

ORDINANCE NO. 091-012

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE SUBDIVISION ORDINANCE NO. 261, AS HERETOFORE AMENDED, BY ADDING PROVISIONS REQUIRING CONSISTENCY OF PLATS WITH REGULATIONS OF THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON PROVIDING FOR ADDITIONAL PLAT REQUIREMENTS; PROVIDING FOR ADDITIONAL STANDARDS FOR STREETS; PROVIDING FOR STANDARDS RELATING TO PROVISION OF PUBLIC OPEN SPACE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEAL CLAUSE; DECLARING AN EMERGENCY; AND PROVIDING FOR A PENALTY CLAUSE.

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

SECTION ONE. That Section VI of the Subdivision Ordinance, No. 261, be amended to read in its entirety as follows:

SECTION VI - ZONING.

No plat will be approved for any tract of land within Town boundaries which has not been permanently zoned in accordance with the Addison Zoning Ordinance. Plats must be consistent with the standards set forth in the zoning regulations, and other rules and regulations of the Town applicable to the development, as may be amended from time to time. Where the zoning regulations require that a concept plan or development plan be submitted for a tract of land prior to issuance of building permits, a copy of the

concept plan or development plan shall accompany the application for plat approval and the plat for the tract shall conform to the approved concept plan and/or development plan. Any standards waived or modified by the City Council in conjunction with approval of such concept plan or development plan shall be applicable to the plat, notwithstanding these regulations to the contrary.

SECTION TWO. That Section VIII(F) be amended to read as follows:

- F. Show all parcels of land intended to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purpose or conditions of limitations of such reservation. In an MXR District, the plat and plans shall show proposed greenbelt areas and active recreation space areas proposed to be dedicated or reserved.

SECTION THREE. That Section VIII is amended by adding a new subsection N to read as follows:

- N. The plat and plans should be accompanied by the fee required for acquisition of active open space in an MXR Zoning District.

SECTION FOUR. That Section IX(F) be amended to read as follows:

- F. The accurate outline of all property which is offered for dedication for public use with the purpose indicated thereon, including any greenbelt areas and other active recreation space areas in an MXR District, and of all property that may be reserved by deed covenant for the common use of the property owners in the subdivision.

SECTION FIVE. That Section XVI(A) be amended by adding a sentence to the introductory paragraph, to read as follows:

- A. Streets and alleys. In general, streets shall conform to the following standards [:]; provided, however, that streets in the MXR zoning district shall also conform to the standards applicable to such districts, as set forth in the Addison Zoning Ordinance, Ord. No. 66 as amended, Article VIII-D, and to the extent that street standards in the MXR district conflict with these regulations, the standards in the Zoning Ordinance shall govern.

SECTION SIX: That Section XVI be amended by adding a new subsection H to read as follows:

- H. Open Space Requirements.
 - 1. Within an MXR Zoning District, as established by Ord. No. 091-010 of the Town of Addison, Texas, no plat shall be approved unless the plat dedicates or

reserves areas of linear greenbelt around the perimeter of the site, nor shall any plat be approved unless the fee for acquisition of active recreation space has been imposed, or land has been offered for dedication in lieu thereof and accepted by the City.

2. For developments consisting entirely of one-family dwellings, as that term is defined in Ord. No. 66, the fee for acquisition of active recreation space shall be imposed prior to approval of the preliminary subdivision plat and paid at the time of final plat approval. For all other types of developments requiring platting, the property owner must demonstrate compliance with the requirements of the Zoning Ordinance prior to approval of the final plat.
3. The plan for improvements within the MXR District and the schedule of fees shall be established by resolution of the City Council, which may be amended from time to time.
4. Conditions applicable to the reservation or dedication of greenbelt areas and other active recreation space areas, conditions applicable to payment of fees, and conditions applicable to the dedication of active recreation space land shall be

as provided in Section 5 of Article VIII-D of Ord. No. 66, as amended by Ord. No. 091-010.

SECTION SEVEN. 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.

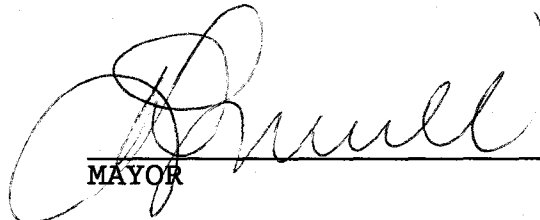
SECTION EIGHT. That all ordinances of the Town in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the Town not in conflict with the provision of this ordinance shall remain in full force and effect.

SECTION NINE. 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.

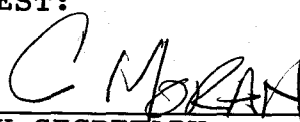
SECTION TEN. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the Town as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand

(\$2,000.00) Dollars, but not less than Five Hundred (\$500.00) Dollars, for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

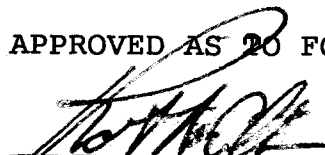
DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS
this 9th day of April, 1991.


MAYOR

ATTEST:


CITY SECRETARY

APPROVED AS TO FORM:


CITY ATTORNEY

EFFECTIVE DATE:

May 30, 1991

Published 5-30-91