

## Exhibit B

### ORDINANCE 2018-03

#### **AN ORDINANCE OF THE CITY OF FAIR OAKS RANCH ESTABLISHING A PLANNING AND ZONING COMMISSION OF THE CITY OF FAIR OAKS RANCH, TEXAS; AND PROVIDING A SEVERABILITY AND REPEALING CLAUSE**

**WHEREAS**, the purpose of promoting the public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance is the responsibility of the government of the City of Fair Oaks Ranch, Texas; and,

**WHEREAS**, municipal regulatory authority regarding municipal zoning are found in the Texas Local Government Code, Chapter 211; and,

**WHEREAS**, the City Charter of the City of Fair Oaks Ranch, Chapter 7.14 mandates the City Council shall establish a Planning and Zoning Commission to carry out planning functions and such planning responsibilities as may be specified by the City Charter and by ordinance; and,

**WHEREAS**, the City Council has determined that it is in the best interest of the City of Fair Oaks Ranch, Texas, to establish the City of Fair Oaks Ranch Planning and Zoning Commission.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS THAT:**

#### **Section 1 - Planning and Zoning Commission**

1. The Fair Oaks Ranch Planning and Zoning Commission is hereby established.
2. The Commission shall consist of seven (7) regular members who will serve for staggered three year (3) terms.
3. **Members serve at the will of the City Council and shall be resident citizens, real property owners, and qualified voters of the City of Fair Oaks Ranch.**
4. The Planning and Zoning Commission shall hold the public hearings required by Texas Local Government Code Section 211.007 jointly with the City Council.

#### **Section 2 - Severability**

It is hereby declared to be the intention of the City Council that the selections, paragraphs, sentences, clauses and phrases of this Ordinance are separable and if any phrase, clause, sentence, paragraph or section shall be declared unconstitutional or invalid by valid judgment or decree unconstitutional or invalid by valid judgment or decree of the court of competent jurisdiction, such unconstitutionality or validity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

#### **Section 3- Repeal**

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City, 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.

**Exhibit B**

**Section 4 - Effective Date**

This Ordinance shall be effective upon passage, approval and publication, as required.

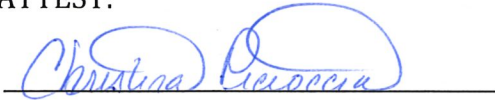
**PASSED and APPROVED on first reading this 1st day of March, 2018.**

**PASSED, APPROVED and ADOPTED on second reading this 5th day of March, 2018.**



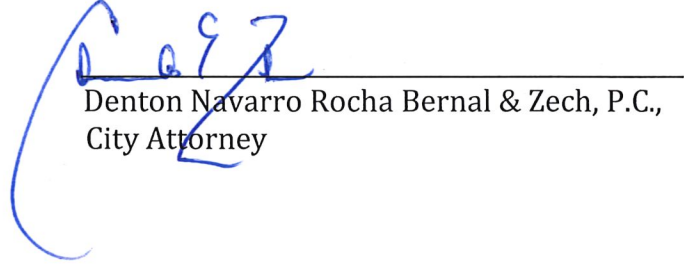
Garry Manitzas, Mayor

ATTEST:



Christina Picioccio, City Secretary

APPROVED AS TO FORM:



Denton Navarro Rocha Bernal & Zech, P.C.,  
City Attorney