ARTICLE XXVII.
PERFORMANCE STANDARDS

In any district no land shall be used in any manner other than in compliance with the performance standards set forth herein.

SECTION A. FIRE AND EXPLOSIVE HAZARD.

The storage and use of all flammable or combustible liquids and hazardous materials shall be permitted only in accordance with Article V of this ordinance, and only when such storage or use conforms to the standards and regulations of the city of Carrollton.

SECTION B. GLARE.

The purpose of this section on effective outdoor lighting is to minimize glare, sky glow, light trespass and excessive energy consumption through the use of appropriate lighting fixtures, practices and systems, while maintaining safety, security and productivity.

1. No use or operation in any district shall be located or conducted as to produce intense glare or direct illumination across the bounding property line from a visible source of illumination, nor shall any light be of such intensity as to create a nuisance or detract from the use and enjoyment of adjacent properties. For the purposes of this section, a nuisance shall be defined as more than two tenths (0.2) of one (1) foot candle of light vertically measured five (5) feet above ground level at the property line shining onto any adjacent residentially zoned property, and, more than four-tenths (0.4) of one (1) foot candle of light vertically measured five (5) feet above ground level at the property line for all other areas.

2. All luminaires on property zoned or used for commercial or multi-family residential purposes visible from an arterial street as designated by the City of Carrollton Transportation Plan shall be so designed as to have the light source fully shielded from direct view at a point five (5) feet above grade at the property line.

3. All luminaires on property zoned or used for commercial or multi-family residential purposes abutting a residentially-zoned property shall be so designed as to have the light source fully shielded from direct view at a point three (3) feet above grade at the property line that abuts a residentially zoned property.

4. All luminaires shall be so arranged as to reflect the illumination away from any residentially zoned property. Such luminaires shall not distribute more than two-tenths (0.2) of one (1) foot candle of light upon any adjacent residentially zoned property.

5. All luminaires shall be placed, shielded or otherwise arranged such that illumination or glare shall not create a hazard to motorists on any street, alley or public way.

6. The use of mercury vapor lamps as a light source shall be prohibited.

7. The following shall be exempted from this Section:

   a. Lighting installed for public benefit on public rights-of-way, parks and public recreation areas;
   b. Emergency lighting by police, fire and/or municipal, state or federal government authorities

8. New luminaires added to existing or new structures after January 1, 2012 shall comply with this Section upon installation. This Section shall not be enforced until after January 1, 2017 for luminaires in existence on January 1, 2012. After January 1, 2017 all luminaires shall be in full compliance.
   (Ord. No. 3467, 12/06/11)

SECTION C. NOISE.

At no point at the bounding property line of any lot or parcel shall the sound pressure level of any operation or activity exceed the decibel limits specified in the octave band groups designated in the following table:

1. Maximum permissible daytime octave band-decibel limits at the bounding property line in any district:

Octave Ban (cps)	**Decibel Band Limit (db re 0.0002 microbar)**
37 - 75	86
75 - 150	76
150 - 300	70
300 - 600	65
600 - 1200	63
1200 - 2400	58
2400 - 4800	55
4800 - 9600	53
A scale	65

Note: *"A scale" levels are provided for monitoring purposes only and are not applicable to detailed sound analysis.*

2. The following corrections shall be made to the table of octave band-decibel limits in determining compliance with the noise level standards in any district:

   a. When noise is present at nighttime; SUBTRACT 7 db.

   b. When noise contains strong pure-tone components or is impulsive, that is, when meter changes at 10 decibels or more per second; SUBTRACT 7 db.

   c. When noise is present for not more than:

      ½ minute in any ½-hour period; or
      1 minute in any 1-hour period; or
      10 minutes in any 2-hour period; or
      20 minutes in any 4-hour period;
      ADD 10 db.

3. Measurement of noise shall be made with a sound level meter or octave band analyzer meeting the standards prescribed by the American Standards Association.

SECTION D. ODOROUS MATTER.

No use shall be located or operated in any district which involves the emission of obnoxious odorous matter from a source of operation where such obnoxious odorous matter exceeds the odor threshold at the bounding property line or any point beyond the tract upon which such use or operation is located.

The odor threshold as set forth herein shall be determined by observation by a person or persons. In any case where uncertainty may arise or where the operator or owner of an odor-emitting use may disagree with the enforcing officer, or where specific measurement of odor concentration is required, the method and procedures specified by the American Society for Testing Materials, A.S.T.M. D1391-57 entitled "Standard Method for Measurement of Odor in Atmosphere", shall be used and shall be hereby incorporated into this ordinance by reference.

SECTION E. SMOKE AND PARTICULATE MATTER.

1. SMOKE:

   The standards specified by the Texas Air Control Board Regulations for the Control of Air Pollution, as published by the Texas State Department of Health, shall apply.

2. PARTICULATE MATTER:

   The standards specified by the Texas Air Control Board Regulations for the Control of Air Pollution, as published by the Texas State Department of Health, shall apply.

SECTION F. TOXIC AND NOXIOUS MATTER.

No operation or use permitted in any district shall emit a concentration, across the bounding property line of the tract on which such operation or use is located, of toxic or noxious matter which will exceed ten (10) percent of the concentration (exposure) considered as the threshold limit for an industrial worker as such standards are set forth by the Texas State Department of Health in Threshold Limit Values Occupational Health Regulation No. 3, which is hereby incorporated into this ordinance by reference.

SECTION G. VIBRATION.

No operation or use in any district shall at any time create earthborn vibration which, when measured at the bounding property line of the source of operation, exceeds the limits of displacement set forth in the following table in the frequency ranges specified:

Frequency Cycles per Second	Displacement in Inches
0 to 10	0.0010
10 to 20	0.0008
20 to 30	0.0005
30 to 40	0.0004
40 and over	0.0003

SECTION H. RESERVED FOR FUTURE USE.

(Ord. No. 3467; 12/06/11)

SECTION I. DEFINITIONS APPLICABLE TO THE PERFORMANCE STANDARDS.

(Ord. No. 3467; 12/06/11)

1. BOUNDING PROPERTY LINE - The far side of any street, alley, stream or other permanently dedicated open space from the light or noise source when such open space exists between the property line of the light or noise source and adjacent property. When no such open space exists, the common line between two (2) parcels of property shall be interpreted as the bounding property line.

2. DAYTIME - The hours between sunrise and sunset on any given day.

3. DECIBEL - A unit of measurement of sound pressure.

4. FREQUENCY - The number of times per second a vibration or sound wave oscillates.

5. GLARE - Direct lighting emitted from a luminaire that causes reduced vision or temporary blindness.

6. LIGHT SOURCE - The bulb or lamp, which is a component of the luminaire.

7. LUMINAIRE - A device or fixture containing a light source and means for directing and controlling the distribution of light from a source. A luminaire consists of the complete lighting assembly, less the support assembly.

8. MERCURY LAMP - A high intensity discharge lamp where light is produced by radiation from mercury vapor.

9. OCTAVE BAND - A portion of the audible sound spectrum. An Octave Band analyzer divides the audible sound spectrum into eight (8) Octave Bands.

10. ODOR THRESHOLD - The concentration of odorous matter in the atmosphere necessary to be perceptible to the olfactory nerve of a normal person. Determination of the Odor Threshold is prescribed by A.S.T.M. D1391-57, "Standard Method of Measuring Odor in Atmospheres."

11. PARTICULATE MATTER - Finely divided solid or liquid matter, other than water, which is released into the atmosphere.

12. SHIELDING – The use of a physical structure intended to restrict emitted light.

13. SMOKE - The visible discharge of particulate matter from a chimney, vent or combustion process.

14. TOXIC AND NOXIOUS MATTER - Any solid, liquid or gaseous matter which is present in sufficient quantities to endanger the health, safety and comfort of persons in the vicinity or which may cause injury or damage to property.

15. VIBRATION - A periodic displacement of the earth measured in inches.

SECTION J. TRASH RECEPTACLES.

(Ord. No. 3439, 05/03/11)

Trash receptacles shall be located and maintained in accordance with the following provisions:

1. Trash receptacles 50 gallons (6.7 cubic feet) to less than 100 gallons (15.5 cubic feet) in volume:

    a. Shall be inside a building, flush against the exterior wall of a building, or within 10 feet of the building.

    b. Are prohibited in parking areas, on driveways, or landscape areas, except containers under 50 gallons may be placed next to shopping carts.

    c. A minimum four (4) feet of clearance shall be provided to allow safe pedestrian access, if receptacles are located on a sidewalk.

    d. The regulations in this subsection exclude waste and recycling bins on single family lots.

2. Trash receptacles 100 gallons (15.5 cubic feet) or greater:

    a. A trash bin which is 100 gallons (15.5 cubic feet) or greater shall be located behind the main building on the lot or parcel, or shall be completely screened as prescribed in Article XXV, Section C.

    b. Trash bins shall be marked to identify the name and telephone number of the firm(s) or person(s) responsible for the removal of collected materials, and shall display a notice stating that no material shall be left outside of the collection bin or container.

    c. In no instance shall trash bins occupy an undeveloped or unimproved lot or parcel.

    d. Prohibited on properties that contain single family land uses.

    e. Shall locate no closer to the street right-of-way than building(s).

    f. All driveways to trash dumpsters shall be designed to accommodate the weight of a 56,000 pound G.V.W. sanitation truck. Lifting pads shall be provided in front of each trash dumpster location to accommodate the front wheels of the sanitation truck.

    g. All refuse collected and stored must be completely contained within the trash receptacle. In no instance shall the collected or stored material be stacked to exceed the height of the waste container. No material shall be stored or displayed outside of the bin. The container shall be equipped with a lid that completely covers any opening utilized for the deposit of waste, and shall remain closed at all times, except for the deposit or removal of contents.

    h. Access to the trash dumpster and lift pad shall be in a "straight in" manner or positioned at a 45-degree angle located along a driving aisle, allowing for adequate sanitation truck maneuverability to service trash receptacles, or in a manner as approved by the City Manager or Designee. Trash dumpsters shall not be located directly beneath any overhead utility line less than 25 feet in height.

SECTION K. VENDING AND REVERSE VENDING MACHINES

(Ord. No. 3439, 05/03/11)

All vending and reverse vending machines shall comply with the following conditions:

1. Vending machines are subordinate structures that are classified as outside display. The area occupied by a vending machine shall be included in calculating coverage for outside display, as described in Article XXVI, Section B.

2. A reverse vending machine is prohibited outside.

3. A vending machine shall have a maximum height of ten (10) feet and maximum area of 24 square feet.

4. A vending machine shall be placed flush against the outside wall of a building.

5. A vending machine shall not be located within a required setback, open space, view corridor, landscaping area, or within a parking lot, or driveway aisle.

6. A vending machine shall be located to allow a minimum four (4) feet of clearance to allow safe pedestrian access.

7. Vending machines shall be maintained in a clean litter-free condition, and shall be sufficiently illuminated to ensure safe operation at all times.

8. Vending machines located in public parks are not required to meet the requirements above, except Section K (7), but shall be screened from streets.

SECTION L. WATER WELL POLLUTION PROTECTION

(Ord. No. 3438, 05/03/11)

1. Purpose.

   A. This Section sets forth uniform requirements for the users and the construction of facilities in or on land within one hundred fifty feet (150') of any water wells operated by the City of Carrollton ("Wells") in order to promote sanitary conditions in and around such Wells, to secure all such land from pollution hazards, and to enable the City to comply with all applicable state and local regulations.

   B. The objective of this Section is to prevent certain uses and the construction of facilities in or on land surrounding the Wells, which might create a danger of pollution to the water produced from such Wells.

2. Definitions.

   Unless the context requires otherwise, the following terms and phrases, as used in this Section, shall have the meanings hereinafter designated:

   A. *Person* shall mean any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity, or its legal representatives, agents, successors, or assigns.

   B. *Wells* shall mean the water wells owned and operated by the City.

3. Prohibited Activities.

   The following activities are prohibited within the designated areas of land surrounding the wells:

   A. Construction and/or operation of any underground petroleum and/or chemical storage tank, liquid transmission pipeline, stock pen, feedlot, dump grounds, privy, cesspool, septic tank, sewage treatment plant, sewage wet well, sewage pumping station, drainage ditch which contains industrial waste discharges or the wastes from sewage treatment systems, solid waste disposal site, land on which sewage plant or septic tank sludge is applied, land irrigated by sewage plant effluent, septic tank perforated drain field, absorption bed, evapotranspiration bed, area irrigated by low dosage, low angle spray on-site sewage facility, military facility, industrial facility, wood treatment facility, liquid petroleum and petrochemical production, storage, and/or transmission facility, Class 1, 2, 3, and/or 4 injection well, pesticide storage and/or mixing facility, abandoned well, inoperative well, improperly constructed water well of any depth, and all other construction or operation that could create an unsanitary condition is prohibited within, upon, or across all areas of land within a 150-foot radius of the wells. For the purposes of this Section, "improperly constructed water wells" are those wells that do not meet the surface and subsurface construction standards for a public water supply well.

B. Construction and/or operation of tile or concrete sanitary sewers, sewer appurtenances, septic tanks, storm sewers, and cemeteries is specifically prohibited within, upon, or across any area of land within a 50-foot radius of the Wells.

C. Construction of homes or buildings upon any area of land within a 150-foot radius of the wells is permitted, provided the restrictions described in items A and B above are met.

D. Normal farming and ranching operations are not prohibited by this Section; provided, however, livestock shall not be allowed within a 50-foot radius of the wells.

4. Right of Entry.

City employees, or authorized representatives of the City, bearing proper credentials and identification, shall be permitted to immediately enter upon any premises located within a 150-foot radius of any well to conduct any inspection or observation necessary to enforce this Ordinance.

5. Required Removal.

Any person who shall violate any provision of this section shall be required to remove the prohibited construction or potential source of contamination within 30 days after notification that they are in violation of this Section.

(THIS PAGE RESERVED FOR FUTURE USE)