

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Richard E. Luedke, AICP, Planning Director

DATE: August 2, 2021

SUBJECT: **Public Hearing: Consider an Ordinance Approving Amendments to Chapter 17, Zoning, of the Lewisville City Code, by Amending Section 17-3, Definitions, to Amend the Definition of Motor Freight Terminal and Section 17-23 Light Industrial District, to Add Motor Freight Terminal as a Permitted Use With a Requirement For a Special Use Permit**

BACKGROUND

Over recent years, there has been a shift towards delivery of goods, which was accelerated by the COVID-19 pandemic. To meet this demand, distribution facilities for delivery to homes are becoming more prevalent. These facilities are often called ‘neighborhood fulfillment centers’, ‘e-commerce distribution’ or ‘last mile distribution’ and are characterized by many smaller trucks and vans being loaded, queued and dispatched. A significant amount of traffic is generated from these facilities, which can contribute to congestion, road damage, air pollution, noise pollution and light pollution. Some of these uses are associated with warehouses while others are on separate lots without any warehouse or primary structure. These facilities are similar to but not quite aligned with our existing uses of ‘Motor Freight Terminals’ and ‘Warehouse Distribution.’ The Planning and Zoning Commission recommended unanimous approval (6-0) of this amendment on July 20, 2021.

ANALYSIS

To ensure proper oversight, compatibility with adjacent uses and mitigation of negative impacts, staff is proposing to amend the current definition of a ‘Motor Freight Terminal’ to include the types of uses described above. Motor Freight Terminal is similar to these new facilities, which sometimes are separate and apart from warehouses.

Current Definition:

Motor freight terminal shall mean a building or area in which freight brought by motor truck is assembled and/or stored for shipping in interstate and intrastate commerce by motor truck. A motor freight terminal is a truck terminal.

Proposed Definition:

Motor Freight Terminal shall mean an operation or facility that is primarily outdoors in which freight or goods for distribution are brought by motor vehicle, assembled, stored, sorted, loaded, transferred, queued, and/or dispatched for local delivery, interstate commerce, or intrastate commerce by motor vehicle. This may include but is not limited to truck terminals, e-commerce distribution, last-mile distribution (and any parking related thereto) or neighborhood fulfillment centers.

A 'Motor Freight Terminal' is currently only allowed as a use in the Warehouse Zoning District with approval of a Special Use Permit. The second part of this proposed amendment is to add 'Motor Freight Terminal' as an allowed use with a Special Use Permit in the Light Industrial and Heavy Industrial Zoning District. Only the text in the Light Industrial Zoning District will change as the Heavy Industrial District allows the same uses with the same conditions as in the Light Industrial Zoning District. A 'Motor Freight Terminal' with an associated warehouse may be appropriate in some Light Industrial zoned locations; however, a 'Motor Freight Terminal' without a warehouse use would likely only be appropriate in the Heavy Industrial or Warehouse Zoning Districts. Requiring a Special Use Permit will allow the Planning and Zoning Commission and City Council to ensure compatibility with long range plans and adjacent uses and to ensure that any potential negative impacts are appropriately mitigated.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the Ordinance as set forth in the caption above.