

**FARMERS
BRANCH**

ORDINANCE NUMBER 2090

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 INDICATE NEW AND USED AUTOMOBILE SALES AS PERMITTED USES REQUIRING A SPECIFIC USE PERMIT IN THE PLANNED DEVELOPMENT NUMBER 30 ZONING DISTRICT; ESTABLISHING SPECIAL STANDARDS FOR USED MOTOR VEHICLE SALES; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF, AND DECLARING 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 Charter of the City of Farmers Branch, and the State Law with reference to amendments to 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 said change in zoning use should be made;

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending Ordinance Number 1387 so as to indicate new and used automobile sales as a permitted use requiring a Specific Use Permit in the Use Chart for the Planned Development Number 30 zoning district.

SECTION 2. That the following standards are hereby established to regulate and control the location of new and used automobile sales uses and further ensure compatibility with surrounding land uses.

- (a) The sale of new automobiles shall be permitted with a Specific Use Permit anywhere within the Planned Development No. 30 (PD-30) zoning district.

- (b) The sale of used automobiles on properties fronting Stemmons Freeway (I-35E), Valley View Lane and Valwood Parkway shall be permitted as an accessory use to new automobile sales only. Used automobile sales shall either be located on the same lot as the new automobile sales use or on an adjacent property, provided the adjacent property is owned or leased by the same entity owning or operating the new automobile sales use with which it is affiliated.

- (c) All automobile sales in the PD-30 district shall be subject to the following minimum standards:
 - (1) All vehicle use areas including parking spaces, display areas, storage areas, driveways, etc., shall be paved with either concrete or asphalt in accordance with City of Farmers Branch engineering standards.
 - (2) All vehicle storage areas (not sales display areas) shall be fully screened from all adjacent properties and public street rights-of-way.
 - (3) No outdoor storage of discarded or salvaged materials, junk vehicles or vehicle parts shall be permitted.
 - (4) Elevated display of vehicles shall be prohibited.
 - (5) A reasonable landscaped setback shall be provided between any public-street right-of-way and any vehicle display area, as determined by the Planning and Zoning Commission and approved by the City Council.
 - (6) All repair and service work shall be conducted within an enclosed building.

SECTION 3. If any section, paragraph, subdivision, clause, phrase, provision or word of this ordinance shall be judged invalid or unconstitutional such judgement shall not affect the remainder of this ordinance.

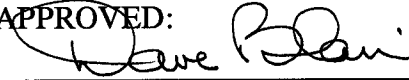
SECTION 4. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punishable by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

SECTION 6. The fact that certain amendments should be made in the Comprehensive Zoning Ordinance creates an emergency in the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, as the law in such case provides.

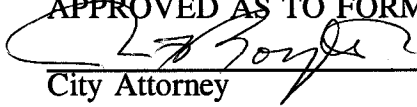
DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, on this the 20th day of December, 1993.

APPROVED:



Mayor

APPROVED AS TO FORM:

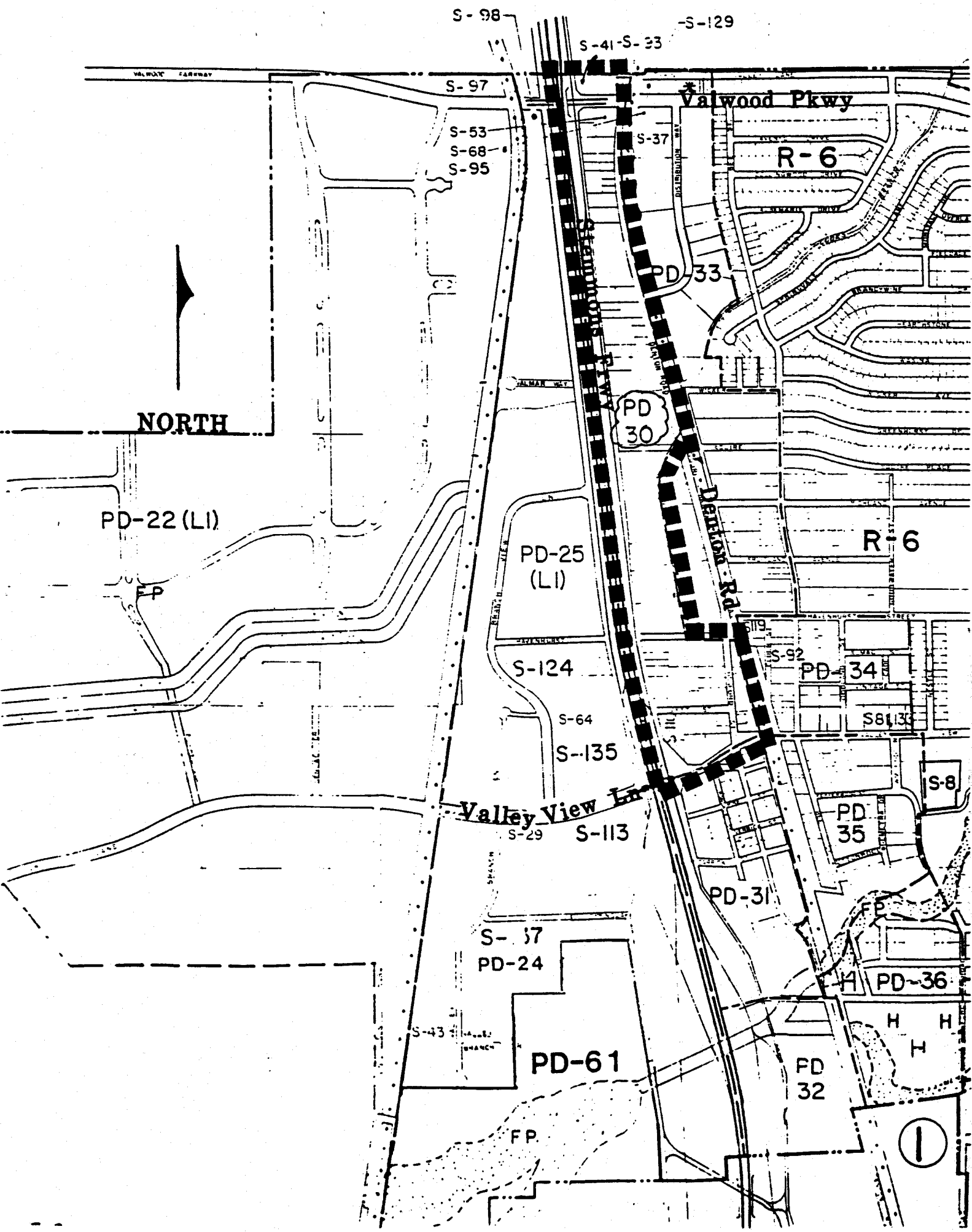


City Attorney

ATTEST:



City Secretary



NORTH

PD-22 (LI)

PD-25 (LI)

PD 30

PD 33

R-6

R-6

S-124

S-64

S-135

PD-34

S-8

Valley View Ln

S-29

S-113

PD-35

S-37
PD-24

PD-31

PD-36

PD-61

PD 32

1

Valwood Pkwy

Deaton Rd

Stearns Ave

VALWOOD FARMWAY

S-98

S-129

S-41-S-33

S-97

S-53

S-68

S-95

S-37

S-92

S-8

S-43