

AN ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS, PROVIDING FOR COMPREHENSIVE AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE (UDC); PROVIDING FOR A SEVERABILITY CLAUSE AND A PENALTY CLAUSE OF NOT MORE THAN \$2000.00; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to Ordinance No. 2019-03, the City Council of the City of Fair Oaks Ranch, Texas (the “City”) adopted a Unified Development Code (“UDC”) consolidating the City’s zoning, subdivision, and other development regulations into a comprehensive development code, and,

WHEREAS, On September 7, 2023, pursuant to Ordinance No. 2023-07, the City Council of the City of Fair Oaks Ranch, Texas approved amendments to Chapters 1-3 of the UDC , and,

WHEREAS, On January 18, 2024, pursuant to Ordinance No. 2024-01, the City Council of the City of Fair Oaks Ranch, Texas approved amendments relative to Statutory and Regulatory legislative changes, and,

WHEREAS, City staff and the Planning and Zoning Commission have reviewed the current UDC and have determined that additional amendments to the UDC are necessary for the future development within the City, and,

WHEREAS, after notice required by law, the Planning and Zoning Commission and the City Council, respectively, held public workshops and public hearings regarding said UDC amendments, and,

WHEREAS, after consideration of the recommendation from the Planning and Zoning Commission, the City Council finds and determines that the proposed comprehensive amendments are reasonable and necessary and in the best interest of the health, safety, and welfare of the City.

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

Section 1. The Fair Oaks Ranch Unified Development Code is amended as set forth on **Exhibit A** attached hereto and incorporated by reference for all purposes.

Section 2. That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance be severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance and the remainder of this ordinance shall be enforced as written.

Section 4. That 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 as required by Chapter 551, as amended, Texas Government Code.

- Section 5.** The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein.
- Section 6.** If any provision of this ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this ordinance would have been enacted without such invalid provision.
- Section 7.** All ordinances, or parts thereof, which are in conflict or inconsistent with any provision of this ordinance are hereby repealed to the extent of such conflict, and the provisions of this ordinance shall be and remain controlling as to the matters ordained herein.
- Section 8.** This ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 9.** The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein.
- Section 10.** This ordinance shall take effect immediately from and after its second reading, passage and any publication requirements as may be required by governing law.

PASSED and APPROVED on first reading by the City Council of the City of Fair Oaks Ranch, Texas, on this 5th day of September 2024.

PASSED, APPROVED, and ADOPTED on second and final reading by the City Council of the City of Fair Oaks Ranch, Texas, on reading this 19th day of September 2024.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, TRMC
City Secretary

Denton Navarro Rodriguez Bernal Santee & Zech
P.C., City Attorney