

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING APPENDIX Q: LIGHT INDUSTRIAL LIMITED SERVICES STANDARDS SUFFIX ZONING DISTRICT (LI-LS) OF THE UNIFIED DEVELOPMENT CODE, ESTABLISHED BY ORDINANCE NUMBER 4779, PASSED ON NOVEMBER 20, 1990; 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 be-half of the City or by the City Manager's own initiative.”; and

WHEREAS, on July 19, 2016 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 an amendment to **Appendix Q: Limited Industrial Limited Services Standards Suffix Zoning District (LI-LS) of the Unified Development Code**; 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 **Appendix Q: Limited Industrial Limited Services Standards Suffix Zoning District (LI-LS) of 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 o'clock P.M. on August 29, 2016, 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 9 to 0 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 September 20, 2016 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

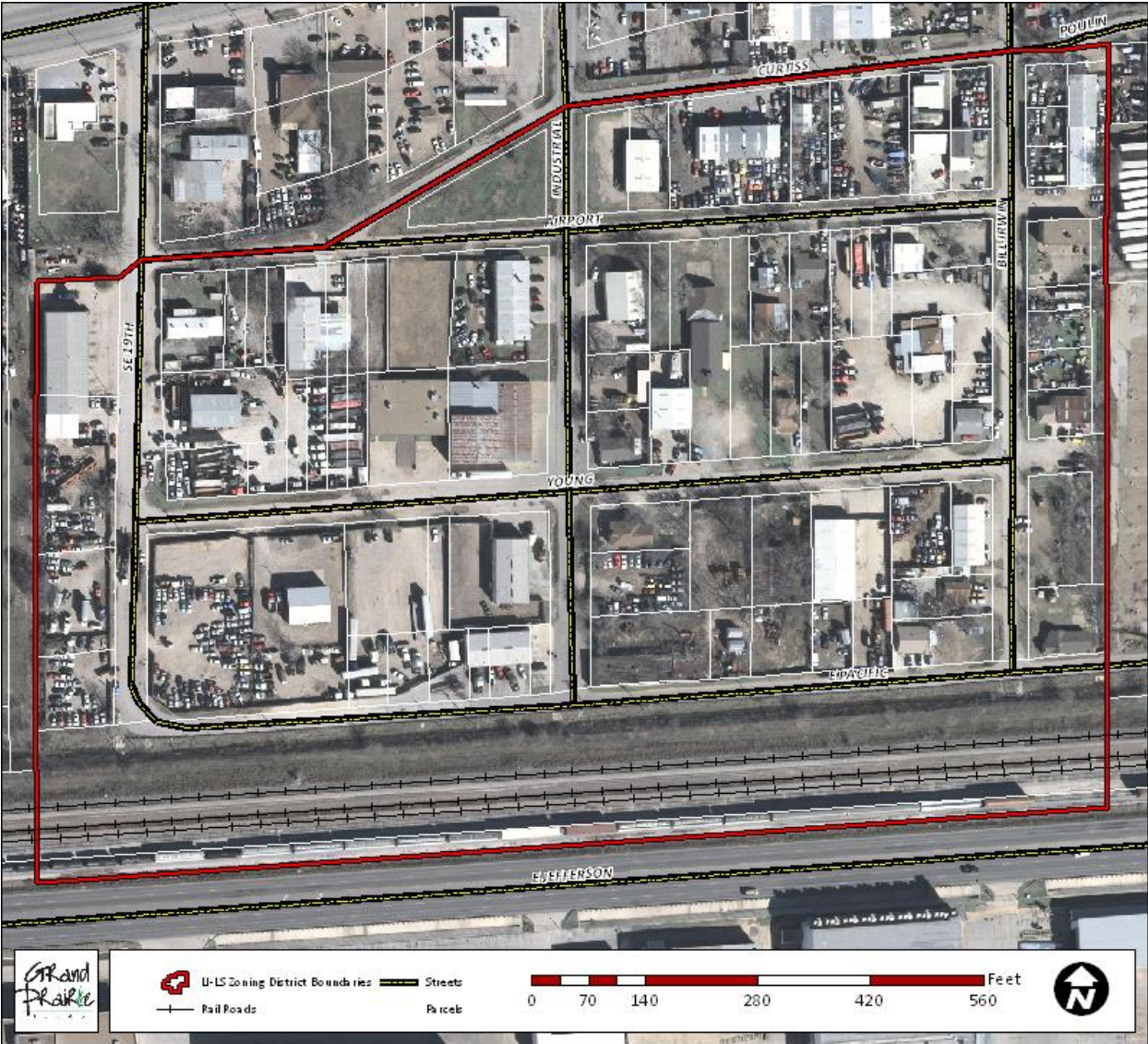
THAT **Appendix Q: Limited Industrial Limited Services Standards Suffix Zoning District (LI-LS)** of the **Unified Development Code**, City of Grand Prairie, Texas, be and are amended, with proposed additions of text being shown in underlined print, and deleted text being shown with a single line strikethrough, as follows:

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Q.1. PURPOSE

The (LI-LS) Light Industrial-Limited Standards Suffix District is established to create a limited industrial zone, depicted in Figure 1, which provides for various industrial uses pursuant to the Light Industrial zoning district with certain development standards reduced

as specified. This zoning district is restricted to the geographic area depicted in Figure 1 and cannot be extended elsewhere within the corporate city limits.

Limitations are placed on the uses within this district to significantly restrict the outside activities and storage of materials, noise, vibration, smoke, pollution, fire and explosive hazard, glare and any other potentially blighting influences. The manufacturing uses allowed in this district should be conducted within a totally enclosed building. Any activities conducted outside will be screened and buffered, and no external effects such as excessive noise or odor should extend beyond the property lines.

Areas should not be zoned to the Light Industrial-Limited Standards Suffix District unless they have access to arterials capable of carrying commercial and truck traffic. Internal streets in industrial developments should be sized and strengthened to accommodate truck traffic. Uses in this district should recognize the need for increased water pressure and capacity in order to provide adequate fire protection for that particular industry.

Q.2. PERMITTED PRINCIPAL USES

In the (LI-LS) Light Industrial-Limited Standards Suffix District no land shall be used and no building shall be erected for or converted to any use other than:

- A. All uses as provided in **Article 4 “Permissible Uses”** of this Unified Development Code for the Light Industrial (LI) Zoning District.
- B. Paved automobile parking areas which are necessary to the uses permitted in this district.
- C. Municipally owned or controlled facilities, utilities and uses, except those that may require a Specific Use Permit.

Q.3. PERMITTED ACCESSORY USES

The following uses shall be permitted as accessory uses:

- A. Accessory buildings incidental to the principal permitted use on the same lot of record, including living quarters for a night watchman or caretaker employed on the premises.
- B. Temporary real estate sales offices located on the property being sold, or on-site construction offices, limited to the period of sale or construction of 90% of the lots.
- C. Outside storage, provided that such storage or outside activities shall not be permitted in the required front yard, and shall be completely encompassed by a visual screening device or wall at least seven (7) feet high, and provided that materials stored shall be stacked no higher than one (1) foot below the top of the fence or wall. All outside storage or activities shall be restricted to that area behind the required front yard setback.

- D. Vehicles, mobile machinery and equipment, and contractor trailers encompassed by a visual screening device shall be permitted to exceed the screen height, provided, however, that no container trailer shall be utilized for, nor constitute, permanent storage.

Q.4. SPECIFIC USE PERMITS

The following uses shall be allowed in the (LI-LS) Light Industrial-Limited Standards Suffix District only after approval of a Specific Use Permit in accordance with **Article 5 “Specific Uses,”** of this Code, and including but not limited to:

- A. Trailer camp or mobile home park
- B. Private club, where the storage, possession and serving of alcoholic beverages occurs.

Q.5. PROHIBITED USES

The following uses shall be prohibited in the Light Industrial Limited Standards (LI-LS) Suffix District:

- A. Any building erected or land used for other than one or more of the preceding specified uses and as identified in **Article 4 “Permissible Uses”** of this Code.
- B. Residential dwellings.
- C. Any use of property that does not meet the required minimum lot size, front, side and rear yard dimension, and/or lot width and depth, or exceeds the maximum building coverage as required.

Q.6. AREA REQUIREMENTS

Minimum lot area.....	15,000 sq. ft.
Minimum lot frontage on a public street	100 feet
Minimum lot depth.....	150 feet
Minimum depth of front setback	25 feet
Minimum depth of rear setback	
A. Abutting nonresidential property	0 feet
B. Abutting residentially owned property	22 feet
C. For building over common lot lines, reference Article VI "Density and Dimensional Requirements", Section 12 "Building Over Common Lot Lines"	0 feet
Minimum width of side setback:	
A. Abutting nonresidential property	0 feet
B. Abutting residentially owned property	10 feet
C. For building over common lot lines, reference Article VI "Density and Dimensional Requirements", Section 12 "Building Over Common Lot Lines"	0 feet

- ~~_____ D. Minimum distance between separate buildings on the same lot or parcel of land..... 15 feet plus one-half building height over 36 feet~~
- ~~_____ Maximum allowable lot coverage:~~
- ~~_____ A. Maximum building coverage as a percentage of lot area 60%~~
- ~~_____ B. Maximum amount of impervious coverage as a percentage of lot area 90%~~
- ~~_____ Maximum floor area ratio.....2:1~~

<u>Minimum Lot Area</u>	<u>5,000 square feet</u>
<u>Minimum Lot Frontage</u>	<u>50 feet</u>
<u>Minimum Lot Depth</u>	<u>100 feet</u>
<u>Minimum Front Setback</u>	<u>25 feet</u>
<u>Minimum Street Side Yard Setback</u>	<u>25 feet</u>
<u>Minimum Internal Side Yard Setback · Abutting Non-Residential · Abutting Residential Zoning</u>	<u>0 feet 22 feet</u>
<u>Minimum Rear Setback · Abutting Non-Residential · Abutting Residential Zoning</u>	<u>0 feet 22 feet</u>
<u>Maximum Floor Area Ratio</u>	<u>1:1</u>
<u>Minimum Building Separation</u>	<u>0 feet</u>

Q.7. BUILDING ON DESIGNATED THOROUGHFARES

Exterior metal walls should be prohibited on all buildings hereafter erected, constructed, altered, repaired or used in this District, which abut or are adjacent to any arterial thoroughfare, as designated on the adopted Thoroughfare Plan of the City of Grand Prairie.

Exceptions to this requirement may be permitted on a case-by-case basis by the City Council upon submission and approval of a site plan in accordance with the requirements as prescribed in **Article 16 “Site Plan Approval,”** of this Code.

- A. Exposed walls of the front exterior facade consisting of a single, un-differential plane with a single texture or color shall be prohibited.
 - 1. Not less than 15% of the area of exposed walls, excluding windows, doors, or garage doors, of the front exterior facade shall be constructed from an alternate material as identified.
 - 2. Walls subject to damage from the outside by vehicles shall be protected by landscaped areas, curbs, stops, or other permanent barriers. The appearance of these protective barriers shall be coordinated with the building to maintain a unified and attractive overall appearance.
- B. The material and finishes of exposed roofs shall compliment those used for the exterior walls. Exposed roofs shall be defined as that portion of a roof visible from ground

level of any adjacent public thoroughfare or residentially zoned or used area. Roof mounted equipment on exposed roofs shall be screened from view. The appearance of roof screens shall be coordinated with the building to maintain a unified appearance.

- C. All building mechanical and electrical equipment located adjacent to the building and visible from a public thoroughfare or a residentially zoned and used area shall be screened from view. Such screens and enclosures shall be treated as an integral element of the building's appearance.
- D. Building facades may be constructed from masonry or glass, as defined below, or other materials as approved by City Council.
 - 1. **MASONRY CONSTRUCTION** shall include all masonry construction, which is composed of solid, cavity, faced, or veneered-wall construction, unless otherwise approved by City Council.
 - a. Stone material used for masonry construction may consist of granite, sandstone, slate, limestone, marble, or other hard and durable all weather stone. Ashlar, cut stone, and dimensioned stone construction techniques are acceptable.
 - b. Brick material used for masonry construction shall be composed of hard fired (kiln-fired) all weather standard size brick or other all weather facing brick.
 - c. Concrete finish for precast concrete panel (tilt wall) construction shall be exposed aggregate, bush-hammered, sand blasted, or other concrete finish as approved by City Council.
 - 2. **GLASS WALLS** shall include glass curtain walls or glass block construction. Glass curtain wall shall be defined as an exterior wall which carries no floor or roof loads, and which may consist of a combination of metal, glass and other surfacing material supported in a metal framework.
- E. The exposed walls and roofs of buildings shall be maintained in a clean, orderly, and attractive condition; free of cracks, dents, punctures, breakage, and other forms of visible marring. Materials that become excessively faded, chalked or otherwise deteriorated shall be refinished or repainted. Excessively faded shall be defined as a color change exceeding 5 Delta E (Hunter) units under ASTM D2244. Excessively chalked shall be defined as chalk in excess of ASTM D659 number 7 rating.

Q.8. BUILDING ON NON-DESIGNATED THOROUGHFARES

All buildings hereafter erected, constructed, altered, repaired or used in this District that abut, or are adjacent to any public thoroughfare which is not designated as an arterial thoroughfare on the adopted Thoroughfare Plan of the City of Grand Prairie shall have a front exterior facade constructed to the following minimum standards:

- A. Walls subject to damage from the outside by vehicles shall be protected by curbs, stops, or other permanent barriers. The appearance of these protective barriers shall be coordinated with the building to maintain a unified and attractive overall appearance.
- B. The materials and finishes of exposed roofs shall compliment those used for the exterior walls. Exposed roofs shall be defined as that portion of a roof visible from ground level of any adjacent public thoroughfare or residentially zoned or used area. Roof mounted equipment on exposed roofs shall be screened from view. The appearance of roof screens shall be coordinated with the building to maintain a unified appearance.
- C. All building mechanical and electrical equipment located adjacent to the building and visible from a public thoroughfare or a residentially zoned and used area shall be screened from view. Such screens and enclosures shall be treated as an integral element of the building's appearance.
- D. Building facades may be constructed from masonry or glass, as defined below, or other materials as approved by City Council.
 - 1. **MASONRY CONSTRUCTION** shall include all masonry construction that is composed of solid, cavity, faced, or veneered-wall construction, unless otherwise approved by City Council.
 - a. Stone material used for masonry construction may consist of granite, sandstone, slate, limestone, marble, or other hard and durable all weather stone. Ashlar, cut stone, and dimensioned stone construction techniques are acceptable.
 - b. Brick material used for masonry construction shall be composed of hard fired (kiln-fired) all weather standard size brick or other all weather facing brick, or stucco.
 - c. Concrete finish for precast concrete panel (tilt wall) construction may be exposed aggregate, bush-hammered, sandblasted, textured, smooth-finished, or other concrete finishes, all of which may be painted or stained.
 - d. Concrete masonry units (C.M.U. block) which meet the minimum standards of the adopted Uniform Building Code of the City, which may be sealed, stained, painted, textured or finished in any other appropriate manner consistent with industry standards and/or building code requirements.
 - 2. **GLASS WALLS** shall include glass curtain walls or glass block construction. Glass curtain wall shall be defined as an exterior wall which carries no floor or roof loads, and which may consist of a combination of metal, glass and other surfacing material supported in a metal framework.

3. **METAL WALLS** shall include ribbed or fluted metal panels and metal curtain walls.
 - a. The use of corrugated panels, panels with a depth of less than one inch (1”), or a thickness less than U.S. Standard 26 gauge shall be prohibited.
 - b. The use of unpainted metal panels, excluding panels made from copper, weathering steel, or stainless steel, shall be prohibited. The color finish of metal panels and exposed fasteners shall have extended durability with high resistance to fade and chalk.
- E. The exposed walls and roofs of buildings shall be maintained in a clean, orderly, and attractive condition; free of cracks, dents, punctures, breakage, and other forms of visible marring. Materials that become excessively faded, chalked or otherwise deteriorated shall be refinished or repainted. Excessively faded shall be defined as a color change exceeding 5 Delta E (Hunter) units under ASTM D2244. Excessively chalked shall be defined as chalk in excess of ASTM D659 number 7 rating.

Q.9. LANDSCAPING

Landscaping shall not be required within areas zoned Light Industrial-Limited Standards Suffix District (LI-LS), and shall remain at the option of the property owner or user's discretion.

Q.10. SCREENING REGULATIONS

Any premises developed for non-residential uses in the (LI-LS) Light Industrial-Limited Standards Suffix District shall be buffered from adjacent residentially zoned land by a solid masonry wall, wooden fence, or other man-made or natural barrier or combination thereof, built to the following minimum criteria:

- A. **Walls & Fences:** A solid, non-transparent fence with a minimum of seven (7) feet from the ground level at or on the boundary lines or areas common to the premises and the area zoned or used for residential purposes, having concrete beams installed under the entirety of the fence to a minimum height of six (6) inches above ground and six (6) inches wide, placed on proper footing, either spread or piers, reinforced with a minimum of two (2) number three bars of steel, all posts shall be steel and all materials shall be decay-resistant.
- B. **Earthen Berms:** Landscaped earthen berms used as a visual screening device shall be constructed to a minimum height of six (6) feet. Side slopes of such berms shall not exceed 33.3% (three feet of horizontal distance for each one (1) foot of height). All berms shall contain necessary drainage provisions as may be required by the City Engineer.

- C. **Maintenance**: The area in front of the required screening wall or fence shall be maintained in a clean and orderly condition, free of weeds, debris, and trash.
- D. **Lighting**: Any light used to illuminate parking or outside storage areas shall be so arranged as to reflect away from any adjacent residential uses of residential districts.
- E. ~~Refuse storage area shall be visually screened by a six (6) foot high solid fence or wall on all sides except the side used for garbage pickup service; such side shall not be required to be screened. Refuse storage locations in areas already enclosed by a visual screening devices shall not be required to have additional screening.~~ **Dumpster Screening**: A dumpster may be placed at a convenient location on the subject property and/or rights-of-way (provided the dumpster does not interfere with traffic flow) for ease of refuse collection on scheduled garbage pick-up days provided that the dumpster is either placed inside a building or behind a fence and/or building so as to adequately screen the dumpster from public view during non-garage pick up days.
- F. Areas utilized for outside storage as prescribed in **Article 8 “Landscaping and Screening”, Subsection 8.9.6 “Outside Storage”** shall be encompassed by a solid, non-transparent wall or fence at least seven (7) feet in height and provided that materials stored shall be stacked no higher than one (1) foot below the top of the fence or wall.
- G. A chain link fence with slat inserts shall not constitute an acceptable visual screening device when located adjacent to residentially zoned or used property, or street rights-of-way.
- H. Acceptable wooden fence material shall include Redwood, Cedar, pressure treated wood, or other materials as may be approved by City Council.

Q.11. FLOODPLAIN REQUIREMENTS

The Federal Emergency Management System (FEMA) maps shall be reviewed to determine if a tract lies within a designated flood plain. If so, reference **Article 4 “Permissible Uses”** for uses allowed and **Article 15 “Flood Plain Management”** for specific requirements.

Q.12. PARKING

Reference **Article 10 “Parking and Loading,”** of the Unified Development Code.

Q.13. SPECIAL OFF-STREET PARKING REGULATIONS

- A. In computing the parking requirements for any building or development, the total parking requirements shall be the sum of the specific parking space requirements for each class or use included in the building or development.

- B. Floor area of a structure devoted to off-street parking of vehicles shall be excluded in computing the off-street parking requirements of any use.
- C. Whenever a lot or tract of land is used for off-street parking of motor vehicles in connection with an office, church or similar institution, retail, commercial or industrial use and is adjacent to, or across the street from, a residentially zoned or used district, a masonry wall or solid fence of not less than seven (7) feet in height and meeting City standards shall be erected and maintained so as to enclose the off-street parking areas and to screen the parking use from adjacent residential districts. Parking adjacent to the street may be screened by a three (3) foot fence or berm if allowed by the Director of Planning or his designee.
- D. All required off-street parking, loading, drives, and outside walls and display areas shall be paved to a minimum standard equivalent of four (4) inch concrete slab with 6" x 6" #10 gauge mesh. Outside storage areas, fully enclosed by a non-transparent screening fence shall not be required to have a concrete surface. All reinforcing concrete shall be suspended in the bottom one-third of the slab. Exceptions to these pavement standards must be approved by the City Engineering Department, and based on equivalency.
- E. Parking spaces may be head-in type parking spaces, with maneuvering allowed within the right-of-way when not adjacent to or along a designated thoroughfare. In no case will required parking spaces located either totally or partially within the right-of-way be credited toward the satisfaction of minimum parking requirements for a particular use. All required parking is to be located on-site to qualify and comply with the off-street parking requirements. ~~The provisions for head-in parking with maneuvering allowed within the right-of-way shall not apply to any property with a singular or combined lot width of 70 feet or more.~~

Q.14. DRIVEWAY THROAT WIDTH

The driveway throat width may be increased beyond the maximum permissible width as contained within the Access Data Table of Section 23.10.1 of Article 23 of the UDC in order to accommodate head-in-parking and direct access into a building's overhead door(s) and/or screened storage area; however, in no case shall the throat width allow the access drive to be closer than 50-feet from the flow line of the adjacent street.

Q.15. PARKING REQUIREMENTS FOR NEW OR UNLISTED USES

- A. Where questions arise concerning the minimum off-street parking requirements for any use not specifically listed, the requirements may be interpreted as those of a similar use.
- B. Where a determination of the minimum parking requirements cannot be readily ascertained for new or unlisted uses according to **Subsection Q.13.D** and **Q.13.E** of this Section, or where uncertainty exists, the minimum off-street parking requirements

shall be established by same process as provided in **Article 4 “Permissible Uses”**, **Section 6 “New and Unlisted Uses** for classifying new and unlisted uses.

Q.16. OFF-STREET LOADING SPACE

As provided for by **Article 10, “Parking and Loading,”** of the Unified Development Code.

Q.17. FRONT YARD REGULATIONS

As provided for by ~~Article 6, “Density and Dimensional Requirements,”~~ **Section Q.6. “Area Requirements:** of the Unified Development Code of this Article.

Q.18. SIDE AND REAR YARD REGULATIONS

As provided for by ~~Article 6, “Density and Dimensional Requirements,”~~ **Section Q.6. “Area Requirments”** of the Unified Development Code of this Article.

Q.19. SIGN STANDARDS

As provided for by **Article 9, “Sign Standards,”** of the Unified Development Code.

Q.20. PERFORMANCE STANDARDS

As provided for by **Article 11, “Performance Standards,”** of the Unified Development Code.

Q.21 PLATTING

The owner(s) of two (2) or more platted lots, under common ownership, that abut each other on the side and/or rear yards shall be allowed to construct a principal structure and/or an accessory structure over common interior side and/or rear yard lot lines without the requirement to replat provided that:

- A. The principal structure and/or accessory structure being constructed across the interior side and/or rear yard clearly encroach over the interior side and/or rear yard lot line.
- B. The principal structure and/or accessory structure being constructed across the interior side and/or rear yard lot shall not encroach over any existing utility easements or rights-of-way established by a filed plat or separate recording instrument. Such easements or rights-of-way shall be abandoned in accordance with the procedure administered by the Engineering Division of the Planning and Development Department.

C. For development review purposes, all affected lots shall be reviewed as a single standalone lot. Any and all development standards applicable to the individual lots shall remain applicable to the combined lots.

D. Upon construction of a building over an interior lot line, the individual sale of an affected lot or lots is prohibited until such time as the structure has either been removed or the lots in question are replatted in such a fashion so as to ensure that the structure is wholly within the boundaries of the newly platted lot and that any remaining lands conform to the minimum dimensional standards of the underlying zoning district. The sales of all lots affected by the encroachment of structure over the interior side and/or rear yard lot line to a buyer or buyers who will continue hold said lots under common ownership shall not be subject to replating.

SECTION 2

THAT all other provisions of **Appendix Q: Limited Industrial Limited Services Standards Suffix Zoning District (LI-LS) of the Unified Development Code**, City of Grand Prairie, Texas, not included in this amendment, shall remain in full force and effect, save an 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 3

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 4

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 5

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 6

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 20TH Day OF SEPTEMBER, 2016.

ORDINANCE NO. 10131-2016

CASE NO. TA160901