

ORDINANCE NO. 16-12-1027

AN ORDINANCE OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 30 OF THE CITY OF MURPHY CODE OF ORDINANCES, AS AMENDED, BY CHANGING THE ZONING CLASSIFICATION ON APPROXIMATELY 10 ACRES OF LAND LOCATED AT 1010 NORTH MURPHY ROAD, MURPHY MCMILLAN SURVEY, TRACT 1 IN THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, FROM SINGLE FAMILY RESIDENTIAL-20 (SF-20) TO NEIGHBORHOOD SERVICES (NS) DISTRICT FOR NEIGHBORHOOD SERVICES PROVIDING A CUMULATIVE/ REPEALER CLAUSE, A SEVERABILITY CLAUSE, A PENALTY CLAUSE, A SAVINGS CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the landowner of approximately 1.258 acres of land located at 1010 North Murphy Road, McMillan Survey, tract 1 in the City of Murphy, Collin County, Texas, have requested a change in the zoning for the property described in this ordinance from Single Family Residential-20 (SF-20) to Neighborhood Services (NS) consistent with the Comprehensive Plan; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Murphy, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded full and fair hearings to all property owners generally and to all persons interested in this regard; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Murphy, in considering the application for a change in zoning of the property to a neighborhood services district, have determined that the proposed use and development is consistent and compatible with the goals and objectives of the City of Murphy and is in the best interest of the health, safety, morals and general welfare of the City of Murphy, and, accordingly, the City Council of the City of Murphy is of the opinion and finds that said zoning change is in the public interest and should be granted and that the Comprehensive Zoning Ordinance should be amended accordingly as set forth herein.

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

Section 1. That all of the above recitals are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

Section 2. That the Comprehensive Zoning Ordinance and Map of the City of Murphy, Texas, be, and the same are hereby amended so as to change the zoning (designation) from Single Family Residential- 20 (SF-20) to Neighborhood Services (NS) being an approximately 1.258 acre tract of land located at 1010 N. Murphy Road, McMillan Survey Tract 1 in the City of Murphy, Collin County, Texas, and more particularly described in *Exhibit A*, attached hereto and incorporated herein by reference.

Section 3. That Chapter 30 of the City of Murphy Code of Ordinances, as amended, shall be and remain in full force and effect save and except as amended by this ordinance, and that said property shall in all other respects be subject to all applicable regulations of the City of Murphy.

Section 4. Cumulative/Repealer Clause. This ordinance shall be cumulative of all provisions of state or federal law and all ordinances of the City of Murphy, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

Section 5. Severability Clause. If any word, section, article, phrase, paragraph, sentence, clause or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect for any reason, the validity of the remaining portions of this ordinance or the Comprehensive Zoning Ordinance, Chapter 30 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 6. Penalty Clause. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, in the municipal court of the City of Murphy, Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

Section 7. Effective Date. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and City Charter in such cases provide.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Murphy, Texas, on this 6th day of December, 2016.



Eric Barna, Mayor
City of Murphy

ATTEST:



Susie Quinn, City Secretary

APPROVED AS TO FORM:



Wm. Andrew Messer, City Attorney