SECTION 47

ORDINANCE NO. 5229

IH 635 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 635 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 47, which shall read as follows:

SECTION 47

IH 635 OVERLAY DISTRICT

47-100 Overlay District Within the IH 635 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.

47-200 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.

47-300 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.

47-400 Allowed Uses Within the following zoning districts (and planned development districts for which one of the following zoning districts is the base district) 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
Care of Alcoholic, Drug Dependent or Psychiatric Patients, In Home*
Church
Day Camp*
Farm, Ranch, Orchard
Greenhouse, Commercial*
Guest House*
Kindergarten, Preschool, or Child Care Center*
Riding Academy/Stables*
School, Public and 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*
Guest House*
Library*
Neighborhood Assistance Center*
School, Public and 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*
Kindergarten, Preschool or Child Care Center*
Library*
Neighborhood Assistance Center*
School, Public and 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*
Kindergarten, Preschool or Child Care Center*
Library*
Neighborhood Assistance Center*
School, Public and 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*
Kindergarten, Preschool or Child Care Center*
Library*
Neighborhood Assistance Center*
School, Public and 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*
Care of Alcoholic, Drug Dependent or Psychiatric Patients, In Home*
Care of Alcoholic, Drug Dependent or Psychiatric Patients, Residential*
Charitable Boarding, Temporary*
Church
Convent or Monastery*
Duplex
Electric Substation*
Kindergarten, Preschool or Child Care Center*
Library*
Multifamily
Neighborhood Assistance Center*
Nursing Home/Convalescent Center*
School, Public and 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 Clubs/Fraternal Lodges*
College or University*
Commercial School*
Convention Facility*
Drug Store/Pharmacy**
Electric Substation*
Financial Institution
Kindergarten, Preschool or Child Care Center*
Library
Massage Therapy/Physical Therapy
Medical and Surgical Appliances**
Medical Laboratory*
Medical Office/Clinic
Museum or Art Gallery
Neighborhood Assistance Center
Office, General
Optical Dispensary**
Printer, Small Scale**
School, Public and 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*
Commercial School
College or University
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
Neighborhood Assistance Center
Office, General
Optical Dispensary**
Parking Garage (ancillary only)
Printer, Small Scale**
Radio/TV, Recording Studio*
Restaurant (10-19-04, Ord. 5856)
Retail Sales/Personal Service*
School, Public and 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*
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, Public and 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*
Automobile Repair, Minor*
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*
Laundromat
Library
Massage Therapy/Physical Therapy
Medical and Surgical Appliances
Medical Laboratory
Medical Office/Clinic
Movie Theater/Theater*
Museum or Art Gallery
Neighborhood Assistance Center
Office Equipment Sales, Repair and Maintenance*
Office, General
Optical Dispensary
Pet Sales and Grooming

Printer, Small Scale
Repair and Service Shop
Restaurant (10-19-04, Ord. 5856)
Restaurant-Drive-Through* (10-19-04, Ord. 5856)
Retail Sales with Gas Pumps*
Retail Sales/Personal Service
School, Public and Private
Tire Dealer, No Outside Storage*
Used Goods or Products Collection Point, Temporary*
Water Reservoir or Well, Public*
Wrecker Service (one)

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 within 500 feet of residential district)
Batching Plant, Temporary
Car Wash (attended only)
Church
College or University
Commercial Amusement, Indoor*
Commercial Amusement, Outdoor*
Commercial School*
Convenience Store* (5-17-05, Ord. 5899)
Convention Facility
Custodial Quarters*
Drug Store/Pharmacy
Dry Cleaner
Electric Substation*
Financial Institution
Furniture and Appliance Sales
Grocery/Supermarket
Home Improvement Center
Kindergarten, Preschool or Child Care Center*
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
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
Schools, Public and Private
Tire Dealer, No Outside Storage*
Transit Station
Wrecker Service (one)

C-1 (Commercial) District

Alternative Financial Establishment* (2-03-09, Ord. 6294)
Antenna, Commercial Type 1
Antenna, Commercial Type 2*
Antenna, Private
Athletic Club/Instruction, Indoor Facilities
Athletic Club/Instruction, Outdoor Facilities (SUP if adjacent to residential district)
Automobile and Motorcycle Sales, Leasing and Repair (new)*
Automobile Repair, Minor*
Batching Plant, Temporary
Church
College or University*
Commercial Amusements, Indoor*
Commercial Amusements, Outdoor*
Commercial School*
Convenience Store* (5-17-05, Ord. 5899)
Custodial Quarters*
Custom Made Furniture Manufacturing*
Drug Store/Pharmacy
Electric Substation*
Financial Institution
Furniture and Appliance Sales
Grocery/Supermarket
Helipad*
Home Improvement Center
Hospital
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
Parking Garage or Lot, Commercial (ancillary only)
Pet Sales and Grooming
Printer, Small Scale
Radio, TV, Recording Studio
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
Retail Sales with Outside Display*
Schools, Public and Private (SUP for private school if located within 500 feet of residential district)
Tire Dealer, No Outside Storage
Transit Station
Water Reservoir or Well, Public*
Wrecker Service (One)

C-2 (Commercial 2) District

Antenna, Commercial Type 1
Antenna, Commercial Type 2*
Antenna, Private
Athletic Club/Instruction, Indoor Facilities
Athletic Club/Instruction, Outdoor Facilities (SUP if adjacent to residential district)
Automobile and Motorcycle Sales, Leasing and Repair (new)* (not within 500 feet of residential district)
Automobile Repair, Minor* (not within 500 feet of residential district)
Batching Plant, Temporary
Church
College or University*
Commercial Amusement, Indoor*
Commercial Amusement, Outdoor*
Commercial School*
Convenience Store* (5-17-05, Ord. 5899)
Custodial Quarters*
Custom Made Furniture Manufacturing*
Drug Store/Pharmacy
Electric Substation*
Financial Institution
Furniture and Appliance Sales
Grocery/Supermarket
Helipad*
Home Improvement Center
Hospital
Library
Massage Therapy/Physical Therapy
Medical and Surgical Appliances
Medical Laboratory
Medical Office/Clinic
Movie Theater/Theater* (not within 500 feet of residential district)
Museum or Art Gallery
Office Equipment Sales, Repair and Maintenance
Office, General
Optical Dispensary
Parking Garage or Lot, Commercial (ancillary use only)
Pet Sales and Grooming
Printer, Small Scale
Radio, TV, Recording Studio
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
Retail Sales with Outside Display*
Schools, Public and Private (SUP for a private school if located within 500 feet of residential district)
Tire Dealer, No Outside Storage* (not within 500 feet of residential)
Transit Station
Water Reservoir or Well, Public*
Wrecker Service (one)

FW (Freeway) District

Antenna, Commercial Type 1
Antenna, Commercial Type 2*
Antenna, Private
Athletic Club/Instruction, Indoor Facilities
Athletic Club/Instruction, Outdoor Facilities (SUP if adjacent to residential district)
Automobile and Motorcycle Sales, Leasing and Repair (new)*
Automobile Repair, Minor* (not within 500 feet of residential district)
Batching Plant, Temporary
Church
College or University*
Commercial Amusement, Indoor*
Commercial Amusement, Outdoor*
Commercial School*
Convenience Store* (5-17-05, Ord. 5899)
Convention Facility
Custodial Quarters*
Custom Made Furniture Manufacturing*
Drug Store/Pharmacy
Electric Substation*
Financial Institution
Furniture and Appliance Sales
Grocery/Supermarket
Helipad*
Home Improvement Center
Hospital
Hotel/Motel, Full Service
Hotel/Motel, Limited*
Library
Light Industrial*
Massage Therapy/Physical Therapy
Medical Laboratory
Medical Office/Clinic
Medical and Surgical Appliances
Movie Theater/Theater* (not within 500 feet of residential district)
Museum or Art Gallery
Office Equipment Sales, Repair and Maintenance
Office, General
Optical Dispensary
Parking Garage or Lot, Commercial (ancillary only)
Pet Sales and Grooming
Printer, Small Scale

Radio, TV, Recording Studio
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
Schools, Public and Private (SUP for private school if within 500 feet of residential district)
Tire Dealer, No Outside Storage* (not within 500 feet of residential district)
Transit Station
Water Reservoir or Well, Public*
Wrecker Service (one)

I-1 (Industrial-1) District

Analytical Laboratory
Antenna, Commercial Type 1
Antenna, Commercial Type 2*
Antenna, Private
Batching Plant, Temporary
Bakery, Commercial
Bottling Plant
Church
Commercial Amusement, Indoor*
Commercial and Industrial Equipment Repair and Service
Commercial Laundry/Cleaners
Commercial School
Convenience Store* (5-17-05, Ord. 5899)
Custodial Quarters*
Custom Made Furniture Manufacturing
Electric Substation
Equipment Leasing, Indoor
Helipad*
Home Improvement Center
Hotel/Motel, Full Service
Hotel/Motel, Limited Service*
Kindergarten, Preschool or Child Care Center*
Light Industrial
Medical Laboratory*
Motor Freight Terminal
Office, General
Printer, Large Scale
Radio, TV, Recording Studio
Railroad Freight Terminal
Recycling Center*
Restaurant (10-19-04, Ord. 5856)
Restaurant, Drive-Through* (10-19-04, Ord. 5856)
Retail Sales with Gas Pumps* (5-1-01, Ord. 5560)
School, Public
Self Storage Units*
Transit Station
Uniform Supply Service
Warehousing, General
Water Reservoir or Well, Public*

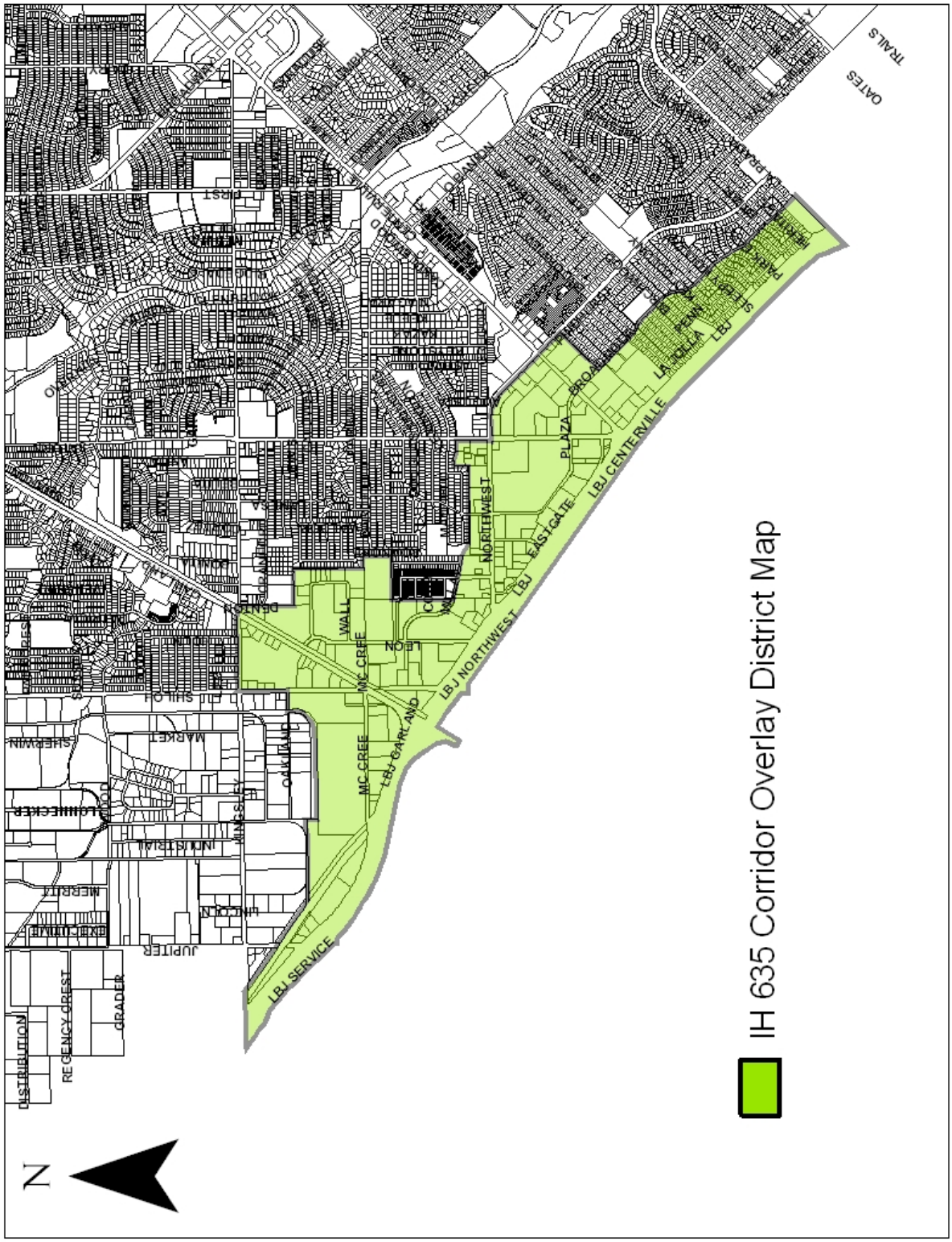
Wholesaling, General
Wrecker Service (one)

* Denotes use is allowed by Specific Use Permit only.
** Allowed as secondary use only.

LEGAL DESCRIPTION

IH 635

Beginning at the intersection of LBJ Freeway and West Kingsley Road and continuing east along West Kingsley Road to the Kansas City Southern Railroad tracks. Continue southeast along the tracks to the Kansas City Southern Railroad spur then east along the spur to the west property line of Tract 3 in the McCree Industrial District subdivision. From said property line south to the Union Pacific railroad spur and east then north along said spur to Oakland Street, following Oakland Street east to South Shiloh Road. Continue north of South Shiloh Road to West Kingsley Road then east on West Kingsley Road to Denton Drive. Follow Denton Drive south to the northwest property line of the subdivision Kingsley Road Pecan Acres Replat. From said point continue south then east to the northwest corner of the Southgate Manor No. 5 subdivision. Follow this boundary line south then east to the northwest corner of Southgate Manor No. 2 subdivision then south along this subdivision line to the northeast corner of the Towngate Addition subdivision. From said point continue west to the northwest boundary of the Towngate Addition subdivision and follow the west boundary of said subdivision south to Millay Boulevard. Continue east of Millay Boulevard to Town Court and east on Town Court to a line crossing Buddy Graham Park to the southwest corner of the alley south of Clear Point Drive which is also the south boundary of the Southgate Acres No. 2 subdivision. Continue east along said boundary then north to the south boundary of the Southgate Acres No. 1 subdivision then east to Saturn Road. Continue south along Saturn Road to Northwest Highway following Northwest Highway east, then southeast to the northeast corner of the Montclair No. 1 subdivision. From said point, continue southwest to Broadmoor Drive then southeast along Broadmoor Drive to La Prada Drive. From the Broadmoor Drive/La Prada Drive intersection continue southwest to LBJ Freeway then northwest along LBJ Freeway to point of beginning.


IH 635 Corridor Overlay District Map
N
LBJ SERVICE
LBJ NORTHWEST
LBJ CENTERVILLE
LBJ EASTGATE
MC CREE
LBJ GARLAND
LEON
WALL
NORTHWEST
PLAZA
LA JOLLA
PENN
OATES
TRAILS
DISTRIBUTION
REGENCY CREST
GRADER
JUPITER
MERRITT
INDUSTRIAL
WINGSLEY
OAKLAND
MARKET
SHERWIN
DENTON
FIRST