



## **ORDINANCE NO. 3206**

**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 VIII "USE REGULATION DISTRICTS," BY RENAMING AND AMENDING SECTION 8-106 "AUTOMOBILE AND RELATED SERVICE USES" TO CONSOLIDATE AND ADD ADDITIONAL USES RELATED TO THE REPAIR, MAINTENANCE, PARKING, STORAGE, SALE, AND/OR LEASE OF VEHICLES," BY AMENDING SECTION 8-105 "TRANSPORTATION USES" TO ELIMINATE USES MOVED TO SECTION 8-106; BY DELETING SECTION 8-114a "TIRES, BATTERIES, AND ACCESSORIES" AND SECTION 8-114b "AUTO REPAIRS, SERVICE & INSTALLATION"; BY AMENDING SECTION 8-113 "GENERAL MANUFACTURING AND INDUSTRIAL USES" TO ADD USES FORMERLY IN SECTIONS 8-114a AND 8-114b NOT MOVED TO SECTION 8-106; BY AMENDING SECTION 8-700 "DEFINITIONS AND EXPLANATIONS NOTED IN USE REGULATIONS" BY ADDING NEW DEFINITIONS FOR THE WORDS AND PHRASES "COMMERCIAL PARKING LOT," "EASTSIDE BUSINESS DISTRICT," "ENCLOSED VEHICLE STORAGE," "TIRES AND WHEEL ACCESSORIES," "VEHICLE MAINTENANCE," AND "VEHICLE REPAIR"; PROVIDING FOR A REPEALING 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.** The Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, is hereby amended by amending Article VIII "Use Regulation Districts," shall be amended as follows:

- A. Section 8-105 "Transportation Related Uses" shall be amended by deleting the uses "Parking Lot or Structure – Commercial," "Parking Lot, Truck," and "Truck Parking Lots."

- B. Section 8-106 “Automobile and Related Services” shall be renamed “Vehicle and Related Services” and amended in its entirety to read as follows:

## 8-106 VEHICLE AND RELATED SERVICE USES

TYPE 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	O	LR-1	LR-2	C	LI	HI
Car Wash, Primary Use															S	S	S	S
Commercial Parking Lot for Automobiles													S	S	S	X	X	X
Commercial Parking Lot for Trucks																	S	X
Enclosed Vehicle Storage Facility																	S*	X
Gasoline Service Station															S	S	S	S
Tires and Wheel Accessories															S	S	X	
Vehicle Parts and Accessory Sales (Indoor)														X	X	X	X	X
Vehicle Rental																S	S	X
Vehicle Maintenance															X	X	X	X
Vehicle Repair																	S	X
Vehicle Sales and Leasing (New)																S	S	X
Vehicle Sales and Leasing (Used)																S	S*	S

\*Use is allowable with a Specific Use Permit (SUP), except in the Eastside Business District.

- C. Section 8-113 “General Manufacturing and Industrial Uses” shall be amended to read in its entirety as follows:

**8-113 GENERAL MANUFACTURING AND INDUSTRIAL USES**

TYPE USE	R-1	R-2	R-3	R-4	R-5	R-6	D-1	D-2	M F-1	M F-2	M F-3	M F-4	O	LR-1	LR-2	C	LI	HI
Light Manufacturing or Industrial Uses as Defined by Section 8-600 as Meeting Performance Standards for Light Industrial Classification																	X	X
Heavy Manufacturing or Industrial Uses as Defined by Section 8-600 as Meeting Performance Standards for Heavy Industrial Classification																		X
Inside Paper Sorting & Baling for recycling																	S	X
Towing Impound Yard																		X
Tire Retreading																		X

- D. Subsection 1 of Section 8-700 “Definitions and Explanations Noted in Use Regulations” shall be amended by adding definitions for the words and phrases “Car Wash,” “Commercial Parking Lot,” “Eastside Business District,” “Enclosed Vehicle Storage Facility,” “Tires and Wheel Accessories,” “Vehicle,” “Vehicle Parts and Accessory Sales (Indoor),” “Vehicle Repair,” and “Vehicle Maintenance” to read as follows:

*Car Wash* means a business establishment engaged in the washing or cleaning of vehicles, primarily automobile and passenger trucks (less than 8,000 pounds gross vehicle weight).

*Commercial Parking Lot* means an outdoor area devoted exclusively to the parking or storage of vehicles for a fee, but does not include storage of vehicles for sale or lease.

*Eastside Business District* means all properties within the City subject to the development and use regulations of the Light Industrial District (including any planned development with a base zoning of LI “Light Industrial”) located within the following boundaries: Beginning at a point in the east right of way of Midway Road 200 feet north of the intersection of Midway Road and Spring Valley Road; then easterly to the northeast corner of property described as Lot 1, Block A, J. L. Williams Industrial Park No. 1, (also known as 4601 Spring Valley Road); then southerly along the east property line of said 4601 Spring Valley Road to the north right of way line of Spring Valley Road; then westerly along the north right of way line of Spring Valley Road to its intersection with Welch Road; then southerly along the east right of way line of Welch Road to its intersection with the south right of way line of Olin Road; then easterly along the southern right of way line of Olin Road and continuing along the same line to the east line of the railroad right of way (being also the west property line of a parcel within Lot B, Block 3, Metropolitan Industrial Park, Section No. 1 also known as 14107 Inwood Road); then southerly along the eastern line of the railroad right of way to its intersection with Alpha Road, then continuing across Alpha Road and following the split in the railroad right of way that curves to the southwest, then westerly along the southern line of the railroad right of way to the northeast corner of a 2.9 acre parcel being part of Lot B, Block 2, Metropolitan Industrial Park, Section No. 1 (also known as 13524 Welch Road), then southerly along the east property line of said 13524 Welch Road and crossing Simonton Road to a point in its south right of way line; then west along the south right of way line to the northeast corner of the property described as a 2.315 acre tract out of Lot C, Block 1, Metropolitan Industrial Park, Section No. 1 (also known as 4600 Simonton Road); then southerly along the east property line of said 4600 Simonton Road to the southeast corner of said property; then westerly along the south property line of said 4600 Simonton Road, continuing westerly across Welch Road, and along the south property lines of properties described as (i) a 7.631 acre tract out of Metropolitan Industrial Park Section No. 2 (also known as 4552 Simonton Road), (ii) a 3.5352 acre tract out of Revised Metropolitan Industrial Park, Section 2 (also known as 4430 Simonton Road), (iii) an 8.1841 acre tract out of Revised Metropolitan Industrial Park, Section No. 2 (also known as 4248 Simonton Road), and (iv) a 3.3082 acre tract (per Dallas Central

Appraisal District records) out of Revised Metropolitan Industrial Park, Section No. 2 (also known as 13400 Midway Road) to the east right of way line of Midway Road; then northerly along the east right of way line of Midway Road to the point of beginning. For purposes of this definition, all subdivisions referenced herein are additions to the City of Farmers Branch, Dallas County, Texas.

*Enclosed Vehicle Storage Facility* means a building or structure devoted exclusively to the parking or storage of vehicles for a fee, but does not include storage of vehicles for sale or lease.

*Tires and Wheel Accessories* means a retail establishment engaged in the sale and/or installation of tires and wheels for vehicles. Outdoor display is not permitted.

*Vehicle* means every device in, upon or by which any person or property is or may be transported or drawn or moved upon a street, highway, waterway or airway, and shall include any automobile, bus, truck, tractor, motor house, farm machinery, motorcycles, scooters, mopeds, all-terrain vehicles, boats, aircraft, recreational vehicles, golf carts, go-carts, trailers, fifth-wheel trailer, camper, camper shells, wheeled towing frames, semi-tractor trailers, truck beds mounted on chassis and mobile homes. This definition does not include non-motorized bicycles, small engine lawn mowers and devices of similar scale.

*Vehicle Parts and Accessory Sales (Indoor)* means a retail establishment devoted to sale of vehicle parts or accessories. No installation or service activities allowed within this business.

*Vehicle Maintenance* means routine preventative maintenance services to vehicles, limited to such activities as the following; replacement of batteries; diagnostic services; lube services; filter changing; replacement of brakes; performing state inspections and making minor repairs to pass said inspection; glass repair; upholstery; paintless dent repairs; and minor installation of accessories such as car alarms, radios, window tinting, pin striping and similar accessories. All services shall be performed inside and outdoor storage is not allowed.

*Vehicle Repair* means a general repair or reconditioning of a vehicle and its parts including; drivetrain, HVAC systems and electrical systems; alignment of brakes; paint and body shop; part repair or engine rebuild; undercoating; muffler and exhaust; custom shop. All services shall be performed inside with limited outdoor storage.

**SECTION 2.** All provisions of the ordinances of the City of Farmers Branch in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Farmers Branch not in conflict with the provisions of this ordinance shall remain in full force and effect.

**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 16TH DAY OF OCTOBER 2012.**

ATTEST:

APPROVED:

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Angela Kelly, City Secretary

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William P. Glancy, Mayor

APPROVED AS TO FORM:

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Peter G. Smith, City Attorney  
(kbl:9/20/12:57308)