

ORDINANCE NO. 092-021

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, BY AMENDING ARTICLE IX, "'C' COMMERCIAL DISTRICT" TO RENAME THE DISTRICT "'C-1, COMMERCIAL - 1 DISTRICT; PROVIDING FOR REVISED USES AND DEVELOPMENT STANDARDS; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000; PROVIDING A SAVING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the city council finds that the changes made by this ordinance are in the best interest of the citizens of the Town of Addison, Texas and are necessary to promote the general welfare and safety of the community; and

WHEREAS, the city planning commission and the city council, in accordance with the provisions of the Charter of the Town of Addison, the state law, and the applicable ordinances of the city, have given the required notices and have held the required public hearings regarding these amendments to the Comprehensive Zoning Ordinance of the Town of Addison; Now, Therefore,

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

SECTION 1. That the Comprehensive Zoning Ordinance of the Town of Addison, Texas, is amended by amending Article IX "C" Commercial District, to read as follows:

ARTICLE IX
"C-1" COMMERCIAL - 1 DISTRICT

Section 1. USE REGULATIONS

In the "C-1" Commercial-1 District, the only uses permitted by right are as follows:

USES:

- Antique shop
- Aquarium
- Art gallery
- Baker
- Bank, office, wholesale sales office or sample room
- Barber and beauty shop
- Bird and pet shops
- Book or stationery store
- Camera shop
- Candy, cigars and tobaccos
- Caterer and wedding service
- Cleaning and pressing shops having an area of not more than 6,000 square feet
- Drug store
- Electrical lighting fixtures and supplies for consumer use
- Exterminating company
- Film developing and printing
- Fix-it shops, bicycle repairs, saw filing, lawn mower sharpening,
- Florist
- Furniture repairs and upholstering
- Frozen food lockers
- Gallery, for the display and sale of artworks
- General Services shops for maids, tax preparers, book-keeping
- Grocery store
- Hardware, sporting goods, toys, paints, wallpaper, clothing,
- Hotel and Motel
- Health Club, public or private
- Household and office furniture, furnishings and appliances,
- Jewelry, optical goods, photographic supplies
- Meat market
- Medical and Dental offices
- Mortuary
- Novelty or variety store
- Office building
- Office/service/showroom, the office/showroom component is limited to a facility for the regular transaction of

business and for the display of uncontainerized merchandise in a finished building setting, and the service component of this use is limited to not more than seventy-five percent (75%) of the floor area of the use.

Photographers or artists studio
Public garage, parking no repairs
Piano and musical instruments
Plumbing shop, without warehouse facilities (to include storage for ordinary repairs, but not storage for materials for contracting work)
Retail shop for custom work or the making of articles to be sold for retail on the premises
Seamstress, dressmaker or tailor
Shoe repair shop
Studios, dance, music, drama, health, and reducing
Studio for the display and sale of glass, china, sculpture, art objects, cloth and draperies
Laundromat, equipped with automatic washing machines of the type customarily found in a home and where the customers may personally supervise the washing and handling of their laundry
Video equipment and cassettes, sales and rental
Wearing apparel, including clothing, shoes, hats, millinery, and accessories

Section 2. HEIGHT REGULATIONS

No building or structure shall exceed six (6) standard stories in height unless additional height is set back from the street lines one (1') foot for each two (2') feet of height above each six story limit. Height of structures is further limited by the Federal Aviation Administration F.A.A.

Section 3. AREA REGULATIONS

1. Front Yard

- (A) The minimum required front yard is twenty-five (25) feet, such distance shall be measured from the property line.
- (B) If a lot runs from one street to another and has double frontage, a required front yard must be provided on both streets, such distance shall be measured from the property line.

2. Side Yard

- (A) Except as provided below, there is no minimum required side yard.
- (B) On a corner lot, a minimum required side yard of twenty-five (25) feet must be provided on the side street, such distance shall be measured from the property line.
- (C) If a lot in this district abuts an apartment district, a minimum required side yard of ten (10) feet must be provided. If a corner lot in this district abuts an apartment district, a minimum required side yard of twenty-five (25) feet must be provided on the side street.

3. Rear Yard

- (A) Except as provided below, there is no minimum required rear yard.
- (B) If a rear lot line in this district abuts an apartment district, a minimum required rear yard of ten (10) feet must be provided.

Section 4. PARKING REGULATIONS

Off-street parking must be provided for the appropriate building use classification according to the following ratios:

- (A) General retail: (1/200 s.f.) One space per each two hundred square feet of floor area.
- (B) Furniture Store: (1/1000 s.f.) One space per each one thousand square feet of floor area.
- (C) Medical or Dental Clinics: (1/200 s.f.) One space per each two hundred square feet of floor area.
- (D) Banks or Savings and Loans: (1/300 s.f.) One space per each three hundred square feet of floor area
- (E) Office: (1/300 s.f.) One space per each three hundred square feet of gross floor area. An office building or group of buildings which shall total fifty thousand (50,000) square feet or more: (1/300 s.f.) One space per 300 square feet of net usable area.

- (F) Service: (1/1,000 s.f.) one space per each one thousand square feet of floor area.
- (G) Health Club or Studio for dance, music, drama, health, and reducing: (1/100 s.f.)

Section 5. TYPE OF CONSTRUCTION

At least eighty (80) per cent of the exterior walls of all structures shall be of masonry construction, exclusive of door and window openings. All facades visible from a divided thoroughfare must be of brick or stone construction. Glass tile, glass block and plate glass may count as masonry.

Section 6. OUTSIDE SALES OR COMMERCIAL PROMOTIONS

1. All persons conducting outside sales or commercial promotions must obtain a permit.
2. Outside sales or commercial promotions are permitted for a period of fourteen (14) days each calendar year with a maximum of two (2) permits per business per year.
3. All goods, products or merchandise must be displayed on a sidewalk within ten (10) feet of the business building.
4. Merchandise dispensing units placed adjacent to an outside of a business building shall be construed as outside sales or commercial promotion.

Section 7. LOADING AND UNLOADING FACILITIES

1. All loading facilities shall be screened in accordance with the provisions of Article XVIII- Landscaping Regulations, Section 7b.
2. For lots that abut a 4-lane divided thoroughfare, no loading facilities shall face the thoroughfare, or be located on the side of the building which is adjacent to the thoroughfare.

Section 8. OUTSIDE STORAGE

Except for the equipment or materials stored on a construction site and used for a temporary construction project, the long term outside storage of equipment, buildings or other materials, goods and products is prohibited.

Section 9. MECHANICAL EQUIPMENT

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

Section 10. REFUSE CONTAINERS

All refuse and refuse containers must be screened from all public rights-of-way. Refuse containers must be placed on a designed, reinforced concrete pad and approach. Screening walls must be of an aesthetic material.

Section 11. LANDSCAPING

All landscaping in this district shall be governed by the standards set forth in Article XVIII, Landscaping Regulations.

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) and not less than Five Hundred Dollars (\$500.00) for each offense.

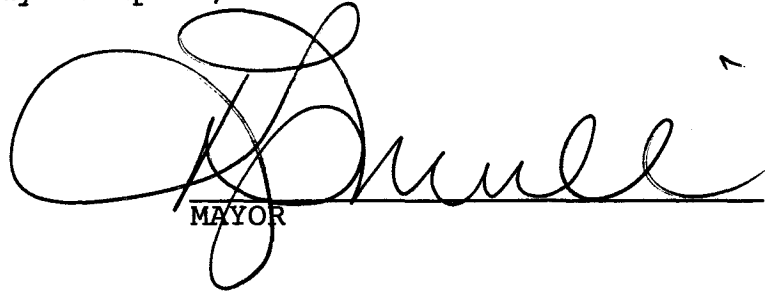
SECTION 3. That the Comprehensive Zoning Ordinance for the Town of Addison, Texas, shall remain in full force and effect, save and except as amended by this ordinance, and ordinances of the city in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That the terms and provisions of this ordinance are severable and should any paragraph, sentence, subdivision, clause, phrase or section 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.

SECTION 5. That this ordinance shall take effect in accordance with the provisions of the Charter of the Town of Addison, Texas, and it is accordingly so ordained.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 14th day of April, 1992.


MAYOR

ATTEST:


CITY SECRETARY

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