

**ORDINANCE NO. 2023.01.10.\_\_\_\_**

**AN ORDINANCE OF THE CITY OF GLEN ROSE, TEXAS, REZONING THE PROPERTY LOCATED AT 404 PALUXY STREET, BEING LEGALLY DESCRIBED AS 7.890 ACRES OUT OF THE JA HERNANDEZ SURVEY, TRACT 21, ABST A41, IN THE CITY OF GLEN ROSE, SOMERVELL COUNTY, TEXAS, AND IDENTIFIED AS PARCEL NO. R2820 BY THE SOMERVELL COUNTY APPRAISAL DISTRICT, FROM R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO B-1 (RESTRICTED COMMERCIAL); PROVIDING SAVINGS/REPEALING, SEVERABILITY, AND PROPER NOTICE, MEETING, AND QUORUM CLAUSES; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Glen Rose (City) is a Type A General Law Municipality; and

**WHEREAS**, Chapter 211 of the Texas Local Government Code grants the governing body of a municipality the authority to adopt zoning regulations for the municipality and to zone, or rezone as the case may be, property located within the municipality; and

**WHEREAS**, all the notices required by the City's Ordinances and State Law have been mailed and published; and

**WHEREAS**, after conducting a Public Hearing on December 27, 2022, the City's Planning and Zoning Commission considered the rezoning request, voting to recommend that the City Council approve said request; and

**WHEREAS**, after conducting a Public Hearing on January 10, 2023, the City Council determined for the good government, peace, and order of the City to approve the request to rezone the subject property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLEN ROSE, TEXAS:**

**SECTION 1**

**FINDINGS INCORPORATED**

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2**

**DESCRIPTION OF THE SUBJECT PROPERTY**

Being 7.890 acres out of the JA Hernandez Survey, Tract 21, Abst A41, in the City of Glen Rose, Somervell County, Texas, and identified as Parcel No. R2820 by the Somervell County Appraisal District and located at 404 Paluxy Street, Glen Rose, Texas.

**SECTION 3**

**ZONING RECLASSIFICATION GRANTED**

The above-described property is hereby rezoned from Single-Family Residential District (R-1) to Restricted Commercial (B-1) and the City of Glen Rose Zoning Map shall be amended to reflect such. The Property shall be developed and used in accordance with all applicable City, State, and Federal laws, as they exist

or maybe in the future amended, including but not limited to building codes, fire codes, and all accessibility standards as required by law.

#### **SECTION 4**

##### **SAVINGS/REPEALING CLAUSE**

The City of Glen Rose Code of Ordinances shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances shall remain in full force and effect.

#### **SECTION 5**

##### **SEVERABILITY**

Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional, illegal, or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Glen Rose hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof irrespective of the fact that anyone or more sections, subsections sentences, clauses, and phrases be declared unconstitutional or invalid.

#### **SECTION 6**

##### **PROPER NOTICE, MEETING, AND QUORUM**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted by a majority vote of the City Council of the City of Glen Rose, Texas was open to the public; that public notice of the time, place, and purpose of the meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code; and, that a quorum was present pursuant to 22.039 of the Texas Local Government Code.

#### **SECTION 7**

##### **EFFECTIVE DATE**

This Ordinance shall take effect immediately upon its passage.

**PASSED AND APPROVED** This the 10<sup>h</sup> day of January, 2023.

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Julia Douglas, Mayor

ATTEST:

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Staci L. King, City Secretary