

Section 5200. FR, Freeway Overlay District Regulations.

- A. **General Purpose and Description:** This district shall function as an overlay zoning district the regulations of which are superimposed and shall supersede the regulations of an approved standard zoning district; such standard zoning districts identified as the PR, A, SF-5AC/24, SF-12/22, SF-9.6/20, SF-8.4/18, SF-8.4/16, SF-7.5/18, SF-7.5/16, SF-7.5/12, SF-6/12, 2F, MF-1, MF-2, OP, C-1, C-2, C-3, C-4, I-1, I-2, MH and PD District. Where provisions of the "FR", Freeway Overlay Districts shall be applicable to any property which is adjacent to and within three hundred (300) feet of the right-of-way lines of a highway abutting a FR District in the City of Mansfield, the "FR" District is created as an overlay district whereby it is recognized that certain specific standards relative to land use, set backs, signage, etc. are appropriate and necessary that such standards shall be superimposed and shall supersede the regulation of an approved standard zoning district. Where such district regulations are in conflict with the provisions of these sections, all regulations of the approved standard zoning districts shall be in effect except as identified in this section.
- B. **Use Regulations:** A building or premise in this district shall be used only for the following purposes:
1. Any use identified in the MF-1, MF-2, OP, C-1, C-2, C-3 or I-1 districts subject to the conditions identified in subsection C herein prohibiting certain land uses or requiring restricted use approval for certain identified land uses so long as said uses are permitted within the approved standard zoning district. No cumulative use permitted in a standard zoning district with a "FR" prefix shall be permitted unless provided for herein.
- C. Uses identified in this paragraph are expressly prohibited as the primary use of land on any lot or tract in the FR, Overlay District. Such uses are also prohibited secondary uses except as identified in this section as permitted secondary usage:
1. Any use identified in the MH, C-4 or I-2 district unless otherwise permitted.
 2. Plant Nursery.
 3. Mobile Homes, Trailers, temporary buildings, tents, except as temporary office for construction or business relocation and only in compliance with Section 6200B of this Ordinance.
 4. Open warehousing except as specifically provided herein.
 5. Any outside storage of vehicles for repair, storage, sale or use except as a secondary use to a permitted use provided herein.
 6. Travel trailer park.
 7. Rental stores with outside storage or display.
 8. Landscape materials, sales, rental or supply with outside storage.
 9. Any outside storage of materials or products for finishing fabrication or disposal.
 10. Pool or billiard hall.

11. Amusement center.
12. Amusement park except as a planned development, or specific use.
13. Outdoor amusements including but not limited to commercial swimming pool, drive-in theater, driving range miniature golf course, riding stable or club.
14. Buildings or enclosed structures whereby vehicles may enter into and pass completely through to the other side, except for the following purposes:
 - a. Mechanical service or modification;
 - b. Inspection; and,
 - c. Electronic product or component installation
15. Second hand goods.
16. Pawn shop.
17. Kennel.
18. Carwash with exception that a single bay fully automatic car wash be permitted as a secondary use to retail gasoline sales.
19. New or used motor vehicle part sales with outside storage.
20. Use motor vehicles sales except as a secondary use to new motor vehicles sales.
- ~~21. Paint and body shop except as a secondary use to a new motor vehicle sales.~~
- ~~22.~~21. Tire recapping or retreading.
- ~~23.~~22. Salvage or reclamation.
- ~~24.~~23. Temporary storage of impounded vehicles or vehicles awaiting dismantling or repair.
- ~~25.~~24. Trailer rental, sales or storage.
- ~~26.~~25. Truck or motorcycle rental, storage or secondary sales except as a secondary use to new truck or motorcycle sales.
- ~~27.~~26. Heavy equipment rentals, sales or storage, new or used.
- ~~28.~~27. Any use involving nude employees.
- ~~29.~~28. Book stores, theaters, or movie houses except those within a strip commercial shopping center, shopping mall or as part of a planned development as provided herein.
- ~~30.~~29. Petroleum products, wholesale storage.
- ~~31.~~30. Planning mill.

~~32.31.~~ Railroad yard, shop; truck terminal, stops.

~~33.32.~~ Night Club, bar or private club except as a secondary use to a hotel, motel, restaurant and provided that the sale of food constitutes a minimum of 60% of total sales.

~~34.33.~~ Any use incorporating the housing outdoors or indoors of any livestock or animals except as a secondary use to an amusement park or Planned Development for amusement purposes (Specific Use Permit Required).

~~35.34.~~ Drive-thru or to go food services except as a secondary use to a walk-in restaurant.

(Ordinance No. 1427, Adopted 5/12/03)

D. Restricted Land Uses:

Any building or premises in this overlay district may be used for the purpose identified in this paragraph only when the use has been specifically approved by Specific Use Permit in compliance with the provisions of Section 6100 of this Ordinance.

1. Single-family dwelling, zero-lot-line dwelling, and two-family dwelling.
2. Amusement Park (except as may be incorporated as part of a planned development)
3. Dance Hall or night club.
4. Recycling collection center.
5. Building materials and lumber sales with outside storage.
6. Any secondary use incorporating housing of animals indoors.
7. Auto repair, auto paint and body shop and auto service establishments that meet the requirements of Section 7800, Special Conditions and the following conditions; provided that a car wash ~~and paint and body shop~~ shall continue to be prohibited as shown in Section 5200C and that an auto service department of a new car dealership shall be exempt from the specific use permit requirement depicted in Section 5200D above.
 - a. Architectural elements shall be required to enhance all building facades. Such architectural elements may include cornices, moldings, pilasters, wall recesses or projections, arches, special entryways, awnings, canopies, porticoes, pitched roof and/or combinations of such elements. In addition, architectural details such as a variety of patterns, colors and textures of building materials shall also be required. Building elevation drawings shall be included as a part of the application for the specific use permit. Elevation drawings shall be in color and depict the proposed architectural elements and details.
 - b. No service bay shall face an abutting public street or highway if it is not completely behind a screening enclosure.
 - c. No service bay shall be located less than one hundred (100) feet from the highway right-of-way if it is not completely behind a screening enclosure.

- d. Service bays that are not totally screened by an existing intervening building shall be screened from view from any highway that abuts the property where the service bays are located. Screening shall be achieved by a solid masonry wall, earthen berm or a combination of screening wall and earthen berm that is ten (10) feet high minimum, located perpendicular to the exterior facade of the first service bay nearest to the highway to extend out a distance of twenty (20) feet beyond the service bay.
 1. The screening wall shall be constructed of the same material used predominately on the building facade that faces the highway.
 2. If an earthen berm is used, it shall be designed and constructed to prevent any drainage and erosion problems. The maximum slope for an earthen berm shall be 3:1 (i.e. three feet width for every foot in height).
- e. In addition to the Street Landscape Setback required in Section 7300~~C.2~~ and the screening described ~~above~~ in this section, additional landscaping, in the amount of ten (10) percent of the total area of the property, shall be provided to enhance the appearance from any public street or highway that abuts the property and minimize the view of the service bays.
- f. To demonstrate the effectiveness of the proposed landscaping and screening, the following documents shall be submitted as part of the application for the specific use permit:
 1. A landscape plan prepared by a registered landscape architect;
 2. A line of sight drawing prepared by a qualified design professional; and
 3. A perspective rendering or axonometric drawing prepared by a qualified design professional.
- g. Whenever service bay doors face a side property line, a twenty (20) foot wide landscape buffer shall be provided along the entire side property line. When there are service bay doors on more than one side of the building, this requirement shall apply to all side property lines across from service bay doors. The twenty (20) foot landscape buffer shall be planted at the rate of one approved screening tree for each two hundred (200) square feet or portion thereof. At the time of planting, each screening tree shall be a minimum of ten to eleven (10-11) feet in height, six to seven (6-7) feet spread, and a minimum of three ~~and one-half~~ (3.5) inch caliper measured eighteen (18) inches above ground. Screening trees shall be chosen from the list in paragraph (1) below. As an alternative to screening trees, a developer may choose from the canopy trees listed in Section 7300~~I.2.a~~, as long as the minimum height and caliper requirements above are met. If canopy trees are utilized, they shall be planted at the rate of one tree for each three hundred (300) square feet or portion thereof, and shrubs shall be planted between trees to provide adequate screening. The screening shrubs shall be planted no further apart than four (4) feet on center in two continuous, alternating rows so that screening should be effective within two growing seasons. Screening shrubs shall be a minimum of seven (7) gallon or larger with a minimum height of three-and-a-half (3½) feet at the time of planting and shall be chosen from the list in paragraph (2) below.

1. Screening Trees: Approved screening trees may not be limbed up and the foliage must be full-to-the-ground. Approved screening trees include Eastern Red Cedar, Leyland Cypress, Elderica Pine, Cherry Laurel, and Nelly R. Stevens Holly. The Landscape Administrator may approve other screening trees.
 2. Screening Shrubs: Approved screening shrubs may not be limbed up and the foliage must be full-to-the-ground. Approved screening shrubs include Waxmyrtle, Dwarf Waxmyrtle, Burford Holly, Dwarf Burford Holly, Nandina, Texas Sage, Pampas Grass, Chinese Holly, and other selections of holly which will reach at least five (5) feet in height. The Landscape Administrator may approve other screening shrubs.
- h. Service bay doors shall be painted with a neutral or earth tone color. The developer may propose an alternate color that the Planning and Zoning Commission and City Council may determine to be appropriate for the building design and not detract from the aesthetic quality of the development and surrounding properties. The intent of this provision is to avoid drawing attention to the service bay doors. Glass or transparent overhead doors shall not be permitted.
 - i. Vehicles awaiting repair or pickup may be stored overnight only in enclosed spaces. Notwithstanding the foregoing, an auto paint and body shop may store vehicles awaiting repair provided the vehicles are completely behind a screening enclosure.
 - j. There shall be no outside storage or display of materials, including goods or products (i.e. tires, batteries, auto parts, etc.) awaiting sale, installation, disposal, finishing or fabrication.
 - k. A screening enclosure referenced or required in this section shall be at least six (6) feet in height and constructed of the same material used predominately on the building façade.
 - ~~k.l.~~ The screening and/or landscaping requirements described above may be modified by the City Council if they find that the structure is architecturally designed to effectively screen the service bay doors from view from abutting properties and abutting public street or highway.
 - ~~l.m.~~ The site plan, elevations, landscape plan, line of sight drawing and perspective rendering/axonometric drawings that are submitted to demonstrate architectural elements, effectiveness of screening, and architectural details shall be binding on the development and subsequent expansions.
 - n. Buildings constructed for any use permitted under this subsection are limited to one story and maximum height of 35 feet.

