

**Ordinance No. 07-XXX**

**An ordinance amending the “Zoning” Chapter of the code of the City of Arlington, Texas, 1987, through the amendment of Article II, Interpretations and Definitions, Article VI, Zoning Districts, Boundaries and Interpretations of District Regulations, Article VIII, Non-residential Zoning District Regulations and Article IX, Special Purpose District Regulations; providing for a fine of up to \$2,000 for each offense in violation of the ordinance; providing this ordinance be cumulative; providing for severability; providing for governmental immunity; providing for injunctions; providing for publication and an effective date.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

That the “Zoning” Chapter of the Code of the City of Arlington, Texas, 1987, is hereby amended through the amendment of **Article II, Interpretations and Definitions, Section 2-200, Definitions** so that hereafter certain definitions stated here shall be and read as follows:

**Parking, Commercial.** A structure for parking that is operated as a business enterprise by charging the public a fee, and is not reserved or required to accommodate occupants, clients, customers, or employees of a particular establishment or premises.

Further, **Article VI, Zoning Districts, Boundaries and Interpretations of District Regulations, Section 6-100, Districts Established**, by the amendment of **Subsection (D), Special District and Overlay Districts**, so that hereafter said subsection shall be and read as follows:

D. **Special District and Overlay Districts.**

1. "A" Agricultural District
2. "PD" Planned Development District
3. "MH" Manufactured Housing District
4. "AP" Airport Overlay District
5. "LP" Landmark Preservation Overlay District
6. "BP Business Park Overlay

7. “F” Festival District
8. “DB” Downtown Business District
9. “DN” Downtown Neighborhood Overlay District
10. “MU” Mixed Use District
11. “LCMU” Lamar Collins Mixed Use Overlay District
12. “VG” Village on the Green at Tierra Verde Overlay District
13. “ED” Entertainment Overlay District

Further, **Article VIII, Nonresidential Zoning District Regulations**, is hereby amended by the deletion of **Section 8-300, Community Service (“CS”) District**.

Further, **Article IX, Special Purpose District Regulations, Section 9-1600, Entertainment District (“ED”) Overlay District**, is hereby added so that hereafter said section shall be and read as follows:

(See attached)

2.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed Two Thousand and No/100 Dollars (\$2,000) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

3.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

4.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

5.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this

ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

6.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

7.

The caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

8.

This ordinance shall become effective upon second publication as described above.

PRESENTED AND GIVEN FIRST READING on the \_\_\_\_\_ day of \_\_\_\_\_, **2007**, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the \_\_\_\_\_ day of \_\_\_\_\_, **2007**, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays at a regular meeting of the City Council of the City of **Arlington, Texas**.

\_\_\_\_\_  
ROBERT N. CLUCK, Mayor

ATTEST:

\_\_\_\_\_  
BARBARA G. HEPTIG, City Secretary

APPROVED AS TO FORM:  
JAY DOEGEY, City Attorney

BY \_\_\_\_\_