

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 004-025

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING APPENDIX A, "ZONING," OF THE CODE OF ORDINANCES OF THE CITY, THE SAME BEING ORDINANCE NO. 66 OF THE CITY, BY AMENDING ARTICLE XIX, 'UC URBAN CENTER DISTRICT REGULATIONS,' TO REQUIRE CITY COUNCIL APPROVAL FOR A FINAL DEVELOPMENT PLAN; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas, desires to amend the regulations of the Urban Center Zoning District to provide that final development plans be approved by the City Council; and

WHEREAS, the City Council and the City Planning and Zoning Commission, in accordance with state law and the applicable ordinances of the City, have given the required notices and held the required public hearings regarding this amendment to the zoning regulations of the Code of Ordinances; and

WHEREAS, the City Council finds that it is in the public interest to make this amendment to the zoning regulations; now, therefore,

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

Section 1. That Paragraphs C through F of Section 9, "Final Development Plan Approval," of Article XIX, "UC Urban Center District Regulations," of Appendix A, "Zoning," of the Code of ordinances of the Town of Addison are amended to read as follows:

"C. Planning and zoning commission recommendation. The planning and zoning commission shall determine whether the final development plan is in accordance with the approved preliminary development plan and with applicable district regulations, and shall make its recommendation to the city council for approval, approval with modifications, or disapproval of the final development plan, including its recommendation for approval or disapproval of any waivers.

D. City Council decision. Upon receipt of the commission's recommendation, and following a public hearing thereon, the city council shall approve, approve with modifications, or disapprove the final development plan, including any waiver requests. The council's decision to approve the plan, with or without modifications, shall be made by ordinance.

E. *Approval standards.* In making its decision, the city council shall determine whether the final development plan is consistent with the approved preliminary development plan, the standards and conditions set forth in the adopting ordinance, and the standards set forth in the UC district regulations.

F. *Conditions.* The planning and zoning commission may recommend, and the city council may establish such conditions and may require such modifications to assure that the final development plan is consistent with the approved preliminary development plan and the approval criteria set forth herein."

Section 2. That Article XIX, "UC Urban Center District Regulations," of Appendix A, "Zoning," of the Code of Ordinances of the Town of Addison shall remain in full force and effect save and except as amended by this ordinance.

Section 3. That the sections, paragraphs, sentences, phrases, clauses and words of this ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have adopted such remaining portions of this ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 4. That this Ordinance shall become effective upon passage and publication, as provided by law.

DULY PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 8th day of June, 2004.

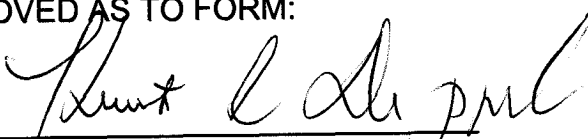


R. Scott Wheeler, Mayor

ATTEST:

By: 
Carmen Moran, City Secretary

APPROVED AS TO FORM:

By: 
Kenneth C. Dippel, City Attorney