



FARMERS  
BRANCH

# MEMORANDUM

COMMUNITY SERVICES DEPARTMENT

DATE: October 22, 1984

FROM: Tom Scales

TO: Community Services Department

SUBJECT: ADMINISTRATIVE INTERPRETATION OF PD-40 (O) ORDINANCE

It was decided today that the PD-40 (o) Ordinance will be interpreted to include retail uses as permitted in "PD" zones rather than exclude retail because it is not allowed in "O" zoning district. (This is Ordinance No. 1415 dated December 6, 1982).

TES:PDC:cjm



ORDINANCE NO. 1415

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 CHANGE THE ZONING DESIGNATION FROM LIGHT INDUSTRIAL (LI) TO PLANNED DEVELOPMENT DISTRICT NO. 40 ALLOWING OFFICE USES (PD-40 (O)) ON THE TRACT OF LAND BOUNDED BY MIDWAY ROAD, NORTH SERVICE ROAD OF IH 635, WELCH ROAD, AND THE EAST-WEST RAILROAD SPUR SOUTH OF McEWEN ROAD; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARES (\$200.00) FOR EACH OFFENSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; 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 the State law with reference to the granting of changes of zoning 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 the 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 uses 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 the Zoning Map of the City of Farmers Branch, so as to change the zoning from Light Industrial

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(LI) to Planned Development Zoning District No. 40 allowing office uses (PD-40 (O)) on the tract of land bounded by Midway Road, North Service Road of IH 635 (LBJ), Welch Road, and the east-west railroad spur south of McEwen and as shown on Exhibit "A".

SECTION 2. That the above described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Farmers Branch, and that the use "automobile dealership" shall be an allowable use within Planned Development District No. 40 (PD-40, (O)).

SECTION 3. That the above tract of land shall be developed, only following the planned development standards provided for and established by the Comprehensive Zoning Ordinance of the City of Farmers Branch, and that the allowable lot coverage shall be fifty (50) percent.

SECTION 4. That any development of structures below grade, including building and parking structures, shall not be included within the allowable Floor Area Ratio (FAR) calculation.

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 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 Hundred Dollars (\$200.00) for each offense.

SECTION 6. In addition to and cumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

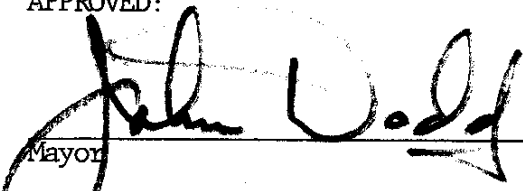
SECTION 7. That if any section, paragraph, subdivision, clause or phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

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SECTION 8. Whereas, it has been found that there has been a change in the conditions in the above described property it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Farmers Branch, and creates an urgency and an emergency for 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.

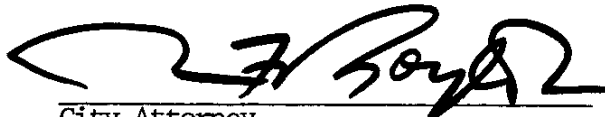
DULY PASSED by the City Council of the City of Farmers Branch, Texas, on this the 6th day of December, 1982.


APPROVED:

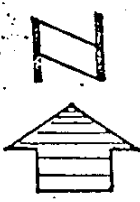
  
\_\_\_\_\_  
Mayor

ATTEST:

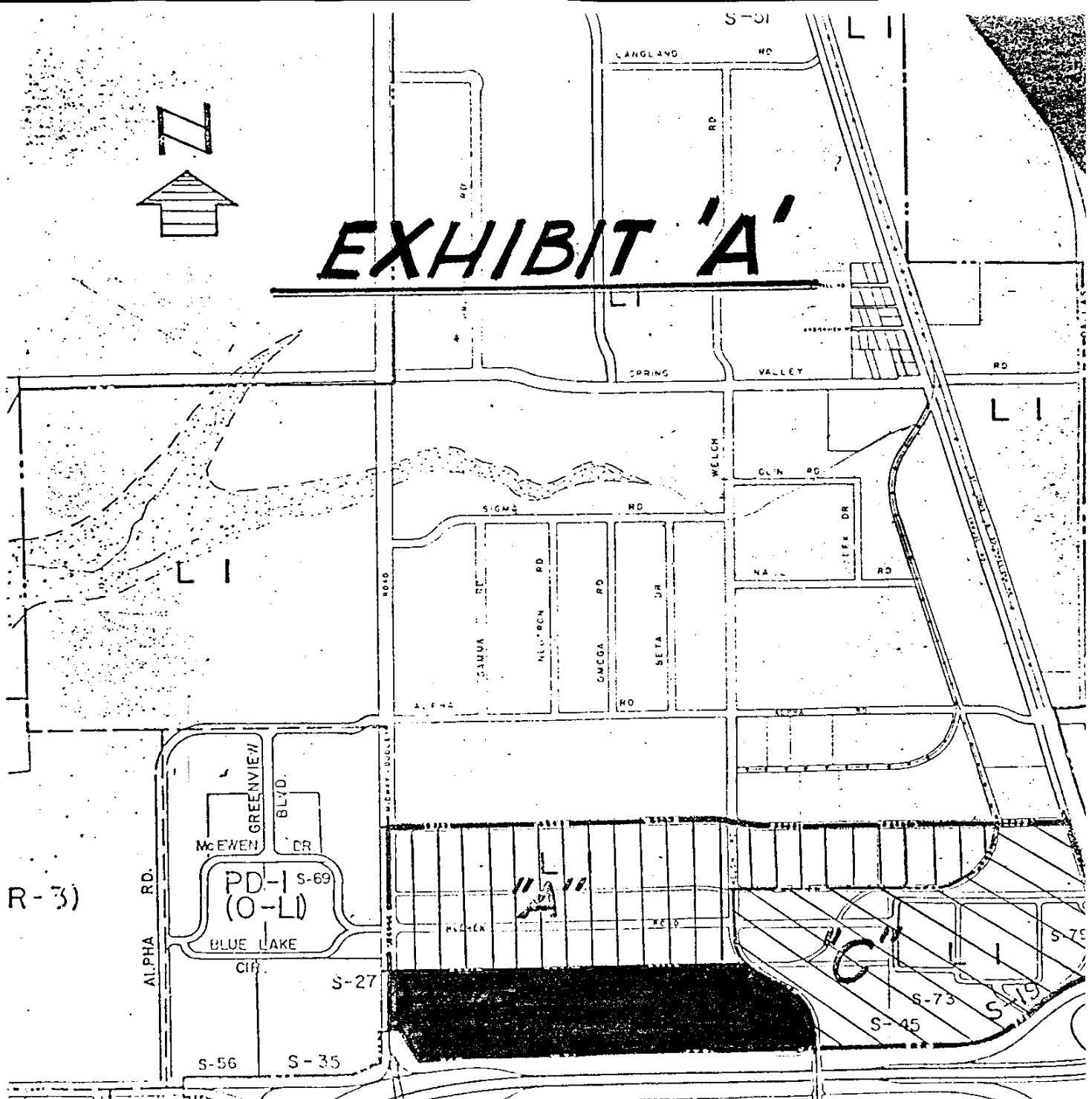
APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

  
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City Secretary



# EXHIBIT 'A'



R-3)

PD-LI S-69  
(O-L)

BLUE LAKE  
CIR.




S-27

S-56

S-35

MF-2

## SUGGESTED ZONING

-  PD-LI USES
  -  PD-O USES
  -  PD- USES & STANDARDS BY ORD.
- EXHIBIT "A"

PREPARED BY: BUILDING INSPECTION  
10-8-82