

ORDINANCE NO. 005-018

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING ORDINANCE NO. 66, AS AMENDED, THE SAME BEING THE TOWN'S COMPREHENSIVE ZONING ORDINANCE AND BEING APPENDIX A - ZONING OF THE TOWN'S CODE OF ORDINANCES, BY AMENDING ARTICLE XIX, UC URBAN CENTER DISTRICT REGULATIONS, BY AMENDING SECTION 4, ("USE REGULATIONS; COMMERCIAL SUBDISTRICT"), SUBSECTION B, ("PERMITTED USES"), PARAGRAPH 1, ("RESIDENTIAL"), THEREOF BY ADDING TOWNHOUSE/CONDOMINIUM AS AN ALLOWED USE IN THE COMMERCIAL SUB-DISTRICT, AND BY AMENDING SUBSECTION E, ("GENERAL CONDITIONS"), PARAGRAPH 3, ("MAXIMUM RESIDENTIAL MIX"), THEREOF BY CHANGING FROM 30% TO 50% THE MAXIMUM PERCENT OF THE ACREAGE EAST OF SPECTRUM DRIVE OF THE COMMERCIAL SUBDISTRICT AS DEFINED IN THE APPROVED CONCEPT PLAN THAT MAY BE PUT TO RESIDENTIAL USE OR MIXED USE WITH RESIDENTIAL USES AS SET FORTH HEREIN; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas (the "City") heretofore adopted a comprehensive Zoning Ordinance for the Town, the same being Ordinance No. 66 and Appendix A - Zoning of the City's Code of Ordinances, as amended (the "Zoning Ordinance"); and

WHEREAS, the City Council is authorized, pursuant to Chapter 211, Tex. Loc. Gov. Code and Article XXIX of the Zoning Ordinance to amend the Zoning Ordinance; and

WHEREAS, after public notices were given and a public hearing was conducted in compliance with law, and after considering the evidence and information submitted at the said public hearing and all other relevant information and materials, the Planning and Zoning Commission of the City has recommended to the City Council the adoption of the amendment to the Zoning Ordinance as set forth herein; and

WHEREAS, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission and the evidence, information and other materials submitted and received at the public hearing and in connection therewith, the City Council has concluded that the adoption of this Ordinance is in the best interests of the City and of the public health, safety and welfare.

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

Section 1. Amendment. The comprehensive Zoning Ordinance of the Town of Addison, Texas, the same being Ordinance No. 66, as amended, and Appendix A - Zoning of the Code of Ordinances of the City, the same being the Town's Comprehensive Zoning Ordinance, is hereby amended in the following particulars, and all other chapters, sections, subsections, paragraphs, sentences, phrases and words of the said Ordinance are not amended but are hereby ratified, verified, approved and affirmed:

A. Article XIX ("UC Urban Center District Regulations"), Section 4 ("Use regulations; commercial subdistrict") is hereby amended by amending subsection B. ("Permitted uses"), paragraph (1) thereof ("Residential"), as follows:

(1) *Residential*. In the commercial subdistrict, residential uses are limited to the following uses:

Multifamily, townhouse/condominium.

B. Article XIX ("UC Urban Center District Regulations"), Section 4 ("Use regulations; commercial subdistrict") is hereby amended by amending subsection E. ("General conditions"), paragraph (3) thereof ("Maximum residential mix") as follows:

(3) *Maximum residential mix*. A maximum of 50% of the acreage east of Spectrum Drive of the commercial subdistrict, as defined in the approved concept plan, may be put to residential or mixed use with residential uses.


Section 2. Incorporation of Premises. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof.

Section 3. Savings. This Ordinance shall be cumulative of all other ordinances of the Town affecting zoning and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance.

Section 4. Severability. 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 passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5. Effective Date. This Ordinance shall take effect from and after its date of adoption.

DULY PASSED AND APPROVED by the City Council of the Town of Addison,
Texas, on this the 10th day of May, 2005.



MAYOR

ATTEST:



CITY SECRETARY

APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED: 6/17/03