

ORDINANCE NO. 476

AN ORDINANCE AMENDING ORDINANCE NO. 66, PASSED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS, ON MAY 11, 1965, BY AMENDING ARTICLE VIII, SECTION 5, LOCAL RETAIL DISTRICT-PARKING REGULATIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND DECLARING AN EMERGENCY.

WHEREAS, application was made to amend the Comprehensive Zoning Ordinance of the City of Addison, Texas, by making application for the same with the Planning and Zoning Commission of the City of Addison, Texas, as required by State Statutes and the Zoning Ordinance of the City of Addison, Texas, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of the City of Addison, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the City of Addison, Texas, at a public hearing called at a regular session of the City Council did consider the following factors in making a determination as to whether this requested change should be granted or denied; safety of the motoring public and the pedestrians using the facilities in the area immediately surrounding the sites; safety from fire hazards and measures of fire control, protection of adjacent property from flood or water damages, noise reducing elements and glare of vehicle

and stationary lights and affect of such lights on established character of the neighborhood, location, lighting and types of sign and relation of signs to traffic control and adjacent property, street size and adequacy of width for traffic reasonably expected to be generated by the proposed use around the site and in the immediate neighborhood, adequacy of parking as determined by requirements of this ordinance for off-street parking facilities, location of ingress and egress points for parking and off-street loading spaces, and protection of public health by servicing all parking areas to control this, the effect on the promotion of health and general welfare, effect on light and air, the effect on the over-crowding of the land, the effect on concentration of population, the effect on the transportation, water, sewer, schools, parks and other public facilities; and

WHEREAS, the City Council of the City of Addison, Texas, does find that there is a public necessity for the zoning change, that the public demands it, that the public interest clearly requires the amendment, and it is in the best interest of the public at large, the citizens of the City of Addison, and helps promote the general welfare, safety and welfare of this community.

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

SECTION 1. That Ordinance No. 66, the Comprehensive Zoning Ordinance of the City of Addison, Texas, be, and the same is hereby amended by amending Article VIII, Section 5 to read as follows:

Section 5. PARKING REGULATIONS

Off-street parking space shall be provided for the appropriate building use classification according to the following ratio:

- (A) General Retail: (1/200 s.f.) One space per each two hundred square feet of floor area.
- (B) Furniture Store: (1/1000 s.f.) One space per each one thousand square feet of floor area.
- (C) Medical or Dental Clinics: (1/200 s.f.) One space per each two hundred square feet of floor area.
- (D) Banks or Savings & Loans: (1/300 s.f.) One space per each three hundred square feet of floor area.
- (E) Business Office: (1/300 s.f.) One space per each three hundred square feet of floor area.
- (F) Motion Picture Theatre: (1/4 seats) One space per each four seats based on maximum occupancy load.
- (G) Restaurants: (1/100 s.f.) One space per each one hundred square feet of floor area.
- (H) Bowling Alleys: (5/1 alley) Five spaces per each alley.
- (I) Retail, office and service buildings shall provide and maintain off-street facilities for the loading and unloading of merchandise and goods, within the building or on the lot adjacent to a public alley or private service drive to facilitate the movement of traffic on the public streets. Such space shall consist of a minimum area ten (10) feet by twenty-five (25) feet for each twenty thousand (20,000) square feet of floor space or fraction thereof in excess of three thousand (3,000) square feet in the building or on the lot used for retail, storage or service purposes.

SECTION 2. 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 3. 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 4. 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 5. The fact that the present ordinances and regulations of the city are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the city creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its passage, as provided by law, and it is accordingly so ordained.

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

ATTEST:

MAYOR

Walter Sharp  
CITY SECRETARY