ARTICLE XVI.
(FWY)
FREEWAY DISTRICT

SECTION A. PURPOSE.

1. The (FWY) Freeway District is established to provide adequate space for the diverse uses which can take advantage of the access provided by a regional freeway system.

2. The (FWY) Freeway District is established to create an attractive, higher intensity use corridor composed primarily of office, retail, limited light industrial and commercial uses, hotels, motels and restaurants along existing and proposed freeways within the city of Carrollton.

3. The (FWY) Freeway District is intended to be comprised of high quality development projects and structures which create an environment to enhance the public image of the community, attract and maintain viable land uses to revitalize and encourage long-term economic investment in freeway corridors, and provide attractive gateways into the city of Carrollton.

4. It should be recognized that, although this district is intended primarily to regulate the use of land along Interstate Highway 35E in Carrollton, it is also suitable for use in other existing and proposed freeway corridors in order to create attractive view corridors in the city.

SECTION B. PRINCIPAL AND ACCESSORY USES.

No land shall be used and no structure shall be erected for, converted to, or used for any principal or accessory use other than such uses as are allowed in the (FWY) Freeway District, in accordance with Article V of this ordinance.
(Ord. No. 1705, 05/07/91)

SECTION C. SPECIAL USE PERMITS.

Uses requiring approval of a Special Use Permit shall be allowed in the (FWY) Freeway District only in accordance with Articles V and XXI of this ordinance.
(Ord. No. 1705, 05/07/91)

SECTION D. PROHIBITED USES.

The following uses shall be specifically prohibited in the (FWY) Freeway District:

1. Any structure erected or land used for other than one or more of the uses specifically permitted pursuant to this Article and Article V of this ordinance;
2. Any use of property that does not meet the required minimum lot size; front, side or rear yard dimensions; lot depth or width; or which exceeds the maximum height, building coverage or any other standard as herein required, except as provided by Article XXVIII of this ordinance;
3. The storage of equipment, material or vehicles, including abandoned vehicles, which are not necessary to the uses permitted in this district. ***(Ord. No. 1705, 05/07/91)***

SECTION E. SCREENING REQUIREMENTS.

1. SCREENING WALL:

   Screening walls applicable to the separation of uses, screening of satellite television reception dishes, trash receptacles, and other items shall be provided in accordance with Article XXV of this ordinance.

2. ROOF-TOP SCREENING:

   Roof-mounted equipment shall include, but not be limited to, storage tanks, compressor units, mechanical equipment and elevator machinery, and shall be integrated into the building design and screened on all sides of the building. Roof-top screening shall be provided in a manner such that the screening is equal in height to the highest point of any roof-mounted equipment. Roof-top screening shall use building materials similar in appearance to the façade of the building on which such items are located in order to create a smooth, clean, integrated appearance. ***(Ord. No. 3421, 01/11/11)***

SECTION F. SPECIAL HEIGHT REGULATIONS.

1. Flagpoles, cooling towers, roof gables, roof-mounted communication antennas and satellite television reception dishes, chimneys and vent stacks, elevator bulkheads, penthouses and mechanical equipment, and parapet walls may extend for an additional height not to exceed fifteen (15) feet from the maximum height limit of a structure to the highest point of any church steeple, dome, spire, flagpole, cooling tower, roof gable, roof-mounted communication antenna or satellite television reception dish, chimney, vent stack, elevator bulkhead, penthouse and mechanical equipment, or parapet wall.

2. The height of the church steeples, domes and spires may extend an additional height not to exceed twice the height of the main building and shall be set back from any adjacent residentially zoned property line at a minimum distance equal to the total height of the steeple, dome or spire. Church steeples, domes and spires shall be permitted to be placed on the main buildings. This provision for an additional height in excess of the maximum height requirements shall be permitted for maximum of one (1) steeple, dome or spire per lot, tract or project.

3. Municipal water towers and sports lighting facilities, utility poles, and utility towers shall be specifically exempted from the maximum height restrictions imposed by this Article. ***(Ord. No. 2572, 11/07/00)***

SECTION G. SPECIAL YARD REGULATIONS.

1. SPECIAL FRONT YARD REGULATIONS:

   a. Every part of a required front yard shall be open and unobstructed from a point thirty (30) inches above the general ground level of the graded lot, to the sky. The requirements of this paragraph shall not apply, however, to living plant material or landscaping, lighting fixtures, flagpoles, mailboxes, overhead service lines and poles for utilities, or fences, which shall be situated and constructed in accordance with the applicable codes of the city of Carrollton.

   b. The location, placement and dimensions of any sign located within this District shall be permitted in accordance with the applicable sections of Chapter 153 of the Carrollton Code of Ordinances, otherwise known as the Sign Ordinance.
   (Ord. No. 1947, 10/19/93)

2. SPECIAL FRONT, REAR AND SIDE YARD REGULATIONS:

   a. The ordinary extensions of window sills, awnings, wall-mounted signs, eaves, balconies, belt courses, cornices, roof overhangs, canopies, and other architectural features may extend an additional ten (10) feet into the required front yard, or an additional five (5) feet into the required side or rear yards.

   b. Where applicable, any front, rear or side yard adjacent to any existing or proposed freeway, as identified on the Carrollton Transportation Plan, shall be measured from the face of the structure, covered porch or covered terrace to the proposed right-of-way line designated for future expansion or construction of the adjacent freeway, as such right-of-way is identified by the most current construction plans or schematic drawings available at the time of application by the property owner for a permit for construction.

3. SPECIAL REAR AND SIDE YARD REGULATIONS:

   No rear or side yard setback shall be required where such rear or side yard abuts:

   a. Railroad tracks, including sidings and spurs;
   b. Water body or stream course;
   c. Any area dedicated to permanent open space, such as a channel easement.

4. SPECIAL SIDE YARD REGULATIONS:

a. A structure shall be permitted to have one or both side walls coincident with the parcel or lot line upon a review and approval of a technical site plan by the Planning and Zoning Commission. Written notice of such technical review shall be sent to owners of real property within the area to be considered relevant to the site plan, and to owners of real property located immediately adjacent to such parcel to be considered. Such notice shall be sent in the same manner as prescribed by Article XXXI, subsection (B)(1)(d), of this ordinance. Such site plan shall be prepared and submitted in a manner as prescribed by the Planning and Zoning Commission, instructions of which are available from the Planning Department, and shall, at a minimum, address the following issues:

1. Provision of ingress and egress to such lot or parcel; and

2. Potential impacts upon adjacent properties; and

3. On-site traffic circulation patterns, including fire lanes, and the provision of off-street parking and off-street loading areas to serve such structure.

b. The side yard setback for the exterior wall which is not designated coincident with the lot line shall be established in accordance with the following:

1. Where a single building or structure is subdivided whereby individual tenant spaces are created on separately platted lots, the side yard setback for the exterior walls which are not coincident with the lot lines shall be established in accordance with Section (L)(11) of this Article.

2. Where a single building or structure is located on a separately platted lot, and where the exterior wall which is not designated coincident with the lot line faces the exterior wall of a building located on the abutting lot line of the adjacent lot, the side yard setback for such building shall be the cumulative total of both required side yards for the particular type of building if such building had not been established at the zero lot line. In all other instances, the side yard of the exterior wall which is not coincident with the lot line shall be established in accordance with Section (L)(11) of this Article.

c. In the event that a fire lane is provided within a designated side yard, the applicable requirements of the Carrollton fire code shall apply.

d. Approval of a zero lot line side yard in accordance with the provisions of this subsection shall not be construed as, nor constitute, a variance, reduction, modification or exemption from any other provision or requirement of this Article, or any applicable building or fire code of the city of Carrollton.

SECTION H. SIDEWALKS.

Sidewalks shall be provided in accordance with the Subdivision Ordinance, and shall be constructed in accordance with the standards prescribed by the city of Carrollton.
(Ord. No. 1947, 10/19/93)

SECTION I. RESERVED FOR FUTURE USE.

SECTION J. SPECIAL OFF-STREET LOADING AND SERVICE AREAS.

1. Where the provision of off-street loading and service areas is necessary for the uses permitted within the (FWY) Freeway District, such areas shall be provided in accordance with Article XXIV of this ordinance, except as otherwise provided herein.

   a. Loading areas, freight docks, truck berths or truck parking areas, vehicle repair, service, wash and maintenance bays, garages or garage doors, or any other similar facilities shall not be located within the designated front yard of any structure; nor shall such facilities face directly upon any freeway, freeway frontage road, or arterial thoroughfare, as designated on the Carrollton Transportation Plan, when located within two hundred (200) feet of any freeway, freeway frontage road or arterial thoroughfare, unless such facilities are screened in accordance with Section J(1)(b) below.

   b. All loading areas, freight docks, truck berths or truck parking areas, vehicle repair, service, wash and maintenance bays, garages or garage doors, or any other similar facilities located within two hundred (200) feet of any freeway, freeway frontage road or arterial thoroughfare, and which face upon such street, shall be screened from the view of the street by a solid, opaque wall or fence of not less than six (6) feet in height, measured at finished grade, constructed in accordance with the standards prescribed by the city of Carrollton.

      Otherwise, the location, setbacks and screening requirements for such facilities shall be in accordance with Article XXIV of this ordinance.

   c. Service areas provided incidental to a gasoline service station shall be exempted from the siting criteria established in Section J(1)(a), and the screening criteria established in Section J(1)(b).

SECTION K. MISCELLANEOUS REQUIREMENTS.

1. ACTIVITIES WITHIN AN ENCLOSED BUILDING:

   a. All business operations and activities within the (FWY) Freeway District shall be conducted completely within an enclosed building, and in no instance shall any outside activity be permitted in this district, except for off-street parking or loading; drive-in or drive-through window at a financial institution, restaurant, prescription pharmacy or dry cleaning establishment; outdoor dining in conjunction with a restaurant; material recycling collection bin; mobile collection center for secondhand goods; mobile redemption center; and the temporary outside display and sales of Christmas trees.

      Outside storage shall be allowed in the (FWY) Freeway District, and shall comply with Article XXVI, Section A, of this ordinance.

      The outside display of merchandise incidental to a permitted use shall be allowed in the (FWY) Freeway District, and shall comply with Article XXVI, Section B, of this ordinance.

   b. All newly constructed areas or existing areas which are expanded by at least 50% which are utilized for outside display or storage in conjunction with sales or rental of motor vehicles, mobile homes, trailers or boats, regardless of whether such areas are screened from public view, shall have a concrete surface, constructed in accordance with the standards prescribed by the city of Carrollton.
      (Ord. No. 1705, 05/07/91; Ord. No. 2176, 06/04/96)

2. UTILITIES:

   All utilities located within two hundred (200) feet of the front property line, which will serve any lot or parcel within the (FWY) Freeway District, shall be installed underground, except for any transmission lines or feeder lines, either existing or proposed, located within the (FWY) Freeway District, provided that such transmission or feeder lines shall be located within a designated paved easement or alley way provided by the property owner.

   Nothing set forth herein shall prohibit or restrict any utility company from recovering the difference between the cost of overhead facilities and underground facilities. Each utility whose facilities are subject to the provisions of this Article shall develop policies and cost reimbursement procedures with respect to the installation and extension of underground service.

3. COMMUNICATIONS TOWERS AND SATELLITE TELEVISION RECEPTION DISHES:

Communications towers and satellite television reception dishes located within the (FWY) Freeway District shall not be located in front of the main structure or the front building line, and shall not be erected closer than three (3) feet to any rear or side property line. Ground-mounted satellite television reception dishes shall be screened in accordance with Article XXV of this ordinance.

When the site upon which a ground-mounted communications tower or satellite television reception dish is located is adjacent to any residentially zoned property, the maximum overall height of the tower (including antennas), or dish at any position, shall be as follows:

a. Not to exceed ten (10) feet when located closer than twenty-five (25) feet to any residentially zoned property;

b. Not to exceed twenty-five (25) feet when located between twenty-five (25) and sixty-five (65) feet from any residentially zoned property;

c. Not to exceed forty (40) feet when located between sixty-five (65) and one hundred (100) feet from any residentially zoned property;

d. Not to exceed fifty (50) feet when located between one hundred (100) and one hundred-fifty (150) feet from any residentially zoned property;

e. Not to exceed seventy-five (75) feet when located in excess of one hundred-fifty (150) feet from any residentially zoned property.

No lettering, logo, or any form of advertising or other writing shall appear on the face or back of any tower or dish, except the name of the manufacturer, distributor or seller of such tower or dish, provided that such lettering does not exceed two (2) inches in height.

4. LANDSCAPING:

Landscaping shall be provided on the premises of any property within the (FWY) Freeway District in accordance with Article XXV of this ordinance. A landscape plan depicting a reduced width landscape buffer or one which shows a lesser percentage of the site landscaped may be approved by the Planning & Zoning Commission when it is shown that the physical constraints of the property preclude strict compliance of this section.
(Ord. No. 2176, 06/04/96)

5. SERVICE STATION PUMP ISLANDS:

   Gasoline service station pump islands and unenclosed canopies shall be permitted to extend beyond the front or side building line, provided that such pump islands are not located nearer than twenty (20) feet from the front or side property line, and that the outer edge of the unenclosed canopy shall not be located nearer than twelve (12) feet from the front or side property line.

6. VEHICLE SERVICE BAYS:

   All vehicle repair, service, wash or maintenance bays incidental to any use shall be arranged and screened in accordance with Article XXV of this ordinance and Section J(1) of this Article.

7. VALIDATION OF NONCONFORMING USES AND STRUCTURES
   (Ord. No. 2258, 04/15/97)

   Any use of land or building or any building or structure which was in existence on January 1, 1997, but which does not conform to the use regulations or does not conform to the lot area, lot dimensions, front yard, side yard, rear yard, lot coverage, height, floor area ratio, parking, loading, building spacing, screening, landscaping, exterior brick, stone or masonry regulations of this ordinance shall be hereafter be deemed lawful in the (FWY) Freeway District, as established on the Official Zoning Map, dated January 1, 1997. Application for validation of uses in existence on January 1, 1997, that are not included on a current Certificate of Occupancy, must be received on or before October 15, 1997.

   a. Property which is sold or leased shall continue to retain the lawful status.

   b. The existing use may be expanded in conformance with the current, applicable area regulations by a maximum of 100%.

   c. New uses shall be permitted by Article V of the Comprehensive Zoning Ordinance.

   d. If a use is discontinued for a period of 270 or more days, the subsequent use of the property shall be permitted in conformance with Article V of the Comprehensive Zoning Ordinance.

   e. Whenever a structure is partially or completely destroyed by fire or any cause, the use shall be allowed to continue unless it is discontinued for a period of 270 or more days. After that period of time, use of the property shall be permitted in conformance with Article V of the Comprehensive Zoning Ordinance. Any new construction shall be in accordance with the current development standards of the applicable zoning district.

8. ACCESSORY STRUCTURES
(Ord. No. 3144, 06/05/07)

a. No trailers, containers, shipping containers, commercial boxes, vehicles or similar structures shall be used as accessory buildings or structures.

All accessory structures shall be considered as main structures and shall comply with all the building and zoning requirements for main structures in that district with the following exceptions:

1. Public schools: Public schools shall be permitted to use modular classrooms on-site as attendance requires.

2. Churches: A maximum of one (1) accessory building with a floor area in excess of 120 square feet shall be permitted per lot or adjoining lots under a single ownership for churches. (All additional accessory buildings shall be considered main structures.)

    a. This structure shall not be located in front of the main structure, nor within the designated front yard of any lot or parcel.

    b. Where an accessory building or structure is located in the side yard of any lot or parcel, as such side yard is determined relative to the main structure, and where such side yard does not overlap or occur coincident with the designated rear yard, such accessory building or structure shall be screened from the view of any adjacent public street.

    c. Accessory structures shall be prohibited in the side yard, as such side yard is determined relative to the main structure, where such accessory structure is located between the main structure and a public street.

    d. Accessory buildings with a floor area greater than 120 square feet, but less than 240 square feet, shall have a metal or exterior grade wood siding unless the building is constructed in accordance with Section (Section No. reference modified per article),

    e. Height and Area Regulations, of this Article. Exterior construction materials for accessory buildings greater than 240 square feet shall be similar in type and in equivalent ratios of materials used on the exterior façade of the existing main structure on the lot.

    f. Accessory buildings with a floor area in excess of 600 square feet or with a building height over 15 feet, with or without a utility meter separate from the main building, shall be permitted only upon approval of a Special Use Permit.

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SECTION L. HEIGHT AND AREA REGULATIONS

		STRUCTURES UP TO 17 FEET IN HEIGHT	STRUCTURES UP TO 25 FEET IN HEIGHT	STRUCTURES UP TO 37 FEET IN HEIGHT	STRUCTURES UP TO 50 FEET IN HEIGHT	STRUCTURES UP TO 63 FEET IN HEIGHT	STRUCTURES UP TO 75 FEET IN HEIGHT
1.	Minimum lot area (Square feet)	40,000	40,000	40,000	40,000	40,000	40,000
2.	Maximum height of structure	17'	25'	37'	50'	63'	75'
3.	Maximum building coverage (As a percentage of total lot area) (Percent of lot area which can be covered by building(s)) ***(Ord. No. 1844, 11/03/92)***	65%	65%	65%	65%	65%	65%
4.	Minimum brick or stone content, exterior (All main buildings shall have a percentage not less than specified herein of each exterior wall, excluding doors, windows, and window walls, constructed of brick, stone, masonry, or pre-cast concrete panels, unless an alternate material is approved by the Planning & Zoning Commission. A denial of the request may be appealed to the City Council if the appeal is filed with the Urban Development Department within ten (10) days of the action of the Planning & Zoning Commission.) ***(Ord. No. 2105, 10/03/95; Ord. No. 2176, 06/04/96; Ord. No. 2249, 03/18/97; Ord. No. 2572, 11/07/00)***	80%	80%	80%	80%	80%	80%
5.	Maximum amount of impervious coverage (As a percentage of total lot area)	90%	90%	90%	90%	90%	90%
6.	Minimum amount of landscaped area (percentage of total lot area) (Reference Article XXV of this ordinance)	15%	15%	15%	15%	15%	15%
7.	Minimum lot frontage on a public street (Measured at the front building line)						
	a. Abutting a state or federally designated freeway, freeway frontage road, or arterial thoroughfare (As identified on the Carrollton Transportation Plan) ***(Ord. No. 1557, 07/11/89)***	150'	150'	150'	150'	150'	150'
	b. All others	100'	100'	100'	100'	100'	100'
8.	Minimum lot depth (Length of side lot lines)	200'	200'	200'	200'	200'	200'

	STRUCTURES UP TO 17 FEET IN HEIGHT	STRUCTURES UP TO 25 FEET IN HEIGHT	STRUCTURES UP TO 37 FEET IN HEIGHT	STRUCTURES UP TO 50 FEET IN HEIGHT	STRUCTURES UP TO 63 FEET IN HEIGHT	STRUCTURES UP TO 75 FEET IN HEIGHT
9. Minimum depth of front setback (Measured from front property line to any structure) ***(Ord. No. 3548, 04/02/13)***	25'	25'	25'	25'	25'	25'
10. Minimum width of side setback (Distance between structure and any property line not deemed a front or rear yard)						
a. Directly (not separated by any ROW) Abutting (SF) single-family zoned property						
1. Without windows facing (SF) single-family zoned property, or with windows occupying only the top 20% of any exterior wall, per floor above the first floor, facing any (SF) single-family zoned property. ***(Ord. No. 3548, 04/02/13)***	1/2 building height	1/2 building height	1/2 building height	1/2 building height	1/2 building height	1/2 building height
2. With windows facing (SF) single-family zoned property which occupy in excess of the top 20% of any exterior wall, per floor above the first floor. ***(Ord. No. 3548, 04/02/13)***	building height	building height	building height	building height	building height	building height
b. Abutting a state or federally designated freeway, freeway frontage road, or arterial thoroughfare (As identified on the Carrollton Transportation Plan)	25'	25'	25'	25'	25'	25'
c. Abutting a collector thoroughfare or any other type of street ***(Ord. No. 3548, 04/02/13)***	25’	25’	25’	25’	25’	25’
d. All other side setbacks (***Ord. No. 3331, 10/06/09)*** (In the event that a fire lane is provided within a designated side yard, the applicable requirements of the Carrollton fire code shall apply)	15’	15’	15’	15’	15’	15’

	STRUCTURES UP TO 17 FEET IN HEIGHT	STRUCTURES UP TO 25 FEET IN HEIGHT	STRUCTURES UP TO 37 FEET IN HEIGHT	STRUCTURES UP TO 50 FEET IN HEIGHT	STRUCTURES UP TO 63 FEET IN HEIGHT	STRUCTURES UP TO 75 FEET IN HEIGHT
11. Minimum depth of rear setback (Measured from rear property line to any structure)						
a. Directly (not separated by any ROW) abutting (SF) single-family zoned property						
1. Without windows facing (SF) single-family zoned property, or with windows occupying only the top 20% of any exterior wall, per floor above the first floor, facing any (SF) single-family zoned property. ***(Ord. No. 3548, 04/02/13)***	1/2 building height	1/2 building height	1/2 building height	1/2 building height	1/2 building height	1/2 building height
2. With windows facing (SF) single-family zoned property which occupy in excess of the top 20% of an exterior wall, per floor above the first floor. ***(Ord. No. 3548, 04/02/13)***	building height	building height	building height	building height	building height	building height
b. Abutting property zoned other than (SF) single-family ***(Ord. No. 3548, 04/02/13)***	15'	15'	15’	15’	15’	15’
c. Abutting a state or federally designated freeway, freeway frontage road, or arterial or collector thoroughfare (As identified on the Carrollton Transportation Plan) ***(Ord. No. 3548, 04/02/13)***	25’	25’	25’	25’	25’	25’
d. Abutting any other type of street ***(Ord. No. 3548, 04/02/13)*** (In the event that a fire lane is provided within a designated rear yard, the applicable requirements of the Carrollton fire code shall apply)	1/2 building height	1/2 building height	1/2 building height	1/2 building height	1/2 building height	1/2 building height
12. Minimum distance between structures on the same lot or parcel ***(Ord. No. 3548, 04/02/13)***	0'	0'	0'	0’’	0'	0'
13. Minimum required off-street parking spaces	Reference Article XXIV of this ordinance					

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