

ORDINANCE NO. 3492



AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT FOR WAREHOUSE, DISTRIBUTION, LIGHT FABRICATION AND ASSEMBLY USE ON LOT 1, BLOCK 1, BUCHANAN PRINTING ADDITION (COMMONLY KNOWN AS 12400 FORD ROAD) AND LOCATED IN THE PLANNED DEVELOPMENT NUMBER 74 (PD-74); APPROVING DEVELOPMENT REGULATIONS AND A SITE PLAN; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR TERMINATION UNDER CERTAIN CIRCUMSTANCES; AND PROVIDING FOR AN EFFECTIVE DATE

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, the governing body, in the exercise of its 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. The City of Farmers Branch Zoning Ordinance and zoning map of the City of Farmers Branch, Texas, (collectively, “the Zoning Ordinance”) be, and the same is hereby amended, so as to grant a change in zoning by granting a Specific Use Permit for Warehouse, Distribution, Light Fabrication and Assembly use within the Planned Development Number 74 (PD-74) zoning district on land described as Lot 1, Block 1, Buchanan Printing Addition, an addition to the City of Farmers Branch, Dallas County, Texas, according to the plat thereof recorded in Volume 98093, Page 86, Map Records, Dallas County, Texas (“the Property”)(commonly known as 12400 Ford Road, Farmers Branch, Texas).

SECTION 2. The Property shall conform in operation, location and construction to the development standards specified within Planned Development No. 74 (PD-74) Zoning District, and, if used and developed for the use authorized by Section 1, above, shall also be used and developed in association with the following regulations:

- A.** The Property shall be developed and used only in accordance with the Site Plan attached hereto as Exhibit “A” and incorporated herein by reference (“the Site Plan”).

- B.** Prior to issuance of a certificate of occupancy for the use of the Property for which this Specific Use Permit is granted, installation and/or construction of a landscape screening in compliance with Section 10.B of the PD-74 Ordinance (i.e. Ordinance No. 2248, as amended by Ordinance No. 2360) relating to the screening of loading areas must be completed along the boundary of the Property adjacent to the northern right of way of Christian Parkway as determined by the City's Planning Director.
- C.** No materials, equipment, tools, or supplies shall be stored or displayed on the exterior of any building on the Property.

SECTION 3. The Property shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended and as amended herein.

SECTION 4. The provisions of this ordinance shall be controlling with respect to the use and development of the Property for the purposes authorized in Section 1, above. In the event of any irreconcilable conflict with the provisions of any other ordinances of the City of Farmers Branch, the provisions of this ordinance shall be controlling.

SECTION 5. 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 6. 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 7. 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 8. This ordinance and the right to use the Property in accordance with the Specific Use Permit granted pursuant to Section 1 of this Ordinance is subject to termination in accordance with Section 6.5.C. of the Comprehensive Zoning Ordinance, as amended.

SECTION 9. 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 20TH DAY OF MARCH, 2017.**

ATTEST:

APPROVED:

Amy Piukana, City Secretary

Robert C. Dye, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:3/7/18:96788)

