
Massage Business
Milk Depot, Dairy or Ice Cream Plant
Muffler, shock absorbers
New Accessories and/or Parts Sales (Retail Only) (indoor)
New Accessories and/or Parts Sales (Wholesale) No Installation
New Auto Parts Retail or Wholesale (Inside Storage Only)
Outdoor sales or storage of any type (primary or accessory uses)
Paint & body repair shop
Pawn Shop
Petroleum products storage –wholesale
Public utility shop or storage
Public building, shop or storage
Re-building of auto parts (engine, transmission, etc.)
Recycling Plant (non-putrescent material only)
Reflexology (Hand and Foot Massage)
Sale of Used Merchandise
Sexually Oriented Businesses of any kind
Specialty /Novelty Retail
Transfer, storage & baggage terminal
Tattoo Studios
Tune-up ignition carburation
Tires, batteries and accessories
Tires and Wheel Accessories
Tobacco Sales (Including E-Cigarette)
Upholstery, tops, fabric, carpet, seat covers
Vehicle Maintenance
Vehicle Parts and Accessory Sales (Indoor)
Vehicle Repair
Welding or Machine Shop

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. 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 4. Ordinance Nos. 1179, 2190, 2417, and 3007 are hereby repealed.

SECTION 5. 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. Notwithstanding Section 3 of this Ordinance, 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. 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. 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 ____ DAY OF _____ 2019.

ATTEST:

APPROVED:

Amy Piukana, TRMC, City Secretary

Robert C. Dye, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:2/1/19:105121)

Ordinance No. _____
Exhibit "A" – Map of Planned Development Number 24 (PD-24)

