

ORDINANCE NO. 084-049

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, BY AMENDING PARAGRAPH (G) OF SECTION 5. OF ARTICLE VIII, LOCAL RETAIL DISTRICT REGULATIONS, SO AS TO PROVIDE PARKING REGULATIONS FOR FREE STANDING RESTAURANTS AND RESTAURANTS IN MIXED USE DEVELOPMENTS; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

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

WHEREAS, the City Council of the Town 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 Town of Addison, and helps promote the general welfare and safety of this community, now, therefore;

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

SECTION 1. That the Comprehensive Zoning Ordinance No. 66 of the Town of Addison, Texas, is hereby amended by amending paragraph (G) of Section 5. of Article VIII, Local Retail District Regulations, to read as follows:

ARTICLE VIII
"LR" LOCAL RETAIL DISTRICT REGULATIONS

Section 5. Parking Regulations

G. (1) Parking Regulations/Free standing Restaurants

- a. Restaurants: (1/70 Sq. Ft.) one space for seventy (70) square feet of floor area for all free standing buildings unless it is part of a shopping center.

(2) Parking Regulations/Mixed Use Developments

- a. If all buildings which are part of the development total less than 30,000 square feet in area, and the development has more than 40% of its floor area devoted to restaurant uses, the parking shall be provided at the ratio of one (1) space for every seventy (70) square feet of gross restaurant floor area.
- b. Free standing restaurants which occur within the mixed-use developments shall be required to provide parking at the ratio of one (1) parking space for every one hundred (100) square feet of gross floor area if the property is deed restricted or if covenants exist which allow the restaurant the use of the entire on-site parking provided by the development. Such on-site parking must adjoin and/or be contiguous to the restaurant use.

In the case of a restaurant development occurring in an unfinished center, the center must provide enough parking so as to give the restaurant use a parking requirement of one (1) space for every seventy (70) square feet.

- c. Where this condition does not exist, free-standing restaurants in mixed-use developments shall be

required to provide parking at the ratio of one (1) parking space for every seventy (70) square feet of gross floor area.

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 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 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 provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of this ordinance as a whole.

SECTION 5. The importance of this ordinance creates an emergency and an imperative public necessity, and the ordinance shall take effect and be in force from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,
TEXAS, on this the 24 day of JULY, 1984.

MAYOR



ATTEST:

Greg Dunham, Asst.
CITY SECRETARY

CASE #

TAX #

Published
8/22/84