



**FARMERS
BRANCH**

ORDINANCE NO. 3219

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT FOR MOTORCYCLE SALES AND REPAIR ON LOT 1, BLOCK A, VALWOOD DESIGN DISTRICT REVISED, AN ADDITION TO THE CITY OF FARMERS BRANCH, TEXAS (COMMONLY KNOWN AS 13990 STEMMONS FREEWAY N., FARMERS BRANCH, TEXAS) LOCATED WITHIN PLANNED DEVELOPMENT NO. 70 "OLD FARMERS BRANCH - FREEWAY SUBDISTRICT" (PD-70-OFB-FW) ZONING DISTRICT; PROVIDING FOR THE APPROVAL OF A SITE PLAN, SIGN PLAN, AND LANDSCAPE PLAN; PROVIDING A SAVINGS CLAUSE; PROVIDING CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; 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, the governing body, in the exercise of its 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, THAT:

SECTION 1. The Comprehensive Zoning Ordinance and zoning map of the City of Farmers Branch, Texas, be, and the same is hereby amended, so as to grant a change in zoning by granting a Specific Use Permit for Motorcycle Sales and Repair on Lot 1, Block A, Valwood Design District Revised, an Addition to the City of Farmers Branch, Texas (commonly known as 13990 Stemmons Freeway N., Farmers Branch, Texas)("the Property") which is presently zoned Planned Development No. 70 "Old Farmers Branch - Freeway Subdistrict" (PD-70-OFB-FW) Zoning District.

SECTION 2. If developed and used for Motorcycle Sales and Repair as authorized pursuant to Section 1, above, the Property shall conform in operation, location and construction to the development standards specified within the Planned Development No. 70 "Old Farmers Branch -

Freeway Subdistrict" (PD-70-OFB-FW) zoning district as well as the following special conditions:

- A. The Property shall be developed and used only in accordance with the Site Plan attached hereto as Exhibit "A," the Sign Plan attached hereto as Exhibit "B," and the Landscape Plan attached hereto as Exhibit "C," which are incorporated herein by reference and hereby approved;
- B. No work on motorcycles or display of motorcycles placed on the Property for lease or sale shall occur on the exterior of any building on the Property.

SECTION 3. The Property shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended and as amended herein.

SECTION 4. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Farmers Branch and the provisions of this Ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

SECTION 5. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 7. 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, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 8. This Ordinance shall take effect after the passage of this Ordinance, the publication of the caption hereof as the law and charter in such case provide.

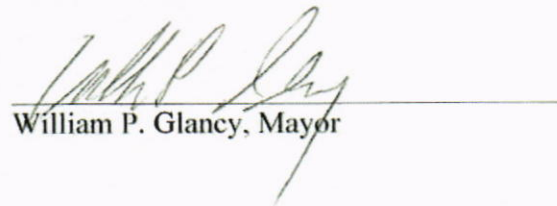
**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH,
TEXAS, ON THIS THE 5th DAY OF MARCH, 2013.**

ATTEST:



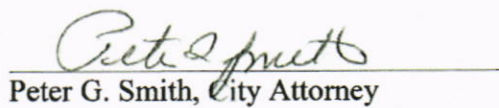
Angela Kelly, City Secretary

APPROVED:



William P. Glancy, Mayor

APPROVED AS TO FORM:



Peter G. Smith, City Attorney

(kbl:2/26/13:59617)