

ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL AMENDING 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; PROVIDING FOR A REPEALER, SEVERABILITY, A PENALTY, AND AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

WHEREAS, due to the consumer shift towards delivery of goods, distribution facilities for delivery to homes are becoming more prevalent, and

WHEREAS, these distribution facilities create significant impacts on streets, traffic, congestion, noise, lights, and air quality, and

WHEREAS, the City Council of the City of Lewisville has determined that for the health, welfare and safety of its citizens certain amendments to the Lewisville City Code of Ordinances, Chapter 17, Zoning, are necessary

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

SECTION 1. Chapter 17, Section 17-3, Definitions, is hereby amended by deleting the current language for ‘Motor Freight Terminal’ and in its place inserting the following new language:

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.

SECTION 2. Chapter 17, Section 17-23, Light Industrial District regulations, subsection

(a), is hereby amended by deleting the current subsection and in its place inserting the following new language:

(a) *Use.* Buildings and premises may be used for retail, wholesale, office and service uses and campus-style light manufacturing and industrial uses, provided there is no dust, fumes, gas, noxious odor, smoke, glare, or other atmospheric influence beyond the boundaries of the property on which such use is located, and which produces no noise exceeding in intensity at the boundary of the property the average intensity of noise of street traffic at that point, and no more than ten percent of the total lot is used for outside storage, and further provided that such use does not create fire or explosive hazards on adjacent property.

- (1) Any use permitted in Districts "LC" and "GB" as regulated in said districts.
- (2) Apparel and other products assembled from finished textiles.
- (3) Bottling works.
- (4) Warehouse distribution facilities.
- (5) Airport/heliport (SUP required).
- (6) Auto repair shops including body shops (SUP required).
- (7) Church worship facilities.
- (8) Buildings and uses owned or operated by public governmental agencies.
- (9) Cemetery, mausoleum, crematorium and accessory uses (SUP required).
- (10) Cosmetic manufacturer.
- (11) Drugs and pharmaceutical products manufacturing.
- (12) Private utility plants or sub-stations (including alternative energy) (SUP required).

- (13) Electronic products manufacturing.
- (14) Fur good manufacture, but not including tanning or dyeing (SUP required).
- (15) Gas and oil drilling accessory uses (SUP required).
- (16) Glass products, from previously manufactured glass.
- (17) Heavy equipment - outdoor rental/sales/display/service (SUP required).
- (18) Household appliance products assembly and manufacture from prefabricated parts.
- (19) Industrial and manufacturing plants including the processing or assembling of parts for production of finished equipment.
- (20) Musical instruments assembly and manufacture.
- (21) Paint, shellac and varnish manufacture (SUP required).
- (22) Plastic products manufacture, but not including the processing of raw materials.
- (23) Racing facilities (SUP required).
- (24) Recreational vehicle (RV) park (private) (SUP required).
- (25) Self-storage/mini-warehouse facility (SUP required).
- (26) Shooting range (indoor or outdoor) (SUP required).
- (27) Sporting and athletic equipment manufacture.
- (28) Testing and research laboratories.
- (29) Auction yard (vehicle) (SUP required).
- (30) Communication towers (SUP required).
- (31) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
- (32) Accessory buildings and uses customarily incidental to any of the above uses, provided that such not be objectionable because of odor, smoke, noise, vibration or similar nuisance. Open storage shall be

considered an accessory use but no more than ten percent of the platted lot may be used for outside storage, including access and maneuvering areas for moving the stored items.

(33) Cemetery, columbarium, mausoleum and accessory uses (SUP required).

(34) Motor Freight Terminal (SUP required).

(35) Other uses similar to the above-listed uses are allowed by special use permit (SUP) only, except that the following uses are specifically prohibited:

- a. Acetylene gas manufacture or storage.
- b. Acid manufacture.
- c. Alcohol manufacture.
- d. Ammonia, bleaching powder or chlorine manufacture.
- e. Arsenal.
- f. Asphalt manufacture or refining.
- g. Blast furnace.
- h. Bag cleaning, unless clearly accessory to the manufacture of bags.
- i. Boiler works.
- j. Brick, tile, pottery or terra cotta manufacture other than the manufacture of handcraft or concrete products.
- k. Reserved.
- l. Celluloid manufacture or treatment.
- m. Cement, lime, gypsum or Plaster of Paris manufacture.
- n. Central mixing plant for cement.
- o. Coke ovens.
- p. Cotton gins.
- q. Cottonseed oil manufacture.

- r. Creosote manufacture or treatment.
- s. Disinfectants manufacture.
- t. Distillation of bones, coal or wood.
- u. Dyestuff manufacture.
- v. Exterminator and insect poison manufacture.
- w. Emery cloth and sandpaper manufacture.
- x. Explosives or fireworks manufacture or storage.
- y. Fat rendering.
- z. Fertilizer manufacture.
- aa. Fish smoking and curing.
- bb. Forge plant.
- cc. Garbage, offal or dead animal reduction or dumping.
- dd. Gas manufacture or storage, for heating or illuminating purposes.
- ee. Glue, size or gelatine manufacture.
- ff. Hatchery.
- gg. Iron, steel, brass or copper foundry or fabrication plant.
- hh. Junk, iron or rag storage or baling.
- ii. Match manufacture.
- jj. Lampblack manufacture.
- kk. Oilcloth or linoleum manufacture.
- ll. Oiled rubber goods manufacture.
- mm. Ore reduction.
- nn. Oil or turpentine manufacture.
- oo. Paper and pulp manufacture.
- pp. Petroleum or its products, refining or wholesale storage of.

- qq. Pickle manufacturing.
- rr. Planing mills.
- ss. Potash works.
- tt. Pyroxline manufacture.
- uu. Rock crusher.
- vv. Rolling mill.
- ww. Rubber or gutta-percha manufacture or treatment, but not the making of articles out of rubber.
- xx. Sauerkraut manufacture.
- yy. Salt works.
- zz. Shoe polish manufacture.
- aaa. Smelting of tin, copper, zinc or iron ores.
- bbb. Soap manufacture other than liquid soap.
- ccc. Soda and compound manufacture.
- ddd. Stock yard or slaughter of animals or fowls.
- eee. Stone mill or quarry.
- fff. Storage yard.
- ggg. Stove polish manufacture.
- hhh. Tallow grease or lard manufacture or refining from or of animal fat.
- iii. Tanning, curing or storage of raw hides or skins.
- jjj. Tar distillation or manufacture.
- kkk. Tar roofing or water-proofing manufacture.
- lll. Tobacco (chewing) manufacture or treatment.
- mmm. Vinegar manufacture.
- nnn. Wool pulling or scouring.

ooo. Yeast plant.

SECTION 2. REPEALER. Every ordinance or parts of ordinances found to be in conflict herewith are here by repealed.

SECTION 3. SEVERABILITY. If any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect.

SECTION 4. PENALTY. Any person, firm or corporation who violates any provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the municipal court, shall be subject to a fine of not more than \$2,000.00 for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect and be in full force and effect from and after the date of its passage and publication as required by law.

SECTION 6. EMERGENCY. It being for the public welfare that this ordinance be passed creates an emergency and public necessity and the rule requiring this ordinance be read on three separate occasions be, and the same is hereby, waived and this ordinance shall be in full force and effect from and after its passage and approval and publication, as the law in such cases provides.

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**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE ____ DAY OF
_____, 2021.**

APPROVED:

T.J. Gilmore, MAYOR

ATTEST:

Julie Worster, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY