SECTION 48

ORDINANCE NO. 5232

IH 30 OVERLAY DISTRICT

A ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO. 4647, AS AMENDED RELATING TO THE ESTABLISHMENT OF AN OVERLAY DISTRICT FOR THE IH 30 CORRIDOR; PROVIDING A PENALTY CLAUSE, A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Ordinance No. 4647, the comprehensive zoning ordinance of the City of Garland, Texas, as amended, is hereby amended by adding a new section, Section 48, which shall read as follows:

SECTION 48

IH 30 OVERLAY DISTRICT

48-100 Overlay District Within the IH 30 overlay district, as designated on the official zoning map of the City and as described in Exhibit A, the following additional or supplemental regulations shall apply. Except as specifically provided in this section, the inclusion of an area within an overlay district governed by the provisions of this section shall not affect the underlying zoning of such areas or any provision of a planned development or other ordinance pertaining to any property within the City. A planned development ordinance may further limit the uses allowed within the planned development district, but it may not add additional uses to those allowed by this section. If the base district of a planned development district located within the overlay district is not specified by the planned development ordinance, the Planning Director shall determine the base zoning for that planned development district based upon the straight zoning district most like the planned development district under consideration.

48-200 Rezoning within the Overlay District A property within the overlay district may be rezoned without affecting the overlay district provided that the overlay district shall continue to govern the allowable land uses for every property in the overlay district. If a use is desired that is not otherwise permitted under this section, then the use may be allowed by including a new zoning district land use chart to this section, or by adding that use to one of the existing zoning district land use charts set forth below.

48-300 Amendments to the Overlay District The overlay district established by this section may be amended to modify the existing land uses within a zoning district, or to include additional zoning districts not otherwise provided on the land use chart set forth below.

- (A) **Amending a Land Use Chart** If a land use chart for a zoning district is being amended, then all properties within the zoning district for which the land use chart is being amended (or a planned development district for which that zoning district is the base district) shall be notified as provided by Section 34.
- (B) **Including Additional Zoning Districts** If the overlay district is to be amended by adding a zoning district for which no land use chart is provided below, then all properties within the overlay district shall be notified as provided by Section 34.

48-400 Allowed Uses Within the following zoning districts, either a straight zoning district or a Planned Development with one of the following districts as the base zoning, if found within the IH 30 Corridor, only the following uses shall be permitted:

AG (Agriculture) District

Accessory Building Antenna, Commercial Type 1* Antenna, Commercial Type 2* Antenna, Private Athletic Club/Instruction, Indoor Facilities* Athletic Club/Instruction, Outdoor Facilities* Batching Plant, Temporary Church Day Camp Electric Substation* Family Home, Registered* Farm, Ranch, Orchard Firewood Bulk Sales* Greenhouse, Commercial* Guest House* Kindergarten, Preschool, or Child Care Center* Riding Academy/Stables* School, Private* Single Family Detached Water Reservoir or Well, Public Water Treatment Plant*

SF/16 (Single Family Dwelling) District

Accessory Building
Antenna, Commercial Type 1*
Antenna, Commercial Type 2*
Antenna, Private
Batching Plant, Temporary
Church
Electric Substation*
Family Home, Registered*
Guest House*
Library*
School. Private*

Single Family Detached Water Reservoir or Well, Public*

SF/10 (Single Family Dwelling) District

Accessory Building
Antenna, Commercial Type 1*
Antenna, Commercial Type 2*
Antenna, Private
Batching Plant, Temporary
Church
Electric Substation*
Family Home, Registered*
Kindergarten, Preschool or Child Care Center*
Library*
School, Private*
Single Family Detached
Water Reservoir or Well, Public*

SF/7 (Single Family Dwelling) District

Accessory Building
Antenna, Commercial Type 1*
Antenna, Commercial Type 2*
Antenna, Private
Batching Plant, Temporary
Church
Electric Substation*
Family Home, Registered*
Kindergarten, Preschool or Child Care Center*
Library*
School, Private*
Single Family Detached
Water Reservoir or Well, Public*

D (Duplex Dwelling) District

Accessory Building
Antenna, Commercial Type 1*
Antenna, Commercial Type 2*
Antenna, Private
Batching Plant, Temporary
Church
Duplex
Electric Substation*
Family Home, Registered*
Kindergarten, Preschool or Child Care Center*
Library*
School, Private*
Single Family Attached
Single Family Detached
Water Reservoir or Well, Public*

MF-18 (Multifamily 18) District

Accessory Building

Antenna, Commercial Type 1*

Antenna, Commercial Type 2*

Antenna, Private

Athletic Club/Instruction, Indoor Facilities*

Athletic Club/Instruction, Outdoor Facilities*

Batching Plant, Temporary

Boarding School*

Church

Convent or Monastery*

Duplex

Electric Substation*

Family Home, Registered*

Kindergarten, Preschool or Child Care Center*

Library*

Multifamily

Nursing Home/Convalescent Center*

School, Private*

Single Family Attached

Water Reservoir or Well, Public*

O-1 (Office 1) District

Antenna, Commercial Type 1*

Antenna, Commercial Type 2*

Antenna, Private

Athletic Club/Instruction, Indoor Facilities*

Athletic Club/Instruction, Outdoor Facilities*

Batching Plant, Temporary

Church

Civic Club/Fraternal Lodge*

Commercial School* (indoor only)

Convention Facility*

Drug Store/Pharmacy**

Electric Substation*

Financial Institution

Kindergarten, Preschool or Child Care Center*

Librarv*

Massage Therapy/Physical Therapy

Medical and Surgical Appliances*

Medical Laboratory*

Medical Office/Clinic

Museum or Art Gallery

Office, General

Optical Dispensary**

Printer, Small Scale**

School, Private*

Water Reservoir or Well, Public*

O-2 (Office 2) District

Antenna, Commercial Type 1*

Antenna, Commercial Type 2*

Antenna, Private

Athletic Club/Instruction, Indoor Facilities*

Athletic Club/Instruction, Outdoor Facilities*

Batching Plant, Temporary

Church

Civic Club/Fraternal Lodge*

College or University*

Commercial School* (indoor only)

Convention Facility*

Drug Store/Pharmacy**

Electric Substation*

Financial Institution

Hotel/Motel, Full Service

Hotel/Motel, Limited Service*

Kindergarten, Preschool or Child Care Center*

Library*

Massage Therapy/Physical Therapy

Medical and Surgical Appliances*

Medical Laboratory*

Medical Office/Clinic

Museum or Art Gallery

Office, General

Optical Dispensary**

Parking Garage**

Printer, Small Scale**

Radio, TV, Recording Studio*

Restaurant (10-19-04, Ord. 5856)

Retail Sales/Personal Service*

School, Private*

Water Reservoir or Well, Public*

NS (Neighborhood Service) District

Animal Clinic*

Antenna, Commercial Type 1*

Antenna, Commercial Type 2*

Antenna, Private

Athletic Club/Instruction, Indoor Facilities*

Athletic Club/Instruction, Outdoor Facilities*

Batching Plant, Temporary

Church

Commercial School* (indoor only)

Drug Store/Pharmacy

Dry Cleaner

Electric Substation*

Financial Institution

Grocery/Supermarket

Kindergarten, Preschool or Child Care Center

Laundromat

Library*

Massage Therapy/Physical Therapy*

Medical Laboratory*

Medical Office/Clinic*

Museum or Art Gallery

Office, General

Optical Dispensary*

Pet Sales and Grooming*

Printer, Small Scale

Repair and Service Shop*

Retail Sales/Personal Service

School, Private*

Water Reservoir or Well, Public*

SC (Shopping Center) District

Animal Clinic

Antenna, Commercial Type 1

Antenna, Commercial Type 2*

Antenna, Private

Athletic Club/Instruction, Indoor Facilities

Athletic Club/Instruction, Outdoor Facilities*

Batching Plant, Temporary

Car Wash*

Church

College or University*

Convenience Store* (5-17-05, Ord. 5899)

Convention Facility*

Custodial Quarters*

Drug Store/Pharmacy

Dry Cleaner

Electric Substation*

Equipment Leasing, Indoor

Financial Institution

Furniture and Appliance Sales

Grocery/Supermarket

Home Improvement Center

Kindergarten, Preschool or Child Care Center

Landscape Nursery

Laundromat

Librarv*

Massage Therapy/Physical Therapy

Medical and Surgical Appliances

Medical Laboratory

Medical Office/Clinic

Movie Theater/Theater*

Museum or Art Gallery

Office Equipment Sales, Repair and Maintenance*

Office, General

Optical Dispensary

Pet Sales and Grooming

Printer, Small Scale

Repair and Service Shop

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Restaurant (10-19-04, Ord. 5856)

Restaurant, Drive-Through*(10-19-04, Ord. 5856)

Retail Sales with Gas Pumps* (5-1-01, Ord. 5560)

Retail Sales/Personal Service

School, Private*

Shooting Range, Indoor*

Tire Dealer, No Outside Storage*

Water Reservoir or Well, Public*

GB (General Business) District

Ambulance Service

Animal Clinic

Antenna, Commercial Type 1

Antenna, Commercial Type 2*

Antenna, Private

Athletic Club/Instruction, Indoor Facilities

Athletic Club/Instruction, Outdoor Facilities

Automobile Repair, Minor* (not allowed within 500 feet of a residential district)

Batching Plant, Temporary

Car Wash (attended only)

Church

Civic Clubs/Fraternal Lodges*

College or University

Commercial Amusements, Indoor

Commercial Amusements, Outdoor*

Commercial Schools (indoor only)

Convenience Store* (5-17-05, Ord. 5899)

Convention Facilities*

Custodial Quarters* (only if in a separate structure)

Drug Store/Pharmacy

Dry Cleaner

Electric Substation*

Financial Institution

Furniture and Appliance Sales

Grocery/Supermarket

Home Improvement Center

Kindergarten, Preschool or Child Care Center

Landscape Nurserv

Laundromat

Library*

Massage Therapy/Physical Therapy

Medical and Surgical Appliances

Medical Laboratory

Medical Office/Clinic

Movie Theater/Theater*

Museum or Art Gallery

Office Equipment Sales, Repair and Maintenance*

Office, General

Optical Dispensary

Pet Sales and Grooming

Printer, Small Scale

Comprehensive Zoning Ordinance Ordinance No. 4647

Radio, TV, Recording Studio*

Repair and Service Shop

Restaurant (10-19-04, Ord. 5856)

Restaurant, Drive-Through* (10-19-04, Ord. 5856)

Retail Sales with Gas Pumps* (5-1-01, Ord. 5560)

Retail Sales/Personal Service

School, Private*

Tire Dealer, No Outside Storage*

Transit Station*

FW (Freeway) District

Analytical Laboratory

Antenna, Commercial Type 1

Antenna, Commercial Type 2*

Antenna, Private

Athletic Club/Instruction, Indoor Facilities (SUP if less than 15,000 square feet)

Athletic Club/Instruction, Outdoor Facilities (SUP if adjacent to residential district)

Automobile and Motorcycle Sales, Leasing and Repair (New)* (5 acre minimum; not allowed within 500 feet of residential district)

Automobile Repair, Minor* (not within 500 feet of residential district)

Bait Sales, Live* (indoor only)**

Batching Plant, Temporary

Church

Civic Club/Fraternal Lodge*

College or University*

Commercial Amusements, Indoor*

Commercial Amusements, Outdoor*

Commercial Schools* (indoor only)

Convenience Store* (5-17-05, Ord. 5899)

Convention Facility*

Custodial Quarters*

Drug Store/Pharmacy***

Dry Cleaner (SUP if more than 10% of platted lot)

Electric Substation*

Financial Institution

Furniture and Appliance Sales (SUP required if less than 50,000 square feet of building)

Grocery/Supermarket (SUP required if less than 50,000 square feet of building)

Helipad*

Home Improvement Center (SUP required if less than 50,000 square feet of building)

Hospital

Hotel/Motel, Full Service

Hotel/Motel, Limited Service*

Kindergarten, Preschool or Child Care Center* (ancillary to another primary use only)

Librarv*

Light Industrial (SUP required if less than 5 acres)

Massage Therapy/Physical Therapy

Medical Laboratory*

Medical Office/Clinic

Medical and Surgical Appliances (ancillary only)

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Movie Theater/Theater*(not within 500 feet of residential district)

Museum or Art Gallery

Nursing Home/Convalescent Center*

Office Equipment Sales, Repair and Maintenance****

Office, General

Optical Dispensary***

Pet Sales and Grooming***

Printer, Small Scale****

Radio, TV, Recording Studios****

Repair and Service Shop*

Restaurant (10-19-04, Ord. 5856)

Restaurant, Drive-Through* (10-19-04, Ord. 5856)

Retail Sales with Gas Pumps* (5-1-01, Ord. 5560)

Retail Sales/Personal Service***

School, Private*

Self-Storage Units*

Transit Station*

* Allowed by Specific Use Permit only.

** Allowed as secondary use only.

*** Requires a Specific Use Permit if the use consists of more than 20% of a platted lot.

**** Requires a Specific Use Permit if the use consists of more than 25% of a platted lot.

LEGAL DESCRIPTION

IH 30 Corridor

Beginning at the city limit line and Locust Grove Road and continuing west along Locust Grove Road to Zion Road. Proceed south on Zion Road to Bobtown Road then east along Bobtown Road to the northwest corner of the Lake Crest Park subdivision. Following said boundary south then west to Lyons Road. Continue south on Lyons Road approximately 210 feet. From this point follow property line in Abstract No. 1036 west approximately 1140 feet then north to the south boundary of the Robert Finch Addition subdivision. Continue west along the south boundary of the Robert finch Addition and connecting property boundary approximately 1005 feet. Proceed north approximately 150 feet to the southeast corner of The Oaks Condominiums subdivision. Follow the south boundary of the Oaks Condominium subdivision west to the northeast corner of The Oaks No. 3 subdivision. Continue west along the boundary of the Oaks No. 3 subdivision to the southeast corner of The Brook subdivision. Proceed west, south and west along The Brook subdivision boundary to The Oaks No. 1 subdivision. Continue west from this point then south across Guthrie Road to the city limit line. Continue west then south then west along the city limit line turning north then east along the north IH 30 service road approximately 3165 feet. Continue north from this point approximately 1270 feet west approximately 400 feet to the southwest corner of the Trisource No. 1 Replat subdivision. Continue along the west boundary of said subdivision to Duck Creek Drive. Continue east along Duck Creek Drive and Rowlett Road to Bobtown Road. Continue east on Bobtown Road to a point approximately 535 feet west of Waterhouse Boulevard. Follow property boundary northeast approximately 1200 feet then east to Waterhouse Boulevard then northeast along Waterhouse Boulevard to Hayman Drive. From said point continue northeast approximately 1325 feet to Roan Road. Go south along Roan Road to the southwest corner of the Windsor Park No. 2 subdivision then east along said subdivision south boundary then north along east boundary of said subdivision to Waterhouse Boulevard. From Waterhouse Boulevard continue north approximately 340 feet then east to Zion Road. Continue north on Zion Road approximately 670 feet then east to the southwest corner of Planned Development 82-33 and continuing east along south boundary of said Planned Development to the southeast corner of Planned Development 82-33. From southeast corner of said Planned Development continue northeast to the northwest corner of The Terrace subdivision following the north boundary of said subdivision east to the west boundary of the Lakebluff Estates No. 2 subdivision then north along said west boundary to the southwest corner of the Lakebluff Estates subdivision. Continue northeast along the south boundary of said subdivision to the east boundary of said subdivision then northwest along boundary. Follow boundary west and north to Zion Road. Continue northeast along Zion Road to city limit line then city limit line east, south, west, and south to the point of beginning.

