

ORDINANCE NO. 547

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE NO. 66 OF THE CITY OF ADDISON, TEXAS, PASSED BY THE CITY COUNCIL ON MAY 11, 1965, TO AMEND ARTICLE IV, RESIDENTIAL DISTRICT, SECTION 1 TO PROVIDE FOR THE USAGE OF TEMPORARY METAL BUILDINGS; TO AMEND ARTICLE VII, APARTMENT DISTRICT, TO ADD SECTION 4 TO PROVIDE FOR THE REGULATION OF PATIOS AND BALCONIES; TO AMEND ARTICLE VIII, LOCAL RETAIL DISTRICT, ARTICLE IX, COMMERCIAL, AND ARTICLE X, INDUSTRIAL, TO AMEND SECTION (3) TO REQUIRE A REAR YARD HAVING A MINIMUM DEPTH OF NOT LESS THAN TEN FEET, TO ADD SECTION 7 TO PROVIDE FOR EMERGENCY ACCESS EASEMENT, TO ADD SECTION 8 TO PROVIDE FOR OUTSIDE STORAGE DISPLAY, AND TO ADD SECTION 9 TO PROVIDE FOR MECHANICAL EQUIPMENT; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the Planning and Zoning Commission of the City of Addison, and the City Council of the City of Addison, in compliance with the laws of the State of Texas with reference to the granting of zoning changes under the zoning ordinance and zoning map, have given requisite notices 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 area, the City of Addison, Texas, is of the opinion that the Comprehensive Zoning Ordinance should be amended, now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON,  
TEXAS:

SECTION 1. That Article IV, R-1 Single-Family Dwelling District Regulations, Section 1 of the Comprehensive Zoning Ordinance is amended to add the following:

8. Temporary metal building less than 600 square feet which are used for tool and supply storage.

SECTION 2. That Article VII, Apartment District Regulations, Section 4 of the Comprehensive Zoning Ordinance is amended to add the following:

H. Patios and Balconies

When an apartment building is erected so as to create balconies or patios facing a public street such balconies or patios shall be recessed and the exterior shall not extend beyond the building line. When such balcony or patio fronts a public street, a solid sight barring fence or wall is required to screen such balcony or patio from view.

SECTION 3. That Article VIII, Local Retail District Classification, Article IX, Commercial District Classification and Article X, Industrial District Classification, Section 3. 3. of the Comprehensive Zoning Ordinance is amended to read as follows:

3. Rear Yard

There shall be a rear yard having a minimum depth of not less than ten (10) feet.

SECTION 4. That Article VIII, Local Retail District Regulations, of the Comprehensive Zoning Ordinance be amended to add the following sections:

## Section 7. Emergency Access Easement

Where a building is located more than one hundred (100) feet from a dedicated public street, there shall be provided an emergency access easement situated not further than thirty (30) feet from such building. Each emergency access easement shall allow for the rapid and safe movement of vehicles used for purposes of providing emergency health or public safety services. Each such easement shall have a clear unobstructed width of twenty-four (24) feet, shall connect at each end to a dedicated public street, or shall have a turn-around of eighty (80) feet in diameter; corners of emergency access easements and their intersections with public streets shall have a sufficient turning area to permit the free movement of emergency vehicles. Emergency access easements shall be marked by permanent signs, as required for designation of visitor parking spaces, and such signs shall have dimensions of not less than two (2) square feet nor greater than four (4) square feet in face area. Emergency access easements shall be clearly posted to prohibit parking or standing of vehicles except for emergency purposes.

## Section 8. Outside Storage Display

It shall be unlawful for any person, firm or corporation to operate an outdoor retail sale and/or outdoor commercial promotion in the City of Addison, Texas except where such sale or promotion is in connection with and adjacent to an existing permanent business operating in the City or for the sale of Christmas trees between November 15 and December 26. Any person, firm or corporation desirous of operating an outdoor retail sale and/or commercial promotion as provided herein shall first obtain a permit from the Building Inspection Department. The applicant for such permit shall file a letter containing the following information:

- a. Location of said outdoor retail sale promotion.
- b. The date and hours of operation of the outdoor sale or promotion.
- c. Location and size of any proposed temporary advertising and/or signs for said outdoor retail sale or promotion.
- d. Proximity of residential areas to the location of the sale.
- e. Number of parking spaces, if any, to be encumbered by the proposed outdoor retail sale or promotion.

- f. Consent of landowner.
  - g. Retail sales tax permit showing the location of said sale or promotion in the City of Addison, Texas.
2. No outdoor retail sale and/or outdoor commercial promotion shall:
- a. Utilize or encumber more than ten percent (10%) of any parking lot.
  - b. Obstruct or interfere with any fire lane, fire hydrant, access easement or any area necessary for proper traffic circulation within a parking lot.
  - c. Be located closer than 60 feet from any dedicated street, right-of-way.
  - d. Be located closer than 300 feet from any residential district.
  - e. Operate without depositing with the Building Inspection Department a bond in a form to be approved by him or cash in the amount of \$200.00 to insure that any litter or debris resulting from such sale or promotion will be removed from the location within ten (10) days from ending date of such sale or promotion.
3. Any outdoor sales and/or outdoor commercial promotion shall be required to obtain all necessary building permits for any structures and/or electrical devices in addition to the permit required by this section.

Section 9. Mechanical Equipment

Mechanical Equipment shall be constructed, located and screened so as not to interfere with the peace, comfort and repose of the occupants of any adjoining building or residence and shall not be visible from any public street.

SECTION 5. That Article IX, Commercial District Regulations, of the Comprehensive Zoning Ordinance be amended to add the following sections:

## Section 7. Emergency Access Easement

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  3. Any outdoor sales and/or outdoor commercial promotion shall be required to obtain all necessary building permits for any structures and/or electrical devices in addition to the permit required by this section.

Section 9. Mechanical Equipment

Mechanical Equipment shall be constructed, located and screened so as not to interfere with the peace, comfort and repose of the occupants of any adjoining building or residence and shall not be visible from any public street.

SECTION 6. That Article XI, I-1 Industrial District Regulations of the Comprehensive Zoning Ordinance be amended to add the following sections:

Section 7. Emergency Access Easement

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SECTION 7. That all ordinances of the City in conflict with the provisions of this Ordinance be, and the same are hereby repealed, and all other ordinances of the city not in conflict with the provisions of this ordinance shall remain in full force and effect

SECTION 8. Any person, firm or corporation violating any provisions of this ordinance shall be deemed guilty of a misdemeanor,



and upon conviction in Municipal Court shall be subject to a fine not to exceed the sum of \$200.00 for each offense, and each and every day said violation continues, shall constitute a separate offense.

SECTION 9. Should any word, phrase, clause, sentence, paragraph or portion of this ordinance be held to be invalid or unconstitutional, the same shall not affect that portion of the ordinance not held to be invalid or unconstitutional, and the remaining portion shall continue in full force and effect the same as if no portion of the ordinance was held to be void or unconstitutional.


SECTION 10. The fact that the present zoning ordinance of the City of Addison does not adequately regulate these provisions which creates an urgency and an emergency in the preservation of public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance, as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF ADDISON,  
TEXAS, this the 11 day of December, 1979

MAYOR



ATTEST:

  
CITY SECRETARY