ORDINANCE NO. 2110

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A SPECIFIC USE PERMIT AT 1105 PAMELA DRIVE FOR ONLINE AUTO SALES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has conducted a public hearing on April 19, 2016, in conjunction with Specific Use Permit Case No. 16-03-SUP, and has rendered a recommendation to the City Council with respect to this case; and

WHEREAS, the City Council has conducted a public hearing on May 10, 2016, has 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 and that any foreseeable negative impacts of the proposed use have been mitigated through design restrictions or other set conditions.

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

SECTION 1.

ALLOWED USES. That Online Auto Sales uses as specifically described on the Specific Use Permit Form (attached hereto and made a part hereof), shall be permitted on 1105 Pamela Drive.

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," Euless Code of Ordinances. Each such violation shall be deemed a separate offense and shall be punishable as such hereunder.

SECTION 4.

PUBLICATION. The caption, penalty clause, and effective date clause of this ordinance shall be published in a newspaper of general circulation in the City of Euless, in compliance with the provisions of Article II, Section 12, of the Euless City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by lay.

SECTION 5.

EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, as provided by the Euless 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 May 10, 2016, by a vote of ____ayes, ____nays, and ____abstentions.

APPROVED:

_____
Linda Martin, Mayor

ATTEST:

_____
Kim Sutter, TRMC, City Secretary

APPROVED AS TO FORM:

_____
Wayne Olson, City Attorney

THE CITY OF EULESS

ORDINANCE NO. 2110
SPECIFIC USE PERMIT CASE #16-03-SUP

LAND USE: Online Auto Sales

LOCATION: 1105 Pamela Drive

This permit is valid only for the property and use listed above and then ONLY in accordance with the following documents and/or conditions:

CONDITIONS (INCLUDING DATES):

Conditions will be inserted after City Council approval.

Considered by Planning and Zoning Commission:
DATE OF ACTION: April 19, 2016

☑ **approval** ☐ **denial**

X Richard Louis McPace
Signature of P & Z Chairman

Considered by City Council:
DATE OF ACTION: May 10, 2016

☐ **approval** ☐ **denial**

X_____
Signature of Mayor