



ORDINANCE NO. 3989

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE CITY OF FARMERS BRANCH CODE OF ORDINANCES CHAPTER 94 “ZONING,” BY AMENDING ARTICLE 5 “SPECIAL DISTRICTS,” SECTION 5.5 “BEER AND WINE SALES OVERLAY DISTRICT” TO INCLUDE 1.48± ACRES BEING LOT 1, BLOCK A, MIDWAY ALPHA RETAIL CENTER ADDITION; AND BY AMENDING “APPENDIX C - MAPS” TO UPDATE THE ALCOHOL SALES OVERLAY DISTRICTS MAP; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2000.00) DOLLARS; AND PROVIDING AN EFFECTIVE DATE. (CASE NO. 26-ZA-01)

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

SECTION 1. Chapter 94 “Zoning” of the Code of Ordinances of the City of Farmers Branch, Texas, as previously amended, (the “Comprehensive Zoning Ordinance”) is hereby further amended as follows:

- A.** Article 5 “Special Districts,” Section 5.5 “Beer and Wine Sales Overlay District,” Subsection B.2 “Designated Beer and Wine Sales Overlay Districts” is amended by establishing and adding “Beer and Wine Sales (BW) Overlay District 11” to read as follows:

Beer and Wine Sales (BW) Overlay District 11: Being all of Lot 1, Block A, Midway Alpha Retail Center Addition, comprising approximately 1.48 acres and bounded by Alpha Road to the south and Midway Road to the east.

- C.** The map titled “Alcohol Sales Overlay District Map” as set forth in Appendix C “Maps” to Chapter 94 “Zoning” of the Code of Ordinances of the City of Farmers Branch, Texas, is replaced to read as shown on Exhibit “A” attached hereto and incorporated herein by reference.

SECTION 2. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Farmers Branch and the provisions of this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION 3. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 5. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THIS, THE 3rd DAY OF MARCH 2026.

ATTEST:

APPROVED:

Erin Flores, TRMC, City Secretary

Terry Lynne, Mayor

APPROVED AS TO FORM:

David Berman, City Attorney

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Exhibit “A” Alcohol Sales Overlay Districts Map

