

**ORDINANCE NO. 2022.05.10 \_\_\_\_**

**AN ORDINANCE OF THE CITY OF GLEN ROSE, TEXAS, AMENDING THE ZONING ORDINANCE AND ZONING MAP TO CHANGE THE EXISTING ZONING CLASSIFICATIONS FROM B-2 (GENERAL COMMERCIAL DISTRICT) TO R-2M (SINGLE AND TWO-TO-FOUR FAMILY RESIDENTIAL DISTRICT; CABIN & CONDOMINIUM CONFIGURATION ALLOWABLE) FOR TRACT: A, ABST: A135-PS, PALUXY SUMMIT, LOT A, COMMON AREA, ACRES 1.522, GLEN ROSE, SOMERVELL COUNTY, 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;

**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;

**WHEREAS**, on February 2, 2022 the City received an application from Scott R. Steenson & Rickey M. Fain, owners of Acres 1.522, Tract A, Abst A135-PS, Paluxy Summit, Lot A, Common Area, Acres 1.522, (the Subject Property), to change the zoning classifications of said property from “B-2” General Commercial District to an “R-2M Single- and- Two-to Four- Family Residential District;

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

**WHEREAS**, on the City’s Future Land Use Map the Property is identified as an “PF” Public Facilities, but two of the adjacent properties are identified as “R-2M”;

**WHEREAS**, after conducting a Public Hearing on April 21, 2022, the City’s Planning and Zoning Commission acted upon the rezoning request, voting to recommend that the City Council approve said request;

**WHEREAS**, after conducting a Public Hearing on May 10, 2022, 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.** Lot 5 of Block 3 of the Paluxy Summit Addition except for a 0.101 acre tract, heretofore, conveyed to the City of Glen Rose by deed dated May 27, 2021 and recorded as Instrument No. 20211265 of the Official Records of Somervell County, Texas. In the Somervell Central Appraisal District records, the Subject Property is described as, “Acres 1.522, Tract A, Abst A135-PS, PALUXY SUMMIT, LOT A, COMMON AREA, ACRES 1.522,” the same having been conveyed by a deed dated January 5, 2022 from Cedar Creek Land, Inc. to Scott Steenson & Rickey Fain as recorded in Instrument No. 20220094 of the Official Records of Somervell County, Texas.

**SECTION 3. Zoning Reclassification Granted.** Glen Rose’s Zoning Ordinance is hereby amended to reflect that the Subject Property is hereby rezoned from “B-2” General Commercial to “R-2M” Single-and Two-to Four- Family Residential District; Cabin & Condominium configurations allowable. The Zoning Map of the City shall be amended to reflect this zoning reclassification. 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.** Glen Rose’s Zoning Ordinance, 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 from and after its passage.

**PASSED AND APPROVED** This the 10<sup>th</sup> day of May, 2022.

**APPROVED:**

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**Julia Douglas, Mayor**

**ATTEST:**

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**Rosario Sosol-Lihaut, Deputy City Secretary**