



ORDINANCE NO. 1707

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 A NON-DRIVE-IN RESTAURANT WITH OUTSIDE SALES WINDOW AS A PERMITTED USE REQUIRING A SPECIFIC USE PERMIT IN THE PLANNED DEVELOPMENT 33 ZONING DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; AND DECLARING AN EMERGENCY.

Whereas, the City Plan 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 State Law with reference to amendments to the Zoning Ordinance Regulations and Zoning Map, have given the 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 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 zoning amendment 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 1390 so as to indicate a Non Drive-In Restaurant With Outside Sales Window as a permitted use requiring a Specific Use Permit in the Use Chart for the Planned Development 33 Zoning District.

SECTION 2. If any section, paragraph, subsection, clause, phrase, provision or word of this ordinance shall be judged invalid or unconstitutional such judgement shall not effect the remainder of this Ordinance.

SECTION 3. 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 4. That any person, firm or corporation violating any of the provisions or terms of the 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-Hundred Dollars (\$200.00) for each offense.

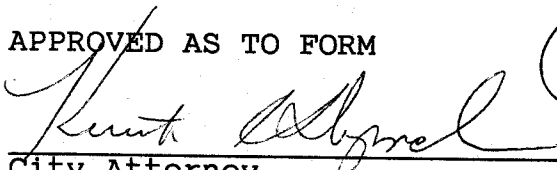
SECTION 5. The fact that certain amendments should be made in the Comprehensive Zoning Ordinance creates an emergency in the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED BY the City Council of the City of Farmers Branch, Texas, on the 20th day of July, 1987.



Mayor

APPROVED AS TO FORM



City Attorney

ATTEST:



City Secretary