

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING ARTICLE 4, "PERMISSIBLE USES", ARTICLE 9, "SIGN STANDARDS", ARTICLE 30, "DEFINITIONS", AND APPENDIX F, "CORRIDOR OVERLAY DISTRICT STANDARDS", OF THE UNIFIED DEVELOPMENT CODE, ESTABLISHED BY ORDINANCE NUMBER 4779, PASSED ON NOVEMBER 20, 1990; TO CREATE A DEDICATED SECTION FOR AUTO-RELATED BUSINESSES WITHIN THE ZONING USE CHARTS, TO CREATE DEFINITIONS FOR CERTAIN AUTOMOTIVE AND TRANSPORTATION USES, AND TO AMEND THE SIGN STANDARDS AND OVERLAY STANDARDS SO AS TO CLARIFY CERTAIN REGULATIONS AND CREATE MUTUAL AGREEMENT BETWEEN THE SECTIONS WITH REGARD TO POLE AND PYLON SIGNS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, Section 1.11.3.1 of the Unified Development Code of the City of Grand Prairie, Texas states: "Amendments to the text of the Unified Development Code shall be initiated only by action of the City Council directing the City Manager to initiate such a request on behalf of the City or by the City Manager's own initiative."; and

WHEREAS, on August 20, 2018, a review and briefing was held by City Manager staff before the City Council Development Committee of the City of Grand Prairie, Texas for consideration of a proposal to initiate said amendments; and

WHEREAS, after consideration of said amendments, the City Council Development Committee of the City of Grand Prairie, Texas directed City Manager staff to initiate the preparation of an ordinance amending the Unified Development Code for submittal to the Planning and Zoning Commission of Grand Prairie, Texas for consideration of a recommendation to the City Council; and

WHEREAS, Notice was given of a public hearing on said amendments to be held by the Planning and Zoning Commission of Grand Prairie, Texas, in the City Hall Plaza Building at 6:30 P.M. on December 3, 2018, such Notice of the time and place of such hearing having been given at least ten (10) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, after consideration of said amendments, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted to recommend to the City Council of Grand Prairie, Texas, that said amendments should be approved since its provisions are in the public interest and will promote the health, safety and welfare of the community; and

WHEREAS, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building, at 6:30 o'clock P.M. on December 11, 2018 to consider the advisability of amending the Code of Ordinances and the Unified Development Code as recommended by the Planning and Zoning Commission, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1

THAT, Article 4 “Permissible Uses” of the Unified Development Code, City of Grand Prairie, Texas, be and are amended, replacing the section titled “Automotive and Transport” with two separate sections consisting of a section titled “Automotive” and a section titled “Transport & Logistics” with proposed additions of text being shown in underlined print, and deleted text being shown with a single line strikethrough:

a. Automotive Uses:

AUTOMOTIVE * = Subject to Ch. 13, Article XX – “Automotive Related Business Regulations”		NAICS CODE	SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/ OPEN SPACE	MR	MU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI
AUTO SALES																													
AUTO DEALER* (FRANCHISE NEW & USED)	441110																					\$		S	S		X S	X S	X
AUTO DEALER RETAIL * (FRANCHISE USED ONLY)	441120																					\$		X S	X S		X S	X S	X
AUTO DEALER RETAIL * (NON-FRANCHISE USED)	441120																						\$				S	S	S
AUTO DEALER (INTERNET ONLY)	441120																							S	S		X	X	X
AUTO SALES* (WHOLESALE)	423110																							S	S		X S	X S	X S
AUTO AUCTION*	423110																											S	S
AUTO EXPORTER	483000																										S	S	S
AUTO SHIPPER	611692																										S	S	S
AUTO-RELATED SERVICES																													
CAR WASH (FULL-SERVICE) * COMMERCIAL / DETAIL	811192																							S	S		X S	X S	X
CAR DETAILING																						\$		\$	\$	\$	X	X	X
CAR WASH (SELF-SERVICE)	811192																					\$	\$	S	S		S	S	S
AUTO/TRUCK RENTAL* (NO CHAUFFER)	532111																							S			X	X	X
TAXI STAND	485310																					S	S	S	S	X	S	S	S
LIMO SERVICE*	485221 485320																							S		X	X	X	
STATE VEHICLE INSPECTION	811198																					X		X	X	\$	X	X	X
QUICK LUBE & TUNE* (OIL CHANGE)	811191																					\$		\$	\$	\$	X	X	X
RETAIL-AUTO PARTS SALES * (NEW / WHEELS) For Used Auto Parts, see “Recovery and Salvage”	421120 423120																					S		X	X	X	X	X	X
AUTO ACCESSORIES* SALES & INSTALLATION	441310																							S			X	X	X

[illegible]

b. Transportation & Logistics Uses:

TRANSPORTATION & LOGISTICS	NAICS CODE	SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/ OPEN SPACE	MR	MU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI
AIRCRAFT REPAIR/ MAINTENANCE	488190																									X	X	X
AIR / HELIPORT	488190															X			S				S	S		X	X	X
BICYCLE SALES/REPAIR	451110																				X	X	X	X	X	X	X	X
BOAT DEALER	441222																				S		X	X		X	X	X
BOAT REPAIR/ STORAGE	811490																						S			X	X	X
BOAT STORAGE																							S			X	X	X
BUS CHARTER	485510																						X		X	X	X	X
HEAVY TRUCK PARKING																										S ⁵	S ⁵	S ⁵
HEAVY EQUIPMENT PARKING																										S	S	S
HEAVY TRUCK/HEAVY EQUIPMENT REPAIR	423000 523000																									X ⁵	X ⁵	X ⁵
MOTORCYCLE DEALER	441221																				S		X	X		X	X	X
MOTORCYCLE REPAIR	811490																						S	S		X	X	X
MOTORCYCLE SALES	441221																				X		X	X		X	X	X
PASSENGER TERMINAL	485112																						X		X	X	X	X
RR FREIGHT DEPOT	482210																						X			X	X	X
RR ROW	482111	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
REC. VEHICLE PARKING	812903																									X	X	X
REC. VEHICLE SALES	441210																				S		X ^S	X ^S		X	X	X
RV SALES WITH REPAIR (INDOORS)	441210																						S			X ⁵	X ⁵	X ⁵
TRANSFER & STORAGE TERM.	484110																						X ⁵		S	X ⁵	X ⁵	X ⁵
TAXI STAND	485310																				S	S	S	S	X	S	S	S
TRANSIT MAINTENANCE EQUIPMENT FACILITY	488490																						X ⁵			X ⁵	X ⁵	X ⁵
TRUCK STOP WITH GAS SALES	447190																						S			X ⁵	X ⁵	X ⁵
VEHICLE MAINTENANCE (PRIVATE)	811111																						S			X	X	X
VEHICLE WASH (PRIVATE)	811192																						X ^S			X	X	X
VOCATIONAL SCHOOL (AUTO/MECHANICAL)	611513																						S			X ^S	X ^S	X ^S

SECTION 2

THAT, Article 9, "Sign Standards" of the Unified Development Code, City of Grand Prairie, Texas, be and are amended, with proposed additions of text being shown in underlined print, and deleted text being shown with a single line strikethrough:

SECTION 5 - DEFINITIONS

1. **Abandoned Permanent Sign:** A sign permitted as a sign (other than a Temporary Sign or Billboard) and which is attached to a building or lease space which has become vacant, or a sign which sits on a lot or parcel having no building with a valid legal Certificate of Occupancy.

SECTION 8 – TYPES OF SIGNS

8.1 INTRODUCTION

The following sign standards are intended to be comprehensive. Any interpretations of definitions or standards are at the sole discretion of the Planning Director or designee.

The following standards will apply to all permitted sign types:

- A. A maximum of three (3) attached sign types are permitted per building or lease space, including wall sign, projecting sign, awning sign, canopy sign, hanging sign, roof sign, and marquee sign but not including ground signs, temporary signs, or window signs. For projecting signs which project from a corner of the building, 50% of the overall dimensions of the sign shall be counted against the signage allowance for each building face where the edges on each face form the corner from which the sign projects.
- B. To reduce sign clutter, use of individual types of signs shall be subject to the following limitations:
 1. The total number of wall signs, awning signs, hanging signs, or canopy signs along each building elevation shall be limited to three (3) per ~~building elevation~~ tenant, with “building elevation” being defined as spanning from building corner to building corner;
 2. No more than one projecting sign, ~~hanging sign~~, or marquee sign shall be allowed per elevation spanning from building corner to building corner. A sign that projects from a building corner shall be counted as a projecting sign for each elevation which terminates at that corner;
 3. No more than one (1) roof sign shall be allowed per building and no more than two (2) roof signs shall be allowed per city block.

SECTION 3

THAT, Article 30, “Definitions” of the Unified Development Code, City of Grand Prairie, Texas, be and are amended, with proposed additions of text being shown in underlined print, and deleted text being shown with a single line strikethrough:

Auto Dealer (New): Means a car dealership that sells primarily new cars at the retail level, based on a dealership contract with an automaker or its sales subsidiary. Secondary uses to a New Auto Dealer may

include used auto sales, online sales, quick lube, state inspection, car wash and detail, wheels and tires with indoor display, minor auto repair and major auto repair.

Auto Dealer (Used): Means a car dealership that sells primarily used cars at the retail level under a franchise agreement applicable to two or more locations, with such franchise agreement containing universal guidelines for dealership appearance, signage, property maintenance, and condition of inventory. Secondary uses to a Used Auto Dealer, other than Make Ready, must be approved individually per the use charts.

Auto Dealer Retail (Non-Franchised): Means a car dealership that is independently owned and operated, or that does not operate under a franchise agreement. Secondary uses to a Non-Franchised Auto Dealer, other than Make Ready, must be approved individually per the use charts.

Auto Dealer (Internet Only): Means a company other than an Auto Wholesaler that sells vehicles primarily over the internet to individual customers through a virtual storefront. Online Auto Dealers shall have no outdoor display of cars for sale or cars in inventory. Secondary uses to an Online Only Auto Dealer, other than Make Ready, must be approved individually per the use charts.

Auto Glass Repair/Tinting: Means a principal use of repairing or replacing damaged auto glass. Tinting means the application of tinting materials to auto glass to reduce glare or the heat transmission of auto glass (**Reference Article 4, "Permissible Uses"**).

Auto Impound Yard: Means a facility used for the temporary impound and/or storage of abandoned or inoperable automotive vehicles prior to being reclaimed, repaired or transported (**Reference Article 4, "Permissible Uses"**).

Auto Make Ready: Means light repair for the purpose of conditioning a vehicle for retail sale. Make Ready includes the replacement of bulbs, fasteners, batteries, or other non-lubricated parts, provided that such repairs can be made with non-electrified hand tools; tire repair, provided such repair can be made while the tire is on the rim; paint repair or touch-up, provided such repair does not require paint in a quantity larger than 3 ounces; and cleaning or polishing (other than washing) of glass, lenses, plastic surfaces, or upholstery with no resultant discharge into the City storm sewer,

Auto Paint Shop: Means an auto repair facility that prepares automotive vehicles for painting by a process of sanding, wet sanding. Vehicles would then be painted in an approved paint booth and polished to provide a like new auto paint finish.

~~**Major Auto Repairs:**~~ **Auto Repair (Major):** Means any vehicle Major repairs includes the repair and or replacement procedure involving of larger auto components, which may include, but not be limited to, the following mechanical components such as engines, transmissions, differentials, axles, or the repair of larger auto components by dismantling and reassembly for the purpose of refurbishing the component to like new condition, repair in this case may also include repair and replacement of air conditioning, cooling systems or similar component systems. The maintenance, repair, or replacement of the alternator, generator, starter, water pump, battery, brakes or other minor part thereof; minor tune-up (which consists of distributor cap, rotor and spark plug replacement); change of oil and filter, fan belt, or hoses; lamp replacement; repair of flat tires and lubrication also include state vehicle inspections and the minor repairs necessary to pass the state requirements are also included (**Reference Article 4, "Permissible Uses"**):

Engines	Transmissions
Differentials	<u>Transfer Case or</u> Axles
Air Conditioning	Cooling Systems
<u>Hybrid or EV battery service or replacement</u>	<u>Suspension/Shocks/Struts</u>
<u>Exhaust System</u>	<u>Electrical Systems other than Minor Tune-Up</u>
Any dismantling and reassembly of the above components for the purpose of refurbishing the component to like new condition	

Minor Automotive Repair: Auto Repair (Minor): Means any vehicle a maintenance, repair or replacement procedure, which may include, but not be limited to, the repair or replacement of the following mechanical components (**Reference Article 4, “Permissible Uses”**):

<u>Computer Diagnostic</u>	<u>Computer Reflash</u>
Alternator	Change of oil and filter
Generator	Fan belt or hoses
Starter	Lamp replacement
Water pump	Repair of flat tires
Battery <u>(non-hybrid or EV)</u>	Lubrication
Minor tune-up ¹	Brakes or other minor part thereof

¹ A minor tune up would consist of distributor cap, rotor and spark plug replacement.

Auto Sales Wholesale: A car dealer that sells only to other car dealers or wholesale car dealer auctions. The wholesale car dealer may purchase from car dealer auctions and other car dealers but they can sell the vehicle only to other car dealers. A wholesale car dealer wishing to sell to the general public must obtain approval as an Auto Dealer.

Boat Dealer: Means a boat dealership that sells new or used boats at the retail level.

Boat Repair: Means an establishment where boats are repaired and maintained by boat mechanics and technicians.

Bus Charter: The transporting of cargo or people who have contracted to have exclusive use of a vehicle at a fixed rate, under one contract, for a specified itinerary.

Car Wash (Full-Service): Means a business or facility for which the principal use is the washing of automotive vehicles and including accessory uses such as vacuums, detailing, carpet shampooing, polishing or waxing along with retail sales of personal items or incidentals. A facility offering any mechanical service or repair of any kind shall be classified as Auto Repair. Wash bays must be covered to prevent storm water or surface runoff from entering the sanitary sewer system. Grease and sand traps are required from a vehicle wash and shall be connected to the sanitary sewer system (**Reference Article 4, “Permissible Uses”**).

Car Wash (Self-Service): Means a business or facility for which the principal use is the washing of automotive vehicles which may require the customer to exit the vehicle and wash by hand or initiate the wash process from within the vehicle without assistance from any attendant, and which does not include

any ancillary uses other than self-service vacuums. Wash bays must be covered to prevent storm water or surface runoff from entering the sanitary sewer system. Grease and sand traps are required from a vehicle wash and shall be connected to the sanitary sewer system (**Reference** Article 4, “Permissible Uses”).

Heavy Truck: A vehicle designed and used for commercial purposes with a gross vehicle weight in excess of 15,000 pounds, including semi-tractor with or without trailer, or any trailer designed to be towed by a semi-tractor (**Reference** Article 4, “Permissible Uses”).

Heavy Truck Parking or Storage: Means a parking lot, which is used for the short or long term parking or storage of heavy trucks or trailers for a fee. All commercial parking lots must meet the City’s minimum paving standard for the proposed use. Alternative paving standards must be submitted to the City Engineer for review and approval (**Reference** Article 4, “Permissible Uses”).

Internet: Means a global computer network accessible to the general public which provides a variety of information and communication facilities using standardized communication protocols.

Online: To be connected to, served by, or available through a system and especially a computer or telecommunications system, such as the Internet.

Paintless Dent Repair: The process of repairing sheet metal on an automobile or light truck using specialized tools and without the need to repaint the repaired area.

Railroad Freight Depot: Means a location where rail freight is stored while awaiting onward transport.

Recreational Vehicle Dealer Sales: Means a licensed commercial Recreational Vehicle (RV) dealership that sells new or used RVs at the retail level.

Taxi Stand: A location where taxicabs or for-hire vehicles, other than charter buses or limousines, stage or park while awaiting hire.

Truck Stop: A roadside service station with facilities for heavy trucks including tractor trailers and truckers which may include restaurant, shower facilities, scales, and parking.

SECTION 4

THAT, Appendix F, “Corridor Overlay District Standards” of the Unified Development Code, City of Grand Prairie, Texas, be and are amended, with proposed additions of text being shown in underlined print, and deleted text being shown with a single line strikethrough (“Figure 4” refers to the existing Figure 4 in Appendix F which is not depicted herein):

SECTION 4 - DISTRICT WIDE REQUIREMENTS

- A. **Sign Regulations** - Signage requirements of Article 9 of the Unified Development Code will apply to the Overlay District with the following exceptions:

1. ~~Individual tenant pole~~ Pylon signs shall not be permitted unless they conform to the requirements of Figure 4 below.
2. ~~Detached multi-tenant pole signs shall be permitted in accordance with~~ Section 9.6.1 ~~of the Unified Development Code as amended.~~

SECTION 5

THAT sections of the amended articles not included in this amendment, shall remain in full force and effect, save and except for necessary modifications to the “Table of Contents” affecting page numbering, and for necessary modifications to related terminology or phrases that have been modified by this amendment that will affect a similar modification to interrelated terminology and phrases cross-referenced in other Articles in the Unified Development Code.

SECTION 6

THAT if any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provisions and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7

THAT all of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Grand Prairie, Texas, in the discharge of his duties, shall not thereby render himself personally liable; and he is hereby relieved of all personal liability for any damage that might occur to persons or property as a result of any act required or permitted in the discharge of his said duties.

SECTION 8

THAT any person, firm, association of persons, company, corporation, or their agents, servants, or employees violating or failing to comply with any of the provisions of this article shall be fined in an amount not to exceed two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative or other remedies provided by state law, and the power of injunction as provided in V.T.C.A. Local Government Code Section 54.016 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

SECTION 9

THAT this ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 11th DAY OF DECEMBER, 2018.

**ORDINANCE NO. xxxxx-2018
CASE NO. TA180701A**