



ORDINANCE NO. 3614

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 AMENDING AND RESTATING THE DEVELOPMENT AND USE REGULATIONS OF ORDINANCE NO. 2511 GRANTING A SPECIFIC USE PERMIT FOR OUTDOOR STORAGE ON 16.66± ACRES DESCRIBED IN ATTACHMENT “1” HERETO (COMMONLY KNOWN AS 13850 DIPLOMAT DRIVE) LOCATED IN PLANNED DEVELOPMENT NO. 22 (PD-22); 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 AN EFFECTIVE DATE; AND PROVIDING FOR TERMINATION

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. The Comprehensive Zoning Ordinance and zoning map of the City of Farmers Branch, Texas, be amended by amending and restating as follows Section 2 of Ordinance No. 2511 granting a Specific Use Permit for Outdoor Storage on a 16.66± acre tract described in Attachment “1,” attached hereto and incorporated herein by reference (commonly known as 13850 Diplomat Drive) (“the Property”) and presently located in Planned Development No. 22 (PD-22).

SECTION 2. If the Property is developed and used with Outdoor Storage as authorized by Section 1 of this Ordinance, the development of the Property with outdoor storage shall be subject to the following special conditions:

- A. The Property shall be developed and used only in accordance with the Detailed Site Plan attached hereto as Exhibit “A,” and incorporated herein by reference (“the Site Plan”).
- B. Outdoor Storage shall be permitted on the Property only within the areas shown on the Site Plan as designated for Outdoor Storage.

- C. The Property shall be landscaped as shown on the Landscape Plan. All required landscaping shall be maintained in a healthy growing condition, replaced when dead from any cause; and irrigated with an automatic irrigation system.
- D. The areas used for Outdoor Storage shall be screened as shown on the Site Plan and the Landscape Plan attached hereto as Exhibit “B” and incorporated herein by reference.
- E. Height of items stored within the Outdoor Storage areas shall not exceed ten (10) feet above grade.

SECTION 2. Ordinance No. 2511 is further amended by:

- A. Amending Exhibit “A” in its entirety to read as set forth in Attachment 2, attached hereto and incorporated herein by reference; and
- B. Adding Exhibit “B” “Landscape Plan” as attached hereto as Attachment 3 and incorporated herein by reference.

SECTION 3. 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 as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

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

SECTION 5. If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 6. 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, and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

SECTION 7. This ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance as the law and the City Charter in such cases provides.

SECTION 8. This ordinance shall be subject to termination pursuant to Section 6.5.C of the Comprehensive Zoning Ordinance, as amended.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH,
TEXAS, ON THIS, THE 12TH DAY OF NOVEMBER 2019.**

ATTEST:

APPROVED:

Amy Piukana, City Secretary

Robert C. Dye, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:10/30/19:111842)

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ATTACHMENT 1 – Description of Property

Tract I: Lot 5, Block 7 out of Replat of Lots 3 & 4, Block 7, Valwood Park Farmers Branch – Phase II, an addition to the City of Farmers Branch, Texas, according to the plat thereof recorded in Volume 85212, Page 4198, Plat Records, Dallas County, Texas

Tract II: Being a 2.394 acre tract of land out of the J.A. Armstrong Survey, Abstract No. 28, Dallas County, Texas, and more particularly described as “Tract 1” in Exhibit “A” to Special Warranty Deed recorded in Volume 96186, Page 3492, Official Public Records, Dallas County, Texas.

Tract III: Being a 5.2 acre tract of land out of the J.A. Armstrong Survey, Abstract No. 28, Dallas County, Texas, and more particularly described as “Tract 2” in Exhibit “A” to Special Warranty Deed recorded in Volume 96186, Page 3492, Official Public Records, Dallas County, Texas.

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Ordinance No. 3614 Attachment 3 Exhibit "B" – Landscape Plan

