



FARMERS BRANCH

ORDINANCE NUMBER 2974

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT TO ALLOW A GAS WELL SITE ON A 6.0-ACRE TRACT LOCATED AT 12651 MERCER PARKWAY AND WITHIN PLANNED DEVELOPMENT 88 (PD-88) ZONING DISTRICT, INCLUDING A SITE PLAN, SPECIAL EXCEPTIONS, AND SPECIAL CONDITIONS; PROVIDING FOR REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS PER OFFENCE; PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING FOR 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 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:

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 grant a Specific Use Permit to allow a natural gas well site on a 6-acre tract located generally at 12651 Mercer Parkway within Planned Development 88 (PD-88) zoning district (hereinafter the "Property"), said property being more particularly described in Exhibit "A" attached hereto and incorporated herein as if set out in full in this Section 1.

SECTION 2. That the Property shall conform in operation, location and construction to the development standards specified within Planned Development 88 (PD-88) zoning district and

in accordance with the Site Plan attached hereto as Exhibit "B," and shall be further developed in accordance with the following Special Exceptions and Conditions:

A. Special Exceptions:

- (1) A combination masonry wall/metal fence (6 feet high) shall be constructed approximately 20 feet from the front property line as shown on Exhibit B-Site Plan (Landscape Plan Details).
- (2) The combination wall/fence may be constructed with blank wall lengths of more than 40 feet, provided heavy vegetative screening is installed on both sides of the structure at such locations.
- (3) One vehicular gate of approximately 30 feet in width may be used to access the Property, said gate to be located generally as shown on Exhibit "B."
- (4) The streetscape to be installed along the frontage of Mercer Parkway adjacent to the Property may be designed and installed as shown on Exhibit "B".

B. Special Conditions:

- (1) A final plat of the Property must approved and recorded prior to issuance of a Certificate of Occupancy or activities relating to the exploration and/or production of natural gas may commence on the Property.
- (2) Construction and/or installation on the Property of all sidewalks, street lights, landscaping, and fence improvements shown on Exhibit "B", must be completed not later than 18 months from the effective date of this Ordinance.
- (3) If the operator who obtains a Gas Well Permit for the drilling and production of natural gas on and from the Property commences drilling one or more gas wells on the Property and subsequently abandons all such drilling and/or production activities, and such abandonment occurs prior to the completion of construction of the improvements required by the Special Condition set forth in Paragraph (2), above, the Property must be restored to the condition of the Property prior to the adoption of this Ordinance, said restoration to be completed not later than 18 months after the effective date of this Ordinance.
- (4) No activity for the exploration, drilling, or production of oil, gas, or other minerals shall occur on the Property until the holder of the Gas Well Permit authorizing such activities on the Property has signed a Right-of Way Maintenance and Repair Agreement with the City of Farmers Branch.

SECTION 3. That all provisions of the ordinances of the City of Farmers Branch in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other