

ORDINANCE NO. 092-058

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, BY AMENDING ORDINANCE 460, SECTION 3, PARAGRAPHS (d) AND (f) TO PROVIDE FOR A CHANGE IN THE REQUIRED PARKING RATIOS FOR RESTAURANTS, AND A CHANGE IN THE REQUIRED EXTERIOR FINISH MATERIALS, ON APPLICATION FROM THE TOWN OF ADDISON, PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEAL CLAUSE.

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, Texas, 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 of the Town of Addison, Texas, is hereby amended by amending Ordinance 460, Section 3, Paragraph (d) to read as follows:

(d) Off-street parking spaces shall be provided for the appropriate building use classification according to the following ratios:

- 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 offices: (1-200 s.f.) One space per each two hundred square feet of floor area.
- D. Banks or Savings and Loans: (1/300 s.f.) One space per each three hundred square feet of floor area.
- E. Office: (1/300 s.f.) One space per each three hundred square feet of floor area. An office complex of 50,000 square feet or more: (1/300 s.f.) square feet of gross leasable area.
- F. Motion Picture Theater: (1/4 seats) One space per each four seats based on maximum occupancy load.

G. 1. Parking Regulations/Free Standing Restaurants.

- a. Restaurants: (1.70 s.f.) One space for seventy (70) square feet of floor area for all free standing buildings unless it is part of a shopping center or mixed use development.

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 for the restaurant uses shall be provided at a 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. When there are no deed restrictions or covenants allowing restaurants

the use of on-site parking, 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.

- H. Retail 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 private 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 the Comprehensive Zoning Ordinance of the Town of Addison, Texas, is hereby further amended by amending Ordinance 460, Section 3, Paragraph (f) to read as follows:

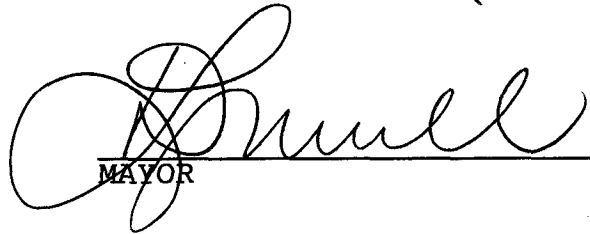
- (f) At least eighty percent (80%) of the exterior walls of all structures shall be of masonry construction. Front and side walls shall be of brick or stone veneer construction.

SECTION 3. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed, and that Ordinance 086-012 shall be specifically repealed by this ordinance, and that all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

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 set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

SECTION 5. That should any paragraph, sentence, sub-division, 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 8th day of September, 1992.

  
MAYOR

ATTEST:

  
CITY SECRETARY

CASE NO. 1122-Z

APPROVED AS TO FORM:

  
DIRECTOR OF DEVELOPMENT SERVICES

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