

ORDINANCE NO. 2076

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS AMENDING **CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE EXHIBIT A, SECTION 4 ZONING DISTRICT MAP, OF THE CODE OF ORDINANCES OF THE TOWN OF HIGHLAND PARK, TEXAS**, BY COMBINING 4305 AND 4309 LIVINGSTON AVENUE INTO A ONE BUILDING SITE; AMENDING **SECTION 26-101(B)** TO INCLUDE 4307 LIVINGSTON AVENUE AS A COMBINED BUILDING SITE; PROVIDING CONDITIONS; PROVIDING A VALIDITY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owners of 4305 and 4309 Livingston Avenue have requested the Town of Highland Park, Texas (the "Town") to combine the two building sites into one building site; and

WHEREAS, on October 28, 2020, the Town's Zoning Commission conducted a public hearing and recommended denial of the request; and

WHEREAS, **Chapter 14, Zoning, of the Code of Ordinances of the Town of Highland Park, Texas**, is also known as the "Town's Zoning Ordinance;" and

WHEREAS, the Town Council of the Town of Highland Park, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, and the Town Council of the Town of Highland Park is of the opinion and finds that said zoning change should be granted and that the Zoning Ordinance and the Zoning District Map should be amended; and

WHEREAS, the Town Council is authorized by law to adopt the provisions contained herein, and has complied with all the prerequisites necessary for the passage of this ordinance; and

WHEREAS, all statutory and constitutional requirements for the passage of this ordinance have been adhered to, including but not limited to the Open Meetings Act; and

WHEREAS, the Town Council finds the adoption of this ordinance necessary to protect the public health, safety, and general welfare of the citizens of the Town of Highland Park;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS:

SECTION 1. That, the above findings are hereby found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2. That, **Chapter 14 Zoning, Article 14.02 Zoning Ordinance Exhibit A, Section 4 Zoning District Map** of the Town's Zoning Ordinance, as amended, is hereby amended to

combine 4305 and 4309 Livingston Avenue, all of Lots 14 and 15, Block 142, Highland Park West, Second Installment, into one building site to be known and listed as 4307 Livingston Avenue.

SECTION 3. That, **Chapter 14 Zoning, Article 14.02 Zoning Ordinance Exhibit A, Section 26 List of Specific Use Permits, Planned Developments, and Combined Building Sites** of the Town's Zoning Ordinance, as amended, is hereby amended to include 4307 Livingston Avenue as a combined building site in Subsection 26-101(b) as follows:

| <u>Zoning District</u> | <u>Address</u> | <u>Date</u> |
|------------------------|------------------------|-------------|
| E | 4307 Livingston Avenue | 2021 |

SECTION 4. Validity. That, all ordinances of the Town of Highland Park in conflict with the provisions of this ordinance be, and the same are hereby superseded and all other provisions of the ordinances of the Town of Highland Park not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. Severability. That, should any paragraph, sentence, clause, phrase, or word of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be affected.

SECTION 6. Incorporation. That, this ordinance shall be deemed to be incorporated into the Code of Ordinances of the Town of Highland Park, Texas.

SECTION 7. Effective Date. That, this ordinance shall take effect immediately following its passage, approval and publication as provided by law, and it is accordingly so ordained.

PASSED AND APPROVED this the 19th day of January 2021.

APPROVED AS TO FORM:

Matthew C.G. Boyle
Town Attorney

APPROVED:

Margo Goodwin
Mayor

ATTEST:

Joanna Mekeal
Town Secretary