

CITY OF SANGER, TEXAS

ORDINANCE 12-32-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, REGARDING AMENDING THE ZONING MAP OF APPROXIMATELY 131.82 ACRES OF LAND DESCRIBED AS A1241A TIERWESTER, TR 56, TR 57 AND TR 40 FROM AGRICULTURAL (A) TO PLANNED DEVELOPMENT (PD); PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE IN ACCORDANCE WITH SECTION 1.109 OF THE CODE OF ORDINANCE FOR VIOLATIONS; AND PROVIDING A SAVINGS CLAUSE; AUTHORIZING PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Sanger (the “City”) is a home rule municipality regulated by state law and Charter; and

WHEREAS, the City Council finds it necessary for the public health, safety, and welfare that development occur in a controlled and orderly manner; and

WHEREAS, the Planning and Zoning Commission on December 12, 2022, duly covered and conducted public hearing for the purpose of assessing a request for amendment to the Zoning Map, recommending approval for the hereinafter described property; and

WHEREAS, all requests for amendment to the Zoning Map were duly filed with the City of Sanger, Texas, concerning the hereinafter described property; and

WHEREAS, the following provisions of proper legal notice requirements, including written notice to owners within 200 feet of the subject property, were made in the time and manner prescribed by law; and

WHEREAS, the City Council finds that the passage of this Ordinance is in the best interest of the citizens of Sanger.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS:

SECTION 1. That an amendment to the Zoning Map from Agricultural (A) to Planned Development (PD) is hereby granted for the property generally located along I-35 and Chapman Drive approximately 234 feet west of the intersection of I-35 and Chapman Drive and described in **Exhibit A-E**.

SECTION 2. That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 3. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this Ordinance are severable and, if any word, phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining portions of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional word, phrase, clause, sentence, paragraph, or section.

SECTION 4. Any person, firm or corporation who shall violate any of the provisions of this article shall be guilty of a misdemeanor and upon conviction shall be fined in accordance with the general penalty provision found in The Code of Ordinances, Section 1.109 General Penalty for Violations of Code.

SECTION 5. This ordinance will take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED AND APPROVED by the City Council of the City of Sanger, Texas, on this 19th day of December, 2022.

APPROVED:

Thomas E. Muir, Mayor

ATTEST:

Kelly Edwards, City Secretary

APPROVED TO FORM:

Hugh Coleman, City Attorney