

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CASTROVILLE ADOPTING A UNIFIED DEVELOPMENT ORDINANCE THAT UNIFIES THE ZONING, SUBDIVISION, AND SIGN ORDINANCES AND PROVIDES A PENALTY FOR VIOLATIONS OF THE ORDINANCE THAT MAY BE PUNISHED WITH FINES UP TO \$2,000.00 FOR EACH SEPARATE OFFENSE; AND REPEALING THE COMPREHENSIVE ZONING ORDINANCE, CHAPTER 100 SUBDIVISION, AND CHAPTER 24 SIGNAGE OF THE CASTROVILLE CODE OF ORDINANCES, AND REPEALING ALL OTHER ORDINANCES OR PARTS THEREOF IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING FOR FINDINGS, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Castroville has previously adopted a comprehensive plan pursuant to Texas Local Government Code Chapter 213 to promote health, safety, good morals, and general welfare of the community; and

WHEREAS, the City of Castroville has previously adopted zoning regulations designed to accomplish the goals as delineated in Section 211.004 of the Texas Local Government Code and for the purpose of regulating those issues as delineated in Section 211.003 and Chapters 51 and 52 of the Texas Local Government Code; and

WHEREAS, the City of Castroville intends to consolidate in one place and in logical order to avoid duplication and conflicts in terms and definitions all of its regulations pertaining to land use and development; and

WHEREAS, the City of Castroville desires to make available to all those who are concerned with land use and development to have access to the regulation thereof in one convenient ordinance which is capable of being published and distributed as a separate and comprehensive segment of the City Code as a whole; and

WHEREAS, these regulations have been designed to lessen congestion in the streets, to secure safety from fire, panic, and other dangers; and

WHEREAS, these regulations have been adopted to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to conserve energy; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks, and other public interests; and

WHEREAS, the City of Castroville desires to achieve orderly land development through land subdivision; to promote and develop land to attain the best possible community environment in accordance with the comprehensive plan; minimize damage to public and private property due to flooding; and to provide for adequate municipal services and safe streets; and

WHEREAS, the City Council of the City of Castroville is of the opinion that this ordinance accomplishes such goals and is in the best interest of the City of Castroville; and

WHEREAS, on [insert date], [insert year], notice of a public hearing was published in a newspaper of general circulation in the City; and

WHEREAS, on [insert date], notice of the public hearing was mailed to property owners whose property is affected by the proposed change; and

WHEREAS, at a regularly scheduled meeting on [insert date], the Planning and Zoning Commission held a public hearing, reviewed, and recommended adoption of the proposed Unified Development Ordinance.

WHEREAS, at a regularly scheduled meeting on [insert date], the City Council held a public hearing, and, after review, determined that the ordinance be approved as provided herein; and

WHEREAS, the City has fulfilled all obligations necessary to take this action and has properly noticed and conducted all public hearings and public meetings pursuant to the Texas Local Government Code and Texas Government Code, as applicable.

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

Section 1. Findings of Fact. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of the ordinance as if copied in their entirety.

Section 2. Amendments to Code. The City of Castroville, Texas Code of Ordinances, are hereby amended as follows: the Comprehensive Zoning Ordinance, Chapter 100 Subdivision, and Chapter 24 Signage are repealed and replaced with the Unified Development Ordinance attached hereto as Exhibit A.

Section 3. Severability. If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

Section 4. Repealer. This ordinance shall be cumulative of all other ordinances of the City of Castroville, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Castroville 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, are hereby repealed.

Section 5. Savings Clause. The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any rights of the City of Castroville under any section or provisions of any ordinances in effect at the time of passage of this ordinance.

Section 6. Proper Notice and Meeting. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all required by Chapter 551, as amended, Texas Government Code.

Section 7. Effective Date. This Ordinance will take effect upon its adoption by the City Council.

PASSED AND APPROVED this _____ day of _____, 2025.

CITY OF CASTROVILLE, TEXAS.

By: _____

Darrin Schroeder, Mayor

ATTEST:

Debra Howe, City Secretary

APPROVED AS TO FORM:

T. Daniel Santee, City Attorney

DENTON NAVARRO RODRIGUEZ BERNAL SANTEE & ZECH, PC