

ORDINANCE NO. 26

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, AS HERETOFORE AMENDED, SO AS TO CHANGE THE REQUIREMENTS REGARDING THE TYPE OF MATERIALS TO BE USED IN CONSTRUCTING BUILDINGS IN THE "C-M AND C-FP" COMMERCIAL ZONES, AND IN THE "I-M(1), I-M(2), AND I-FP" INDUSTRIAL ZONES, SO AS TO REQUIRE THAT THE OUTSIDE WALLS ADJACENT TO DEDICATED STREETS SHALL BE CONSTRUCTED OF BRICK OR STONE; PROHIBITING THE CONSTRUCTION OF BUILDINGS WITH OUTSIDE WALLS OF WOOD OR CORRUGATED METAL; PROVIDING FOR SPECIAL PERMITS FOR COMMERCIAL AMUSEMENT ENTERPRISES IN ANY ZONED AREA; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED \$100.00 FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, The City Planning Commission of the City of Addison and the governing body of the City of Addison, in compliance with the laws of the State of Texas and the zoning ordinances of the City of Addison, 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 areas and in the vicinity thereof, the governing body of the City of Addison is of the opinion and has concluded that the comprehensive zoning ordinance should be amended and that the public welfare will be served by such amendments; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS:

SECTION 1. That the comprehensive zoning ordinance of the City of Addison, as heretofore amended, be, and the same is hereby amended by amending Section 2(a) of Article VI, Section 2(a) of Article VII, Section 2(a) of Article VIII, Section 2 of Article IX,

Section 2(a) of Article X, so that such sections shall hereafter read as follows:

"Type of Materials.

All buildings facing upon a dedicated street shall have the outside walls adjacent to the street constructed of brick or stone. Side walls extending back 20 feet from the front shall be constructed of the same materials as the front. Buildings located upon a corner lot shall have the outside front wall and side wall adjacent to the street constructed of the same type of brick or stone; also, the other walls extending back 20 feet shall be constructed of the same materials.

The remaining outside walls may be constructed of brick, stone or masonry, or may be constructed of a prefabricated type metal. (The butler type or delta type prefabricated metal building, or other similar type of metal wall building, shall be permitted.)

Outside walls shall not be constructed of wood or of corrugated metal."

SECTION 2. That the comprehensive zoning ordinance of the City of Addison, as heretofore amended, be, and the same is hereby amended by adding a section to be known as Article XII(a), which said article shall be as follows, to-wit:

ARTICLE XII(a)
SPECIAL PERMITS

The City Council of the City of Addison, may, after public hearing and proper notice to all parties affected, and after recommendation from the City Planning Commission containing such requirements and safeguards as are necessary to protect adjoining property owners, authorize the location of any of the following uses in any zoned area, to-wit:

(1) Commercial Amusement Enterprises:

SECTION 3. If any section, paragraph, subject division, clause or phrase or a provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof, except the part so held to be invalid, or any part of the comprehensive zoning ordinance, other than the part so decided to be invalid and unconstitutional, it being the intention of the governing body to pass only such portions of such ordinance as may be legal and constitutional.

SECTION 4. That all other provisions of the comprehensive zoning ordinance of the City of Addison, as heretofore amended, not in conflict with the provisions of this ordinance, shall remain in full force and effect.

SECTION 5. That any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by fine not to exceed \$100.00 for each offense, and each and every day said violation shall continue shall constitute a separate offense.

SECTION 6. The fact that the above and foregoing amendments to the comprehensive zoning ordinance are needed and necessary to adequately protect the public health, safety and welfare of the residents of the City of Addison, constitutes an urgency and an emergency and requires that this ordinance shall take effect immediately from and after its passage, and publication of the caption of said ordinance one time in the official publication of the City, as the law in such cases provides.

DULY PASSED on the 2 day of March, 1959.

APPROVED:

M W Morris
MAYOR

DULY ENROLLED:

Carroll Cooper
CITY SECRETARY

APPROVED AS TO FORM:

W Louis Nichols
ATTORNEY