



ORDINANCE NO. 3559

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 AND RESTATING THE DEVELOPMENT AND USE REGULATIONS OF PLANNED DEVELOPMENT NO. 25 (PD-25) AS ESTABLISHED BY ORDINANCE NO. 1263 AND AMENDED BY ORDINANCE NOS. 1454, 1648, AND 3008; REPEALING ORDINANCE NOS. 1263, 1454, 1648, AND 3008; PROVIDING 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. 25 (PD-25) as previously amended and restated in their entirety in Section 2 of Ordinance No. 3008, 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 used and developed only in accordance with the development regulations of Light Industrial (LI) District of the Comprehensive Zoning Ordinance, except as otherwise provided herein.
- B. Permitted Uses.** The Property may be developed and used for any of the purposes permitted in the Light Industrial (LI) District by right except as otherwise provided in this Ordinance.

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

Bakery (wholesale)
Bottling plant
Building Material Sales
Bus station or terminal
Cemetery or mausoleum
Commercial parking lot for automobiles
Hauling or storage company (no outdoor storage)
Heavy machinery sales and storage
Massage Business
Milk depot dairy or ice cream plant
Pawn Shops
Petroleum products storage - wholesale
Private utility shop or storage
Recycling plant (non-putrescent materials only)
Reflexology hand and foot massage
Sale of Used Merchandise
Sexually Oriented Business of any kind
Tattoo Studios
Tires and Wheel Accessories
Tobacco sales (including e-cigarette)
Transfer storage and baggage terminal
Vehicle Maintenance
Vehicle Parts and Accessory Sales (indoor)
Vehicle Repair
Welding or Machine shop

- D. **Site Coverage.** The maximum allowable site coverage for any warehouse or light industrial uses shall be fifty-five (55%) percent of the total site area.

- E. **Site Plan.** The approval of a detailed site plan by the City Council shall be required prior to the issuance of any building permit for any use, development or construction of any structure. Minor amendments to an approved site plan may be approved by the Planning Director, or designee.

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. Except to the extent provided in Section 5 of this Ordinance, Ordinance Nos. 1263, 1454, 1648, and 3008 are repealed.

SECTION 4. 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 5. 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 6. 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 7. 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 5th DAY OF MARCH 2019.

ATTEST:

APPROVED:

Amy Piukana, TRMC, City Secretary

Robert C. Dye, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:1/28/19:105126)

Ordinance No. 3559
Exhibit "A" – Map of Planned Development Number 25 (PD-25)

