



ORDINANCE NO. 3618

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS AMENDED; BY CHANGING THE ZONING OF A 7.357± ACRE TRACT OUT OF THE FRANCIS MILLER SURVEY, ABST. NO. 936 DESCRIBED AS TRACT C IN EXHIBIT "A" HERETO FROM PLANNED DEVELOPMENT DISTRICT NO. 88 (PD-88) TO PLANNED DEVELOPMENT DISTRICT NO. 77 (PD-77) AND RESTATING THE USE AND DEVELOPMENT STANDARDS FOR PLANNED DEVELOPMENT DISTRICT NO. 77 (PD-77); PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING 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 of the City of Farmers Branch, Texas, be, and the same is hereby amended as follows:

- A. Changing the zoning of the 7.357± acre tract out of the Francis Miller Survey, Abstract No. 936, City of Farmers Branch, Dallas County, Texas, described more particularly as "Tract C" in Exhibit "A," attached hereto and incorporated herein by reference from Planned Development District No. 88 (PD-88) to Planned Development District No. 77 (PD-77); and
- B. Amending and restating the use and development regulations of Planned Development District No. 77 (PD-77) as amended and restated in Ordinance No. 3511, said amended and restated regulations to read in their entirety as set forth in Exhibit "C", attached hereto and incorporated herein by reference, and applicable to the use and development of the real property located within PD-77 described in Exhibit "A" and graphically depicted in Exhibit "B" attached hereto and incorporated herein by reference ("the Property").

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

as applicable to the use and development of the Property, 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 (\$2,000.00) 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 DAY, THE 10TH OF DECEMBER 2019.

ATTEST:

APPROVED:

Amy Piukana, City Secretary

Robert C. Dye, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:7/9/18:100772)

ORDINANCE NO. 3618
EXHIBIT “A” – Property Description

TRACT A (Western Tract)

Starting at a point of beginning located at the intersection of the north right-of-way line of Valley View Lane (a variable width right-of-way) and the west right-of-way line of Luna Road (a variable width right-of-way), and continuing north along said west right-of-way line of Luna Road, said line being the City Limit Line of City of Farmers Branch for a distance of approximately 960 feet to a point.

Then continuing eastward, across Luna Road and along the north right-of-way line of Keenan Bridge Road, said line also being the City Limit Line of the City of Farmers Branch, for an approximate distance of 235 feet to a point, said point being the intersection of the City Limit Line of the City of Farmers Branch.

Thence continuing in a northerly direction along the City Limit Line for an approximate distance of 945 feet to a point, said point being a southern boundary of Planned Development No. 22 zoning district, said line also generally being the southern boundary of Cooks Creek drainage levee system.

Thence continuing in an easterly direction along the southern boundary of Planned Development No. 22 zoning district, said line also being the approximate southern boundary of the Cooks Creek drainage levee system, an approximate distance of 1,965 feet to a point, said point being the northwesternmost corner of an approximate 16.75 acre tract described as El Chico Addition, PT W PT Lot 1 (commonly known as 1925 Valley View Lane).

Thence in a southerly direction along the westernmost property line of the property described as EL Chico, PT W PT Lot 1 (commonly known as 1925 Valley View Lane) for an approximate distance of 335 feet to a point, said point being the northernmost property line of Lot 1, Block A, Landon Valley View Addition, an addition to the City of Farmers Branch.

Thence in an easterly direction along the northern boundary of Lot 1, Block A of the Landon Valley View Addition for an approximate distance of 640 feet to a point, said point being the northwest corner of Lot 1, Block 1 of the Dalho Truck Lease Addition, an addition to the City of Farmers Branch.

Thence in a southwesterly direction from the northwest corner of Lot 1, Block 1 of the Dalho Truck Lease Addition for an approximate distance of 645 feet to a point, said point being the southwest corner of Lot 3, Block A of the Landon Commerce Center Addition, an addition to the City of Farmers Branch, said corner also being the northern right-of-way line of Valley View Lane.

Thence from said corner in a westerly direction along the northern right-of-way line of Valley View Lane for an approximate distance of 1,240 feet to a point, said point being the intersection of Valley View Lane right-of-way and the western right-of-way line of Davis Lane (an approximate 55-foot wide right-of-way).

Thence in a northwesterly direction along the west right-of-way line of Davis Lane for an approximate distance of 390 feet to a point, said point being the intersection with the south right-of-way line of Keenan Bridge Road (a variable width right-of-way).

Thence in a westerly/southwesterly direction along the south right-of-way line of Keenan Bridge Road for an approximate distance of 805 feet to a point, said point being the northeastern corner of Lot 1, Block 1 of the Bonneau Phase 2 Addition, an addition to the City of Farmers Branch.

Thence in a southeasterly direction for an approximate distance of 925 feet along the eastern property line of Lot 1, Block 1 of the Bonneau Phase 2 Addition to a point, said point being the southeast corner of Lot 1, Block 1 of the Bonneau Phase 2 Addition and the northern right-of-way line of Valley View Lane (a variable width right-of-way).

Thence in a westerly direction generally along the northern right-of-way line of Valley View Lane for an approximate distance of 580 feet to a point, said point being the intersection of the north right-of-way line of Valley View Lane and the west right-of-way line of Luna Road, and the point beginning (containing approximately 70.0 acres).

(Refer to Exhibit "B" for a graphic of the subject property.)

Tract B (Eastern Tract)

Starting at a point of beginning located at the southwest corner of Lot 2, Block A of the Valley View Commerce Park Addition, and addition to the City of Farmers Branch, and continuing north along the western property line of said lot for an approximate distance of 305 feet to a point, said point being the northwest corner of Lot 2, Block A of the Valley View Commerce Park Addition.

Thence from said point and continuing in an easterly direction along the northern property line of Lot 2, Block A of the Valley View Commerce Park Addition for an approximate distance of 190 feet to a point, said point being the northeast corner of Lot 2, Block A of the Valley View Commerce Park Addition and the west right-of-way line of Hutton Drive.

Thence continuing in a northerly direction along the western right-of-way line of Hutton Drive for an approximate distance of 545 feet to a point, said point being the southeast corner of Tract 1 of the Auto Classics Addition (less right-of-way).

Thence in a westerly direction for an approximate distance of 460 feet along the southern property line of Tract 1 of the Auto Classics Addition and continuing along the southern property line of a 2.16 acre tract referred to as Tract 26 of the Francis Miller Abstract 926 (commonly known as 1930 Valley View Lane) to a point, said point being the southwest corner of said Tract 26.

Thence continuing in a northerly direction for an approximate distance of 310 feet along the western property line of Tract 26 of the Francis Miller Abstract 926 to a point, said point being the southern right-of-way line of Valley View Lane (a variable width right-of-way).

Thence in a northeasterly direction along said southern right-of-way line of Valley View Lane for an approximate distance of 405 feet to a point, said point also being approximately 95 feet west of the intersection of the southern right-of-way line of Valley View Lane and the western right-of-way line of Hutton Drive.

Thence continuing in a northwesterly direction for an approximate distance of 320 feet across Valley View Lane right-of-way and continuing along the western right-of-way line of Alfred Road (a variable width right-of-way) to a point, said point being the northeasternmost corner of a 1.27 acre tract of land described as PT SE PT Lot 1, of the El Chico Addition (commonly known as 1925 Valley View Lane).

Thence continuing in a westerly direction for an approximate distance of 435 feet, then continuing in a northwesterly direction for an approximate distance of 430 feet, along a shared zoning district boundary line with Planned Development No. 88 to a point, said point being 25 feet west of the northeasternmost corner of a 16.75 acre tract known as PT W PT Lot 1 of the El Chico Addition (commonly known as 1925 Valley View Lane).

Thence continuing in an easterly direction for an approximate distance of 380 feet along said 16.75 acre tract and continuing along the northern property line of a 4.4 acre tract referred to as Lot 1.1 of the El Chico Addition (commonly known 13303 Hutton Drive) owned by the City of Farmers Branch to a point, said point being the western right-of-way line of Hutton Drive and the southern boundary of Planned Development No. 22 zoning district.

Thence continuing along said southern boundary line of Planned Development No. 22 zoning district, said boundary line also being the approximate southern boundary of the Cooks Creek drainage levee system, in a northeasterly direction for an approximate distance of 3,700 feet to a point, said point being the southeastern corner of Lot 3, Block 7 of the Valwood Park 2 Replat Addition, an addition to the City of Farmers Branch, and the western right-of-way line of the Burlington Northern Santa Fe Railroad (a variable width right-of-way).

Thence continuing in a easterly direction for an approximate distance of 95 feet across the Burlington Northern Santa Fe Railroad to a point, said point being the eastern right-of-way line of the Burlington Northern Santa Fe Railroad and approximately 680 feet north of the southwest corner of Lot 1, Block 1 of the Essilor Addition, an addition to the City of Farmers Branch, as measured along the western property line of said lot.

Thence continuing in a southwesterly direction for an approximate distance of 4,290 feet along the eastern right-of-way line of the Burlington Northern Santa Fe Railroad across Valley View Lane and continuing to a point, said point being approximately 20 feet north of the southwest corner of Part of Lot 2, Block 1 of the Valley View Place 6th Installment Addition, an addition to the City of Farmers Branch (commonly known as 12855 Valley Branch Lane).

Thence continuing in due westerly direction for an approximate distance of 335 feet to a point, said point being a shared corner with Planned Development No. 88 zoning district, then continuing along shared Planned Development No. 88 zoning district boundary in a northerly direction an approximate distance of 110 feet to a point, said point being the termination of the western right-

of-way line of Nicholson Road (a variable width right-of-way).

Thence continuing in a northerly direction for an approximate distance of 65 feet along the right-of-way line of Nicholson Road to a point, then continuing in a westerly direction for an approximate distance of 45 feet along the southern right-of-way line of Nicholson Road to the intersection with the westernmost right-of-way line of Nicholson Road, said point also being the southeast corner of Lot 1A, Block B, of the Nicholson Road Joint Venture Addition, and addition to the City of Farmers Branch.

Thence continuing in a westerly direction for an approximate distance of 1,520 feet along the southern property line of Lot 1A, Block B of the Nicholson Road Joint Venture Addition, continuing westerly across Senlac Drive and Hutton Drive, and continuing along the southern boundary of Lot 2 Block A of the Valley View Commerce Park Addition to a point, said point being the point of the beginning and the southwest corner of Lot 2, Block A of the Valley View Commerce Park Addition (containing approximately 143.0 acres).

(Refer to Exhibit "B" for a graphic depiction of the subject property.)

TRACT C

Being a tract of land situated in the Francis Miller Survey, Abstract No. 926, in the City of Farmers Branch, Dallas County, Texas, being that same tract of land conveyed to Graham Mortgage Corporation, Texas corporation by Trustee's Deed recorded in Instrument No. 201100087228, Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a ½ inch iron rod found for corner, said point being in the Northwest line of Valley View Lane (a variable width right-of-way), and being the Southeast corner of a tract of land conveyed to One Bank and Trust, N.A., Tract III, by Substitute Trustee's Deed recorded in Instrument No. 201100031238, Official Public Records, Dallas County, Texas;

Thence N 13° 17' 20" W along the East line of said One Bank and Trust, N.A., Tract III, a distance of 749.40 feet to a ½ inch iron rod found for corner, said point being the Northeast corner of said One Bank and Trust, N.A. Tract III, and being in the South line of Keenan Bridge Road (a variable width right-of-way);

Thence N 83° 41' 32" E along the South line of said Keenan Bridge Road, a distance of 383.42 feet to a PK nail found for corner;

Thence S 70° 36' 21" E along the South line of said Keenan Bridge Road, a distance of 107.00 feet to a ½ inch iron rod with yellow cap stamped "TXHS" set for corner, said point being in the Southwest line of Keenan Bridge Road (a 64-foot right-of-way);

Thence S 44° 13' 08" E along the Southwest line of said Keenan Bridge Road, a distance of 309.62 feet to a ½ inch iron rod found for corner;

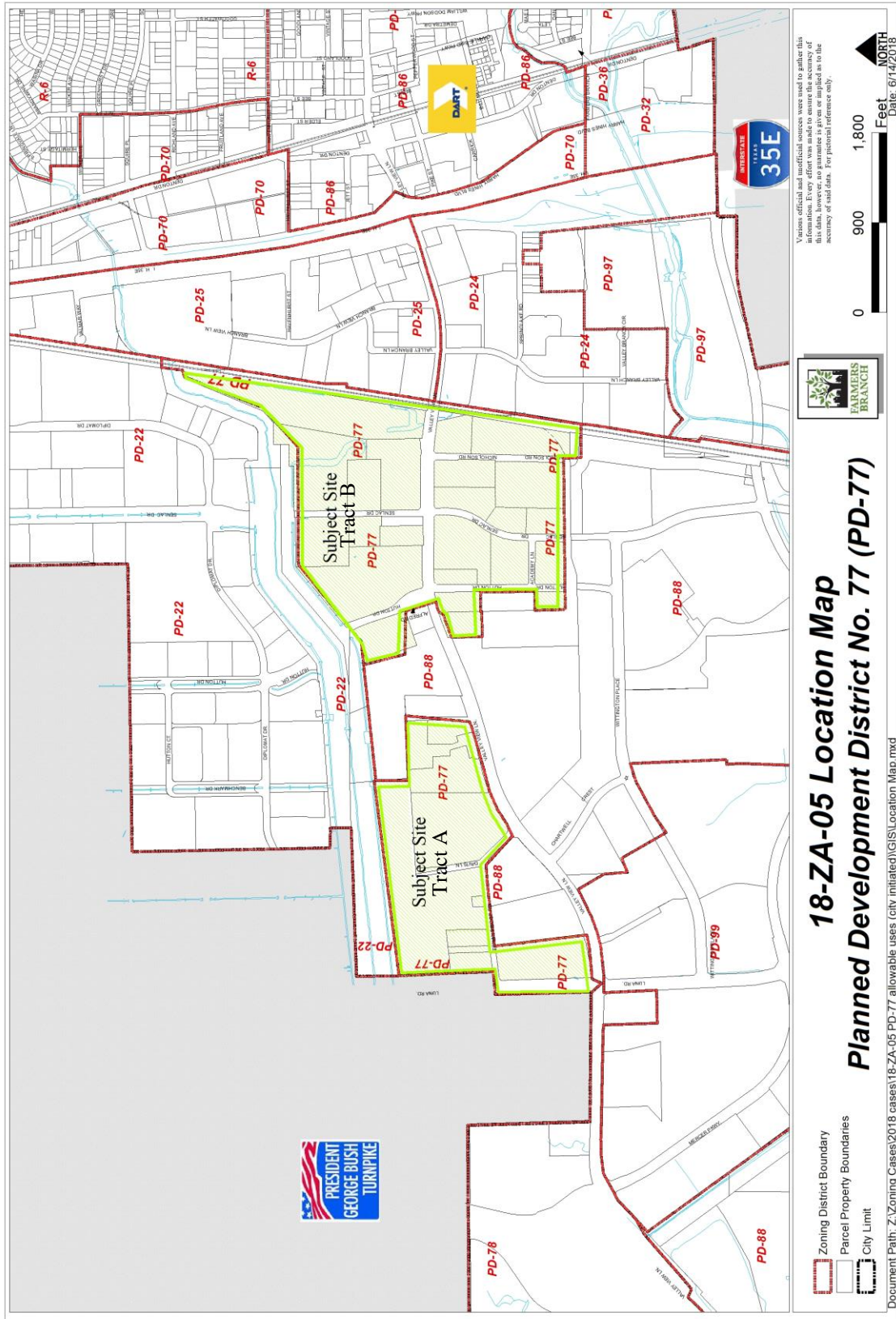
Thence S 05° 18' 17" W, a distance of 68.00 feet to a ½ inch iron rod found for corner, said point being in a curve to the left having a radius of 1,960.08 feet, a central angle of 07° 05' 43" and a chord bearing S 47° 56' 05" W, a distance of 242.57 feet, and being in the Northwest line of Valley View Lane (a variable width right-of-way);

Thence in a Southwesterly direction along the Northwest line of said Valley View Lane and curve to the left, an arc distance of 242.73 feet to a ½ inch iron rod for a corner;

Thence S 44° 23' 14" W continuing along the Northwest line of said Valley View Lane, a distance of 38.10 feet to a ½ inch iron rod found for corner, said point being in a curve to the right, having a radius for 1,860.08 feet, a central angle of 12° 29' 01" and a chord bearing S 50° 37' 44" W, a distance of 404.47 feet;

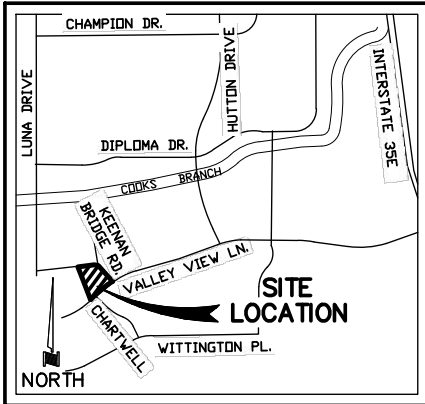
Thence in a Southwesterly direction along said Valley View Lane and curve to the right, an arc distance of 404.48 feet to the Point of Beginning and containing 320,473 square feet or 7.357 acres of land.

ORDINANCE NO. 3618
EXHIBIT "B" (Tracts A & B)



**ORDINANCE NO. 3618
EXHIBIT "B" (Tract C)**

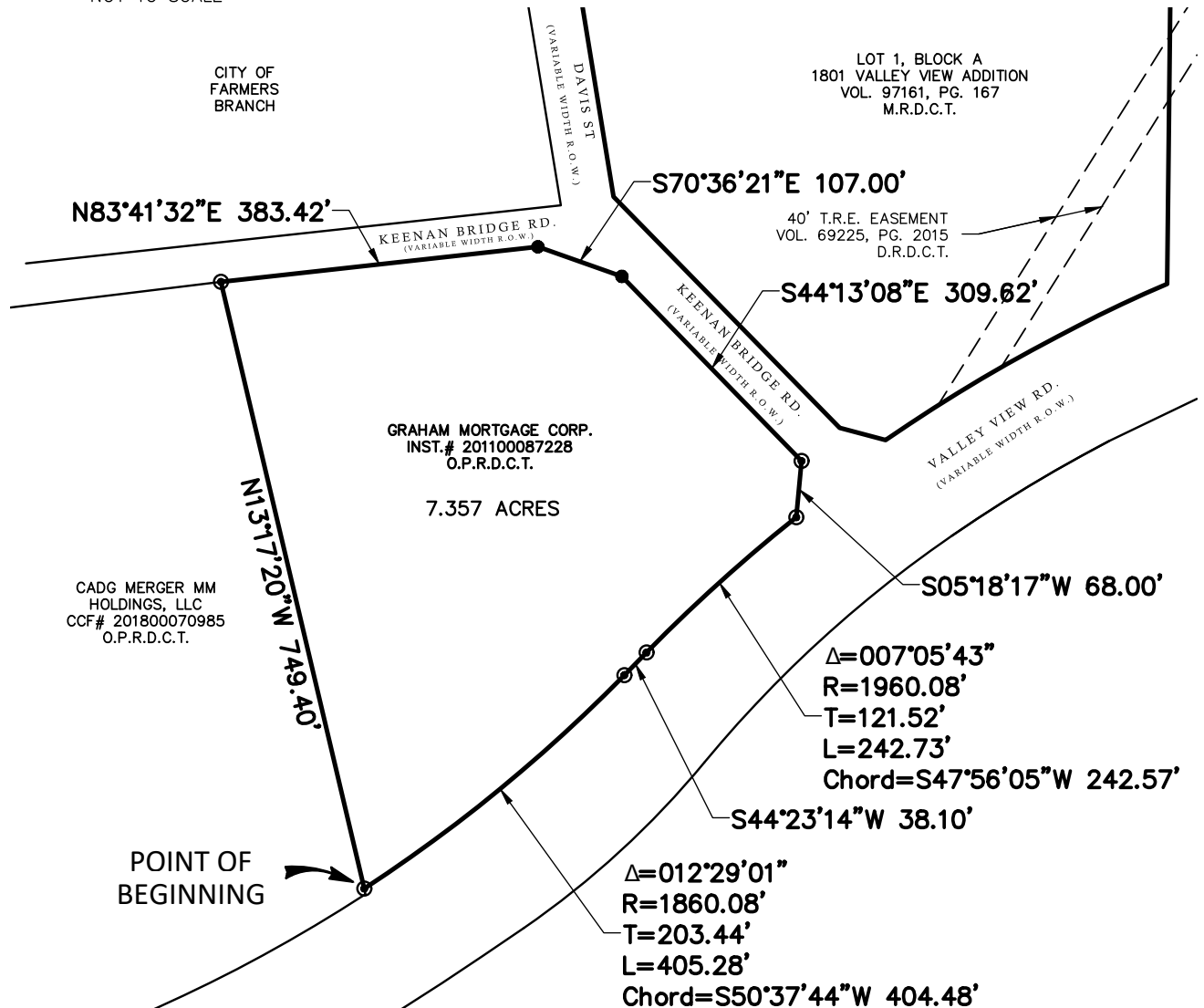
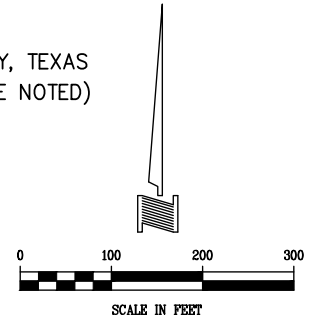
VICINITY MAP



LEGEND

M.R.D.C.T. = MAP RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
● = 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
● = POINT FOR CORNER

NOTE:
BASIS OF BEARINGS DERIVED FROM THE
TEXAS STATE PLANE COORDINATE SYSTEM,
NAD83, TEXAS NORTH CENTRAL ZONE
(4202).



BOUNDARY EXHIBIT

A 7.357 ACRE TRACT

320,473 SQUARE FEET OR 7.357 ACRES
FRANCIS MILLER SURVEY, ABSTRACT NO. 926
CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS



**DOWDEY, ANDERSON
& ASSOCIATES, INC.**

5225 Village Creek Drive, Suite 200 Plano, Texas 75093

Phone 972-931-0694 Fax 972-931-9538

STATE REGISTRATION NUMBER: F-399

SURVEY FIRM REGISTRATION NUMBER: 10077800

ORDINANCE NO. 3618
EXHIBIT “C”
Development Standards for
Planned Development District Number 77 (PD-77)
(Amended and Restated from ORDINANCE NO. 3511)

All property located within Planned Development District Number 77 (PD-77) shall be used and developed only in accordance with the applicable provisions of the City of Farmers Branch Comprehensive Zoning Ordinance, as amended (“CZO”) except to the extent modified by the development regulations set forth in this Exhibit “C” (“the Development Standards”). A detailed site plan must be approved for each development as provided for in the CZO. Special exceptions to the development and use standards set forth in the Development Standards may be requested and approved by the City Council as part of the approved detailed site plan; provided, however, no special exception may be approved that results in permitting property located within PD-77 to be developed and used for a purpose not otherwise permitted by the Development Standards.

I. USES PERMITTED: The property located within PD-77 may be developed and used only for the following purposes, except that, where indicated for specific uses, such development and use shall not commence unless and until the City Council has first approved a Specific Use Permit in accordance with the provisions of the CZO:

A. Educational, Institutional & Special Uses

1. adult daycare - **with a specific use permit**
2. art gallery or museum
3. church, rectory, or other worship facility - **with a specific use permit**
4. college or university
5. community center (public)
6. day camp
7. day nursery or kindergarten school
8. dental assistants training school
9. fraternal organization, lodge or civic club
10. hospital (general acute care)
11. hospital (chronic care)
12. institutions of religious or philanthropic nature
13. library (public)
14. park, playground or public community center
15. school, private primary or secondary
16. school, public or denominational
17. school, business or trade
18. school, denominational (or day nursery)

B. Utility, Accessory and Incidental

1. accessory building
2. community center (private)

3. electrical generating plant
4. electrical substation
5. electrical transmission line
6. fire station or similar public safety building
7. gas transmission line and metering station
8. lift station (sewage)
9. local utility distribution lines
10. municipal water tower
11. off-street parking incidental to the main use
12. public utility shop or storage
13. public building, shop or yard of local, state or federal government
14. radio or television micro-wave tower - **with a specific use permit**
15. servants' quarters or caretakers- **with a specific use permit**
16. sewage treatment plant - **with a specific use permit**
17. swimming pool (private)
18. telephone, business office
19. telephone line and exchange switching or relay station
20. water reservoir, water pumping station or well
21. water treatment plant

C. Recreational and Entertainment Uses

1. amusement, commercial (outdoor) - **with a specific use permit**
2. amusement, commercial (indoor) - **with a specific use permit**
3. country club, (private) with golf course
4. golf course (public)
5. golf course (commercial)
6. park or playground (public)
7. playfield or stadium (public)
8. private club - **with a specific use permit**
9. swim or tennis club
10. theater, indoor - **with a specific use permit**

D. Transportation Related Uses

1. bus station or terminal
2. hauling or storage company
3. railroad freight terminal
4. railroad passenger station
5. railroad track or right-of-way
6. parking lot or structure commercial
7. heliports - with a specific use permit

E. Retail and Service Type Uses

1. antique shop
2. bakery or confectionery shop (retail)
3. banks & savings and loan associations
4. barber shop
5. beauty shop
6. catering vehicle
7. cleaning and pressing small shop and pickup
8. customer personal service shop
9. drapery, needlework or weaving shop
10. florist or garden shop
11. greenhouse plants or nursery stock (retail) - **with a specific use permit**
12. hotel or motel - **with a specific use permit**
13. household appliance repair
14. household appliance sales with minor service
15. laundry or cleaning self service
16. massage studio - **with a specific use permit**
17. mimeograph, stationery or letter shop
18. medical & dental offices and clinics
19. mobile food prep vehicle
20. mortuary or funeral shop
21. offices, professional and administrative
22. optical shops
23. pet shop, small animals and related, no outside runs
24. restaurant, with drive-in service - **with a specific use permit**
25. restaurant, non-drive-in with outside sales window - **with a specific use permit**
26. restaurant, non-drive-in without outside sales window (including restaurant, qualifying subject to regulations within the Comprehensive Zoning Ordinance)
27. retail stores and shops other than listed
28. studio for photographer, musician, artist or health
29. second hand store, used furniture or rummage sale
30. small hand tool and hand carried equipment (indoor)
31. tattoo studio - **with a specific use permit**
32. travel agencies

F. Sign and Identification Uses

1. name plate
2. sign, apartment name
3. sign, construction
4. sign, institutional
5. sign, on-premise
6. sign, real estate

G. Agricultural Type Uses

1. animal clinic or hospital (no outside runs or pens) - **with a specific use permit**
2. animal pound (public)
3. greenhouse or plant nursery (commercial) - **with a specific use permit**

H. Commercial Type Uses

1. bakery (wholesale)
2. building material sales - **with a specific use permit**
3. cabinet and upholstery shop
4. cleaning & dyeing plant (commercial)
5. cleaning plant, bags or carpets (special equipment)
6. clothing manufacture or light compounding or fabrication
7. engine & motor repairing
8. feed store
9. food processing
10. job printing or newspaper printing
11. lab, medical or dental
12. laundry plant (commercial)
13. milk depot, dairy or ice cream plant
14. paint shop
15. petroleum products storage-wholesale
16. plumbing shop
17. scientific or research laboratories
18. storage or sales warehouse
19. trade or commercial school
20. transfer, storage & baggage terminal
21. wholesale office and sample room

I. Special Industrial Processes

1. welding or machine shop

J. General Manufacturing and Industrial Uses

1. inside paper sorting & bailing for recycling - **with a specific use permit**
2. light manufacturing or industrial uses

K. Motor Vehicle and Related Service Uses

1. auto or motorcycle sales and repair (in building)
2. auto/truck leasing or rental with storage - **with a specific use permit**
3. brake and alignment - **with a specific use permit**

4. car wash primary use - **with a specific use permit**
5. commercial parking lot for cars
6. enclosed auto storage - **with a specific use permit**
7. gasoline service station - **with a specific use permit**
8. manufacture or assembly of auto/trucks new - **with a specific use permit**
9. new accessories and/or parts sales (retail only)
10. general repairs (garage and auto repair) - **with a specific use permit**
11. muffler, shock absorbers - **with a specific use permit**
12. new accessories and/or parts sales (wholesale), no installation
13. new-used auto parts retail or wholesale (inside storage only)
14. paint & body repair shop - **with a specific use permit**
15. re-building of auto parts (engine, transmission, etc.) - **with a specific use permit**
16. tires, batteries and accessories - **with a specific use permit**
17. tune-up ignition carburetion - **with a specific use permit**
18. upholstery, tops, fabric, carpet, seat covers - **with a specific use permit**

II. STREETS: All streets shall be constructed in compliance 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-77 district:

A. Major Street (Divided):

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

B. Major Street (Undivided):

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

C. Secondary Street (Divided):

1. Minimum right-of-way width: 84 feet
2. Minimum roadway paving width_ 25 feet
3. Minimum number of roadways: 2
4. Minimum median width: 14 feet

D. Secondary Street (Undivided):

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

E. Minor Street (Undivided):

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

III. BUILDING SETBACKS: All structures constructed on property located within PD-77 shall comply with the following minimum building line setbacks:

A. Front Structures shall be setback a minimum distance from the right-of-way line along the frontage of streets as described below with respect to each category of street, and such front setbacks shall be required on all sides of any structure facing on the street. Front setbacks shall apply to all parts and variations in heights of structures.

1. **Major Street:** Structures shall be setback a minimum of 50 feet from the street right-of-way line.
2. **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.
3. **Minor Street:** Structures shall be setback from the street right-of-way line a minimum distance equal to the height of the structure.

B. 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 remaining permanently unobstructed for fire access purposes.

C. Rear: No minimum setback shall be required from rear property lines except for rail 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 building 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 the need for on-street parking. As a minimum, the following shall be required, whichever is greater:

A. **Parking in relation to personnel:**

- a. 1 space for each 1 ½ production or warehousing employee
- b. 1 space for each managerial personnel
- c. 1 visitor space for each 10 managerial personnel

B. **Parking in relation to building area (total floor area):**

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

C. **Site Positioning:** Off-street parking shall be setback from the right-of-way line of all streets adjacent to the property as described below with respect to each category of street:

- 1. **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.
- 2. **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.
- 3. **Minor Street:** The minimum paving setback shall be 15 feet from the street right-of-way line.

D. **Tract C.** If Tract C is developed as an off-street surface parking lot, then Tract C shall be developed substantially in accordance with the Tract C Conceptual Site Plan and the Tract C Landscape Plan attached hereto as Attachments 1 and 2, respectively, and incorporated herein by reference.

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 below with respect to each category of street:

1. **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.
2. **Secondary Street:** Loading doors may face the street if the building is setback not less than 80 feet from the street right-of-way and screening of the loading doors from the street is constructed. Loading doors may be located on the sides of buildings that are located closer than 65 feet from the building setback line if screening of the loading doors from the street is constructed.
3. **Minor Street:** Loading doors may face the street if the building is setback not less than 80 feet from the street right-of-way line and that the loading doors are constructed to screen the doors from the street. Loading doors may be located on the sides of buildings.

VII. SCREENING: Screening shall be constructed and/or installed as follows:

- A. All roof-mounted equipment shall be screened on all sides.
- B. Any allowed outside storage shall be screened from all sides on a street.
- C. All loading areas requiring screening shall be screened on all sides fronting on a street.
- D. Screening shall, at a minimum, consist of a solid opaque man-made fence or wall, not less than six (6) feet nor greater than eight (8) feet in height, and shall be architecturally consistent with the adjoining structure.
- E. Gates, if provided at drives, need not be solid or opaque.
- G. The type and location of screening shall be shown on the detailed site plan and shall be located no closer than 15 feet to a street right-of-way line.
- H. Loading areas which are allowed to face the street may provide as alternative screening a landscaped area adjacent to the street of not less than 25 feet wide with an earthen berm averaging five (5) feet in height.

VII. OUTSIDE STORAGE: Outside storage shall be allowed only subject to approval of a Specific Use Permit (SUP) regardless of the primary use, either as an accessory use or a primary use. No outside storage shall be allowed on any side of a building fronting a street, except that display areas in front of a building and outside storage in the area of a lot siding on a street may be permitted as a part of the site plan. All allowed outside storage, except such display areas as may be approved, shall be screened on all sides fronting on a street. No allowed outside storage may extend above the height of the screening wall or fence.

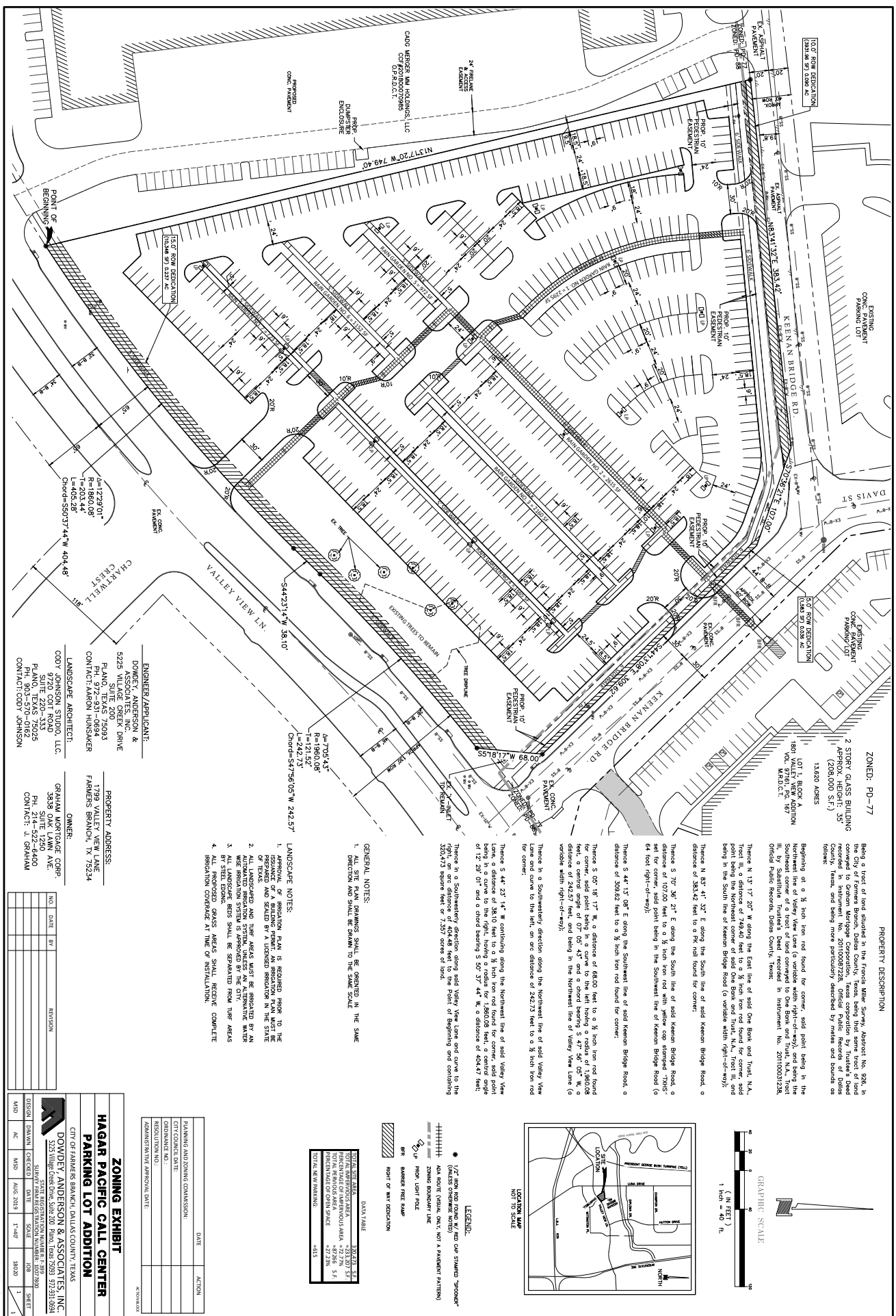
VIII. SITE LANDSCAPING: A landscape plan shall be required for each site. Parking areas visible from the street shall be broken up with vertical landscaping and shown on the

landscaping plan. Not less than five (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 landscaping shall be required to be installed along the following street categories:

- A. **Major Street:** Paving areas (except drives) located closer than 50 feet to the street right-of-way line shall be screened from the street with a landscaped earthen berm averaging three (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.
- B. **Secondary Street:** Paving areas (except drives) located forward of the building setback line shall be screened from the street with a landscaped earthen berm averaging three (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.
- C. **Minor Street:** A landscaping area with a width of not less than the required building setback shall be installed; provided, however the required width shall not exceed 15 feet. Such landscaped area 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.

- IX. **SIGNS:** No billboards or advertising signs other than those identifying the user, nature of the business, and products located on the property on which the sign is located 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 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”.

Tract C Conceptual Site Plan



Tract C Landscape Plan

