



**ORDINANCE NUMBER 2711**

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT FOR A CELLULAR COMMUNICATIONS ANTENNA SYSTEM AND AN EQUIPMENT BUILDING WITHIN THE ONE FAMILY RESIDENCE-2 (R-2) ZONING DISTRICT AT 3725 VALLEY VIEW LANE; PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and



WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the City of Farmers Branch City Council, in compliance with the Charter and Code of Ordinances of the City of Farmers Branch, and the state law with reference to the granting of changes to the zoning classifications under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that due to a change in condition and in order to protect the public health, welfare and safety, said change in zoning should be made;

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

SECTION 1. That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the Zoning Map of the City of Farmers Branch so as to grant a Specific Use Permit for a cellular communications antenna system to be mounted on the side of the existing City of Farmers Branch water tower located at 3725 Valley View Lane east of the City of Farmers Branch Police and Municipal Court building within the One Family Residence-2 (R-2) zoning district.

SECTION 3. That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein amended by the granting of a specific use permit including an associated site plan for a cellular communications antenna and an equipment building to be constructed, situated and located in accordance with the lease area attached as Exhibit "A" and the approved site plan attached as Exhibit "B" and subject to the following conditions.

1. That the equipment building's exterior finish shall match the color of the Farmers Branch Justice Center screening wall fronting Valley View Lane and the antennas match the color of the water tower, unless otherwise approved by City Staff.