

ORDINANCE NO. 2019-08-21 (D)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLINGWOOD, TEXAS, THAT CHAPTER 14 ZONING, SECTION 14.02.983 HEARING AND NOTICE, BE AMENDED AS TO THE DATE OF PUBLICATION OF NOTICE OF PUBLIC HEARINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; DELETING ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rollingwood, Texas (the “City”), previously adopted regulations regarding the zoning regulations for the City of Rollingwood; and,

WHEREAS, Chapter 211 of the Local Government Code regulate the Zoning procedures in the State of Texas; and,

WHEREAS, any changes to amend zoning regulations and zoning districts are not effective until after a public hearing on the matter to give parties of interest and citizens an opportunity to be heard; and,

WHEREAS, on May 30, 2019 city staff published in the Westlake Picayune notice that the Planning & Zoning Commission would hold a public hearing on August 7, 2019 at 7:00 p.m. and the City Council would hold a public hearing on August 21, 2019 at 7:00 p.m.; and,

WHEREAS, on August 7, 2019 the Planning & Zoning Commission held a Public Hearing to discuss the requested amendments to Chapter 14, Section 14.02.983 Hearing and notice, of the Code of Ordinances; and.

WHEREAS, the Planning & Zoning Commission after the hearing and discussion recommended to City Council to amend Chapter 14 Zoning, Section 14.02.983 amending the date of publication of notice of public hearings to the Code of Ordinances; and

WHEREAS, the City Council of the City has held a public hearing and evaluated the recommendation of the Planning & Zoning Commission and deems it necessary to amend the City’s Code of Ordinances by amending Chapter 14 Zoning, of the City of Rollingwood Code of Ordinances, Section 14.02.983 Hearing and notice, amending the date of publication of notice of public hearings; and,

WHEREAS, the City Council finds that amending the City’s Code of Ordinances as described herein will further promote the public health, safety, and general welfare of the City.

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

Sec. 1 The City of Rollingwood Code of Ordinances Chapter 14, Zoning, Section 14.02.983 Hearing and notice, is hereby amended as set forth in the attached Exhibit A, which is fully incorporated herein by reference.

Sec. 2 That the recitals contained in the preamble hereto 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.

Sec. 3 All ordinances, or part 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 for the period of time stated.

Sec. 4 It is hereby declared to be the intention of the City Council of the City that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any 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 phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Sec. 5 The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any rights of the City of Jourdanton under any section or provisions of any ordinances in effect at the time of passage of this ordinance.

Sec. 6 It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, as amended.

Sec. 7 This ordinance shall become effective immediately upon its passage and any publication required by law.

PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 21st DAY of August, 2019.

CITY OF ROLLINGWOOD, TEXAS

Michael R. Dyson, Mayor

ATTEST:

Amber A. Lewis, City Administrator

EXHIBIT A

CHAPTER 14 ZONING; SECTION 14.02.983 HEARING AND NOTICE, AMENDING DATE OF PUBLICATION OF NOTICE FOR PUBLIC HEARING:

ADD/AMEND PORTIONS:

Sec. 14.02.983 Hearing and notice

(a) The commission will hold a public hearing on all proposed changes on zoning regulations or boundaries.

(b) Not less than ~~fifteen (15)~~ sixteen (16) days prior to the hearing, notice of the date, time and location thereof will be published in the official newspaper of the city or in a newspaper of general circulation in the city. In addition, in the case of a proposed change in zoning classification, written notice of a public hearing will be mailed, not less than thirty (30) days prior to the hearing, to all owners of property (as such ownership is shown on the current city tax roll) lying within two hundred fifty (250) feet of the property that is the subject of the proposed zoning classification change. If the application for a change in zoning classification requests a change to a zoning district other than residential district or park district, the notice must be mailed, not less than thirty (30) days prior to the hearing, to all owners of property (as such ownership is shown on the current city tax roll) within the city. The notice may be served by depositing it in the U.S. mail with the proper address and postage.

(1987 Code, ch. 11, subch. G, art. XVII, sec. 3)