

ORDINANCE NO.

474

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, TEXAS, BY DELETING FROM ARTICLE VIII, "LR" LOCAL RETAIL DISTRICT CLASSIFICATION, THE PERMITTED USE OF RESTAURANTS WITHOUT CURB OR DRIVE-IN SERVICE (SERVICE TO BE ENTIRELY WITHIN THE BUILDING); AND AMENDING ARTICLE XII, SPECIAL USES, SECTION 25(e) TO ADD ALL RESTAURANTS; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Zoning Commission of the City of Addison, and the Governing Body of the City of Addison, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning changes under the zoning ordinance and zoning map, have given 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 all persons interested and situated in the area, the City of Addison, Texas, is of the opinion that the said change of zoning should be amended to show that all restaurants are under Special Uses District Classification in the exercise of its legislative direction:

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, Texas, be, and is hereby amended to delete the permitted use of Restaurants without curb or drive-in service (service to be entirely within the building) from Article VIII, "LR" Local Retail District Classification.

SECTION 2. That Article XII, Special Uses, Section 25(e) of the Comprehensive Zoning Ordinance is hereby amended to read as follows:

25(e) Restaurants without drive-in service (service to be entirely within the building); and Restaurants with drive-in facilities, provided that no food or drink may be served to vehicles parked on the public street.

SECTION 3. 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 as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 4. That all ordinances of the City in conflict with the provisions of this Ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. That should any paragraph, sentence, 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. Whereas, the above described property requires 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 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 for the caption as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF ADDISON,
TEXAS, this the 13th day of February, 1979.



MAYOR

ATTEST:



CITY SECRETARY