

ORDINANCE NO. 092-027

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS (ORDINANCE NO. 66), BY AMENDING ARTICLE XI, INDUSTRIAL - 2 DISTRICT, SO AS TO PROVIDE THAT CERTAIN USES SHALL NOT BE CUMULATIVE IN THE INDUSTRIAL - 2 DISTRICT; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEAL CLAUSE.

WHEREAS, application was made to amend the Comprehensive Zoning Ordinance of the Town of Addison, Texas, by making application for the same with the Planning and Zoning Commission of the Town of Addison, Texas, as required by State Statutes and the zoning ordinance of the Town of Addison, Texas, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of Addison, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the Town of Addison, Texas, does find that there is a public necessity for the zoning change, that the public demands it, that the public interest clearly requires the amendment, and it is in the best interest of the public at large, the citizens of the Town of Addison, Texas, and helps promote the general welfare and safety of this community, 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 hereby amended by amending Article XI, Industrial - 2 District, to read as follows:

ARTICLE XI
"I-2" INDUSTRIAL DISTRICT REGULATIONS

Section 1. USE REGULATIONS

In an "I-2" District, no land shall be used and no building shall be erected for or converted to any use other than legal manufacturing and industrial plant operations including all uses permitted in the commercial districts, with the exception of sexually oriented businesses and pawn shops, which shall be allowed in the "C-2", Commercial - 2 district only, except airports, airplane motor shops or motor test blocks, acetylene gas manufacture or gas storage, slaughter houses, animal fertilizer factories, manufacture or storage of gun powder, fireworks, or other explosives, production or storage of garbage, dead animals or refuse, stockyards, foundry, smelter, batching plant, junk yard, used auto parts or any other use which is obnoxious or offensive by reason of odor, dust, smoke, gas or noise, automobile dealers - used cars, bottling works, lumber yard, transfer and storage. No building shall be erected or converted for dwelling purposes, provided however, that dwelling quarters may be established in connection with any industrial plant for watchmen and caretakers employed on the premises and provided further any existing dwelling within any "I" District.

Section 2. HEIGHT REGULATIONS

No building shall exceed six (6) standard stories in height unless set back from all lot lines one (1) foot for each one (1) foot above such height limit. When a building is located on a lot adjoining a single family, or any apartment district, it shall not exceed three (3) standard stories in height unless it is set back one (1) foot from all required yard lines for each one (1) foot of additional height above such height limit. Height of structures are further limited by the airport section of this ordinance.

Section 3. AREA REGULATIONS

Front Yard

1.

Retail District.

Same as Article VIII, "LR" Local

2.Side Yard

Retail District. Same as Article VIII, "LR" Local

3.Rear Yard

Retail District. Same as Article VIII, "LR" Local

Section 4. PARKING REGULATIONS

(A).

The parking regulations for Industrial District uses are the same as those in the "C" District.

(B).

Manufacturing, industrial and processing establishments, repair shops, warehouses, storage buildings, lumber and supply yards shall provide off-street parking spaces at a ratio of one (1) space for each five (5) employees. The maximum number of employees on duty at any time, day or night, shall be the basis for determining parking requirements for any establishment. Where the number of employees is indeterminate, off-street parking spaces shall be provided in a ratio of one (1) space for each one thousand (1,000) square feet of floor area.

(C)

All business uses shall provide and maintain off-street facilities for the loading of merchandise and goods within the buildings or on the lot and adjacent to a public alley or private service drive to facilitate the movement of traffic on the public streets. Such space shall consist of a minimum area of ten (10) feet by twenty-five (25) feet for each twenty thousand (20,000) square feet of floor space or fraction thereof in excess of three thousand (3,000) square feet in the building or on the lot used for retail, storage or service purposes.

Section 5. TYPE OF CONSTRUCTION

All buildings facing upon a dedicated street shall have the exterior walls adjacent to the street constructed of brick or stone. Side walls extending back twenty (20) feet from the front shall be constructed of the same materials as the front. Buildings located upon a corner lot shall have exterior front wall and side wall adjacent to the street constructed of the same type of brick or stone; also, the other walls extending back twenty (20) feet shall be constructed of the same materials.

The remaining exterior walls may be constructed of brick, stone or masonry, or may be constructed of prefabricated type metal. (The butler type or delta type prefabricated metal building, or other similar type of metal wall building, shall be permitted.)

Exterior walls shall not be constructed of wood or of corrugated metal.

Section 6. EMERGENCY ACCESS EASEMENT

Where a building is located more than one hundred (1000 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 7A. OUTSIDE SALES AND/OR COMMERCIAL PROMOTIONS.

1.
Any outside sales and/or commercial promotion shall be required to obtain a permit.

2.
The above outside sales and/or commercial promotion may be permitted for a period of 14 days each calendar year with a maximum of two permits per business per year, providing such goods, products or merchandise is displayed on a sidewalk within then (10) feet of the business building.

3.
The above outside sales and/or commercial promotion shall be construed to apply to merchandise dispensing units placed adjacent to and outside of a business building.

4.

The above outside sales and/or commercial promotion shall not be construed to prohibit the display of merchandise normally placed on gasoline pumps and/or gasoline pump islands.

Section 7B. OUTSIDE STORAGE.

1.

Except for the equipment and/or the materials stored on a construction site and used for a temporary construction project, the long term outside storage of equipment, building and/or other materials, goods and products shall be permitted provided that the storage area is properly maintained and is screened by a solid fence or wall of at least six (6) feet in height. No stored material shall extend above the height of the screening fence or wall.

Section 8. 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 9. REFUSE CONTAINERS

All refuse and refuse containers shall be screened from all public right-of-way. (Such containers shall be set on a designed reinforced concrete pad and approach.) Screening walls must be of aesthetic material.

Section 10. SITE LANDSCAPING

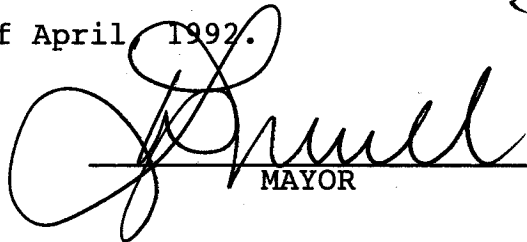
All landscaping within the "I-2" district shall conform to the standards contained in Article XVIII, Landscaping Regulations, of this ordinance.

SECTION 2. That 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 as heretofore amended, and upon conviction shall be punished 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 and that each day such violation shall continue to exist shall constitute a separate offense.


SECTION 3. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, or illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of this ordinance as a whole.

SECTION 4. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, or illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of this ordinance as a whole.

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


MAYOR

ATTEST:


CITY SECRETARY

Published
5/15/92

