



ORDINANCE NO. Z 16-10

AN ORDINANCE OF THE CITY OF NOLANVILLE, TEXAS MAKING FINDINGS OF FACT; PROVIDING FOR THE ADOPTION OF THE COMPREHENSIVE PLAN 2015-2030 AS THE NEW COMPREHENSIVE PLAN FOR THE CITY; PROVIDING THAT THE NEW COMPREHENSIVE PLAN SHALL SUPERSEDE AND REPLACE ANY COMPREHENSIVE PLAN PREVIOUSLY ADOPTED; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING PUBLICATION AND AN EFFECTIVE DATE, AND FINDING PROPER NOTICE AND MEETING.

WHEREAS, the City of Nolanville (“City”) City Charter provides in Section 7.03 (“Comprehensive Plan”) that the Planning and Zoning Commission shall prepare a Comprehensive Plan for the City of Nolanville for submission to the City Council for adoption., and that the City Council shall consider its recommendations, and may adopt the recommended plan as a whole or in parts, and may adopt any amendment to the same; and the City Charter further provides at Section 7.04 (Legal Effects of Comprehensive Plan) (“Plan”) that the adopted Comprehensive Plan shall be used as a guide by the City Council and the City Planning and Zoning Commission for development of the City with respect to land use, thoroughfares and streets, buffer zones, parks, and other matters affecting development”; and

WHEREAS, in the fall 2014, the City of Nolanville and Texas Target Communities partnered to create a planning task force to represent the community. The task force was integral to planning process, contributing the thoughts, desires, and opinions of community members-as well as their enthusiasm about Nolanville’s future. The fourteen month process ended in September 2015; and

WHEREAS, Chapters were reviewed and revised by Planning & Zoning, Economic Development Corporation and the City Council and approved by chapter. On January 21, 2016, the Council approved the remaining chapters. A Public Hearing was conducted by the City Council on May 19, 2016; a revision to the Plan was made in response to the hearing and the current version is dated August 24, 2016; and

WHEREAS, the City Council has, over a number of meetings open to the public and at which public input could be provided, reviewed the new comprehensive plan proposed by the City’s planning department and submitted by the Planning and Zoning Commission to the City Council for its adoption and has made modifications to the same, and has conducted a public hearing (at which members of the public were given the opportunity to give testimony and present written evidence) regarding the proposed new comprehensive plan (the “Comprehensive Plan 2015-2030,” attached hereto); and

WHEREAS, Section 213.003 of the Local Government Code provides that a comprehensive plan may only be adopted (or amended) by ordinance following (a) a hearing at which the public is given the opportunity to give testimony and present written evidence; and (b) review by the municipality’s planning commission or department (if one exists), and each of the foregoing items has been satisfied and complied with in connection with the new comprehensive plan and the adoption of it by this Ordinance; and

WHEREAS, adoption of the “Comprehensive Plan 2015-2030”, attached hereto, will promote the sound development of the City and is in the best interest of and will promote the public health, safety, and welfare,

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

Section 1. The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

The Comprehensive Plan 2015-2030, attached hereto as Exhibit 1 and incorporated herein, is hereby adopted, and the same supersedes and replaces any other comprehensive plan previously adopted. The Comprehensive Plan 2015-2030 adopted hereby reflects the goals, objectives, and strategies of the City Council for the long-range development of the City.

Section 2. As set forth in more detail in the new Comprehensive Plan, the same shall serve to coordinate and guide the City's adoption of, and amendment (s) to the City's various development regulations. To the extent required by state law, zoning regulations and amendments thereto shall hereafter be adopted in accordance with the Comprehensive Plan. The Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries but shall be used as a guide. The depiction of thoroughfare alignments in the Comprehensive Plan is subject to modification by the Planning and Zoning Commission and City Council to fit local conditions and is subject to refinement as development occurs.


Section 3. All ordinances of the City in conflict with the provisions of this Ordinance are repealed to the extent of that conflict, except that this Ordinance shall not affect any change to any existing zoning districts, zoning classifications, or other zoning regulations or any designations of current zoning. If any provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, the remainder of this Ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

Section 4. This Ordinance shall take effect upon passage and approval and the publication of its caption in the City's official designated newspaper.


Section 5. It is hereby officially found and determined that the meeting at which this Ordinance was passed 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, Texas Government Code, Chapter 551. Notice will also be provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED this 17th day of November, 2016, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of the City of Nolanville, Texas.

CITY OF NOLANVILLE, TEXAS:

By: 
David Escobar, Mayor



ATTEST:

Crystal Briggs, City Secretary