

ORDINANCE NUMBER 21-05-1208

AN ORDINANCE OF THE CITY OF MURPHY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP, CHAPTER 30, OF THE CODE OF ORDINANCES OF THE CITY OF MURPHY BY AMENDING ORDINANCE NO. 12-10-923, AN EXISTING PLANNED DEVELOPMENT DISTRICT COMMONLY KNOWN AS THE MURPHY MARKETPLACE, ON APPROXIMATELY 3.144 ACRES HAVING THE LEGAL DESCRIPTION OF MURPHY MARKETPLACE - WEST ADDITION, BLOCK A, LOT 2, LOCATED IN THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, BY ADDING DANCE STUDIO AS A PERMITTED USE; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE/REPEALER CLAUSE, PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE ESTABLISHING A FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR A VIOLATION OF THE ORDINANCE FOR EACH DAY A VIOLATION EXISTS OR CONTINUES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the landowners of approximately 3.144 acres of land located on the east side of North Murphy Road, North of FM 544, having the legal description of Murphy Marketplace – West Addition, Block A, Lot 2, in the City of Murphy, Collin County, Texas, and designated as being a part of Planned Development (PD) District Ordinance No. 12-10-923, more particularly described in a plat map attached via Exhibit “A”, a copy of which is attached hereto and incorporated herein, requested an amendment to Ordinance No 12-10-923 to allow Dance Studio as a permitted use on this site only within Planned Development (PD) District; and

WHEREAS, the Planning and Zoning Commission of the City of Murphy (the “Commission”), in compliance with the laws of the State of Texas, gave the requisite notices by publication and otherwise, and held public hearings and afforded full and fair hearings to all property owners generally and to all persons interested in this regard; and

WHEREAS, having reviewed the request for the addition of Dance Studio as a permitted use within this Planned Development District, the Commission determined that the addition of the proposed use was compatible with surrounding uses and the City’s Comprehensive Plan and recommended approval of this Ordinance amending Planned Development (PD) District Ordinance No. 12-10-923 to the City Council; and

WHEREAS, the City Council of the City of Murphy, in compliance with the laws of the State of Texas, having given the requisite notices by publication and otherwise, having held public hearings and afforded full and fair hearings to all property owners generally and to all persons interested in this regard, and having considered the recommendation of the Planning and Zoning Commission, has determined that the proposed amendment to add Dance Studio as a permitted use within the Planned Development (PD) District on the site having the legal description Murphy Marketplace – West Addition, Block A, Lot 2 as created by Ordinance No. 12-10-923 is appropriate and is compatible with surrounding uses and the Comprehensive Plan of the City;

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

Section 1. Incorporation of Premises. 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. Amendments. That Planned Development District (PD) Ordinance No.12-10-923 of the City of Murphy, Texas, is hereby amended as follows:

Section VI, "Specific Regulations", Subsection "A", "Permitted Uses" of Exhibit "B", "Planned Development District Conditions" is hereby amended to add "Dance Studio" on approximate 3.144 acres of land located on the east side of North Murphy Road, North of FM 544, having the legal description of Murphy Marketplace – West Addition, Block A, Lot 2, in the City of Murphy, Collin County, Texas, as more particularly described in a plat Exhibit "A" hereto (Legal Description), and all other terms and provisions of Section VI(A) of Exhibit "B" to Ordinance No. 12-10-923 shall hereby remain the same and continue in full force and effect.

Section 3. Applicable Regulations/ Zoning Ordinance and Zoning Map Amended. Development and use of the property described in Exhibit "A" shall be in compliance with this ordinance amending Ordinance No. 12-10-923, the same amending the Comprehensive Zoning Ordinance of the City of Murphy and the Zoning Map of the City, Ordinance No. 12-10-923, including all Exhibits thereto as amended hereby, the Code of Ordinances of the City of Murphy, Texas, and all applicable state and federal law.

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.

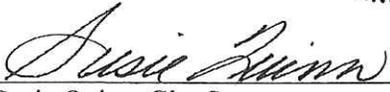
PASSED, APPROVED AND ADOPTED by the City Council of the City of Murphy, Texas, on this 4th day of May 2021.



ATTEST:



Scott Bradley, Mayor
City of Murphy



Susie Quinn, City Secretary

APPROVED AS TO FORM:



Wm. Andrew Messer, City Attorney

EXHIBIT A
LEGAL DESCRIPTION & PLAT

Murphy Marketplace West Addition, Block 2, Lot A