

**ORDINANCE NO. 03-2013-199**

**AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF CROWLEY, TEXAS BY CHANGING THE ZONING CLASSIFICATION OF TWELVE (12) RESIDENTIAL TRACTS FROM SF 9.6 DISTRICT TO SF 20.0 DISTRICT; REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Crowley, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the properties commonly known as:

1. 605 West Main Street
2. 609 West Main Street
3. 617 West Main Street
4. 621 West Main Street
5. 625 West Main Street
6. 629 West Main Street
7. 701 West Main Street
8. 705 West Main Street
9. 717 West Main Street
10. 721 West Main Street
11. 801 West Main Street
12. 809 West Main Street

as more particularly described and depicted in the attached Exhibits “A” through “L” (the “Properties”), are all currently zoned as SF 9.6 District; and

**WHEREAS**, the current zoning classification of these Properties is inconsistent with the lot sizes and existing land uses; and

**WHEREAS**, the City has initiated the rezoning of these Properties from SF 9.6 District to SF 20.0 District; and

**WHEREAS**, the Planning and Zoning Commission of the City of Crowley, Texas held a public hearing on March 18, 2013, and the City Council held a public hearing on March 21, 2013, with respect to the zoning change described herein; and

**WHEREAS**, the City has complied with all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements for the rezoning of the properties.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CROWLEY, TEXAS, THAT:**

#### **SECTION 1.**

The Comprehensive Zoning Ordinance of the City of Crowley, as amended, is hereby amended by rezoning the following Properties described as:

1. 605 West Main Street
2. 609 West Main Street
3. 617 West Main Street
4. 621 West Main Street
5. 625 West Main Street
6. 629 West Main Street
7. 701 West Main Street
8. 705 West Main Street
9. 717 West Main Street
10. 721 West Main Street
11. 801 West Main Street
12. 809 West Main Street

as more particularly described and depicted in the attached Exhibits “A” through “L”, from SF 9.6 District to SF 20.0 District.

#### **SECTION 2.**

The use of the Properties described above shall conform to all applicable regulations contained in the Zoning Ordinance and all other applicable and pertinent ordinances of the City of Crowley.

#### **SECTION 3.**

The zoning classification as herein established has been made in accordance with a Comprehensive Land Use Plan for the purpose of promoting the health, safety, morals and general welfare of the community.

#### **SECTION 4.**

The official zoning map of the City of Crowley is hereby amended and the City Secretary is directed to revise the zoning map to reflect the zoning classification, as set forth above.

#### **SECTION 5.**

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Crowley, Texas, and the zoning ordinances as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

#### **SECTION 6.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase 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 sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

#### **SECTION 7.**

All rights and remedies of the City of Crowley are expressly saved as to any and all violations of the provisions of any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

#### **SECTION 8.**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety, or public health and sanitation, including dumping or refuse, and shall be fined Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

#### **SECTION 9.**

The City Secretary of the City of Crowley is hereby directed to publish the caption, penalty clause, and effective date of this ordinance one time in the official newspaper of the City, as required by Section 52.013 of the Local Government Code.

#### **SECTION 10.**

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED ON THIS \_\_\_\_ DAY OF \_\_\_\_\_,**  
**2013.**

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

**EXHIBITS “A” THROUGH “L”  
LEGAL DESCRIPTION OF PROPERTIES**