

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 SEVERABILITY; REPEALING CONFLICTING ORDINANCES; PROVIDING A PENALTY OF NOT MORE THAN \$2,000.00; AND PROVIDING 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, pursuant to Ordinance No. 2023-07, the City Council of the City of Fair Oaks Ranch, Texas revised Chapters 1-3 of the UDC on September 7, 2023; and

WHEREAS, city staff and the city's consultant have reviewed the current UDC, including the most recent revisions, in its entirety and have determined that additional revisions and updates to the UDC is necessary to meet changing and current statutory and regulatory state law; and,

WHEREAS, after notice required by law and the Fair Oaks Ranch Unified Development Code, the Planning and Zoning Commission held several workshops and public hearings regarding said amendments to the UDC; and

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

WHEREAS, after consideration of the recommendation from the Planning and Zoning Commission, the City Council finds and determines that the proposed statutory and regulatory 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, THAT:

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. The recitals contained in the preamble hereof 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. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

SECTION 4. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

- SECTION 5.** 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 6.** This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- SECTION 7.** That violations of the provisions of this Ordinance shall, upon conviction, be fined as provided in Chapter 12 of the UDC.
- SECTION 8.** 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 9.** This Ordinance shall be effective upon the date hereof and any publication required by law.

PASSED and APPROVED on first reading by the City Council of the City of Fair Oaks Ranch, Texas, on this 21ST of December 2023.

PASSED, APPROVED, and ADOPTED on second and final reading by the City Council of the City of Fair Oaks Ranch, Texas, on reading this 18th of January 2024.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, TRMC, City Secretary

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

EXHIBIT A

UNIFIED DEVELOPMENT CODE