

ORDINANCE NO. 1973

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EULESS, CHAPTER 84, "UNIFIED DEVELOPMENT CODE", AMENDING THE CITY OF EULESS ZONING DISTRICT MAP ON 2.257 ACRES WITHIN THE J.E. FIELD SURVEY, ABSTRACT NO. 540, TRACTS 1A6, 1A6A, 1A6A1, AND 1A7A BY CHANGING THE ZONING FROM SINGLE FAMILY LIMITED DWELLING DISTRICT (R-1L) ZONING INTO PLANNED DEVELOPMENT (PD) ZONING AS DESCRIBED HEREIN AND ON THE ATTACHED EXHIBIT "A"; PROVIDING FOR A SEVERABILITY CLAUSE, PENALTY FOR VIOLATION; SAVINGS CLAUSE; PUBLICATION CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has conducted a public hearing on October 2, 2012, in conjunction with Zoning Case No. #12-02-PD, and has rendered a recommendation to the City Council with respect to this case;

WHEREAS, the City Council has conducted a public hearing on October 23, 2012, considered the recommendation of the Planning and Zoning Commission, and has determined that the proposed change is in the best interest of the general welfare of the City of Euless;

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

SECTION 1.

THAT the official zoning district map of the City of Euless, Texas, being a part of Chapter 84 of the Code of Ordinances, be amended to read so that the zoning district classification of 2.257 acres within the J.E. Field Survey, Abstract No. 540, Tracts 1A6, 1A6A, 1A6A1, AND 1A7A, is changed from Single Family Limited Dwelling District (R-1L) zoning into Planned Development (PD) Zoning District as described herein and on the attached Exhibit "A"). Said property described above shall be subject to all the safeguards and conditions set forth on said Exhibit "A", including masonry screening along Glade Road or stipulated herein. Said Exhibit "A" shall be applicable only to the property described herein.

SECTION 2.

SEVERABILITY CLAUSE. It is hereby declared to be the intention of the City Council of the City of Euless that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent

jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase.

SECTION 3.

PENALTY FOR VIOLATION. Any person, firm, or corporation violating any of the terms and provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1, "General Provisions," Section 1-12, "General Penalty," Eules Code of Ordinances. Each such violation shall be deemed a separate offense and shall be punishable as such hereunder.

SECTION 4.

SAVINGS CLAUSE. All rights and remedies of the City of Eules are expressly saved as to any and all violations of the provisions of the Code of Ordinances of the City of Eules or any other ordinances regulating that have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 5.

PUBLICATION CLAUSE. The City Secretary of the City of Eules is hereby directed to publish in the official newspaper of the City of Eules, as required by Section 12 of Article II of the Charter of the City of Eules.

SECTION 6.

EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication as provided by the Eules City Charter and the laws of the State of Texas.

PRESENTED AND PASSED ON FIRST AND FINAL READING at a regular meeting of the Euless City Council on October 23, 2012, by a vote of ___ ayes, ___ nays, and ___ abstentions.

APPROVED:

Mary Lib Saleh, Mayor

ATTEST:

Kim Sutter, TRMC, City Secretary

APPROVED AS TO FORM:

Wayne Olson, City Attorney

Exhibit "A"

