

ORDINANCE NO. 2021-06

**AN ORDINANCE AMENDING ORDINANCE NO. 2002-04, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF SAGINAW, TEXAS, BY CHANGING THE ZONING CLASSIFICATION ON 4.5844 ACRES OF LAND, LOT 1, BLOCK 1, MCNEIL ADDITION, ALSO KNOWN AS 700 WEST MCLEROY BOULEVARD FROM NEIGHBORHOOD COMMERCIAL (NC) TO COMMUNITY FACILITIES (CF); REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; AND BY AMENDING THE COMPREHENSIVE LAND USE PLAN RELATING TO SAID PROPERTY BY CHANGING THE LAND USE FROM NEIGHBORHOOD COMMERCIAL (NC) TO COMMUNITY FACILITIES (CF); PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Saginaw 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 City Council of the City of Saginaw heretofore adopted Ordinance No. 2002-04, as amended, the Zoning Ordinance of the City of Saginaw, which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

**WHEREAS**, the City Council has previously passed an ordinance adopting a Comprehensive Land Use Plan, as the primary document on which to base all zoning, platting, and other land use decisions; and

**WHEREAS**, the Comprehensive Land Use Plan provides guidance for future development in conformance with the adopted Future Land Use Map; and

**WHEREAS**, in accordance with Section 1-3 of the Zoning Regulations of the City, the Planning and Zoning Commission at the request of the City Council, has initiated consideration of a change in zoning classification for the following property described as: Lot 1, Block 1, McNeil Addition, also known as 700 West McLeroy Boulevard (Exhibit "A") Tarrant County, Texas, located in the City of Saginaw, Texas, Neighborhood Commercial (NC) to Community Facilities (CF).

**WHEREAS**, the Planning and Zoning Commission of the City of Saginaw, Texas held a public hearing on February 9, 2021 and the City Council of the City of Saginaw, Texas held a public hearing on February 16, 2021 with respect to the zoning changes and amended land use designation described herein; and

**WHEREAS**, the City Council has determined that an amendment to the Comprehensive Land Use Map, as provided herein, redesignating the below described property from Neighborhood Commercial (NC) to Community Facilities (CF) land use is appropriate and is in accordance with the growth goals, objectives and planning principles set forth in the Comprehensive Land Use Plan; and

**WHEREAS**, the City Council has further determined that the requested rezoning of the below described property is in the best interest of the citizens of Saginaw and is necessary to correct a manifest error in the regulations or map, to recognize changed conditions or circumstances in a particular locality, or to recognize changes in technology, the style of living, or manner of doing business; and

**WHEREAS**, the City has complied with all requirements of Chapters 211 and 213 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements for the rezoning of the property and the amendment of the

Comprehensive Land Use Plan.

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

**SECTION 1.**

The Saginaw, Texas, Comprehensive Land Use Plan, dated July 2016, as amended, is hereby amended by changing the Future Land Use Map to redesignate the hereinafter described property and area -as follows:

Approximately 4.5844 acres of land, Lot 1, Block 1, McNeil addition, also known as 700 west McLeroy Boulevard, and depicted on Exhibit "A" attached hereto and incorporated herein.

From Neighborhood Commercial (NC) to Community Facilities (CF).

**SECTION 2.**

The Saginaw, Texas, Zoning Ordinance No. 2002-04, as amended, is hereby amended by changing the Zoning Map to redesignate the hereinafter described property and area as follows:

Approximately 4.5844 acres of land, Lot 1, Block 1, McNeil addition, also known as 700 west McLeroy Boulevard, and depicted on Exhibit "A" attached hereto and incorporated herein.

From Neighborhood Commercial (NC) to Community Facilities (CF).

**SECTION 3.**

The zoning districts as herein established have 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 Saginaw is hereby amended and the City

Secretary is hereafter directed to revise the zoning map to reflect zoning classifications as set forth above.

**SECTION 5.**

The City Secretary is directed to revise the Future Land Use Map to reflect the revised land use designations as set forth above.

**SECTION 6.**

The use of the property described above shall be subject to all the applicable regulations contained in the Zoning Ordinance and all other applicable and pertinent ordinances of the City of Saginaw.

**SECTION 7.**

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Saginaw, Texas, as amended, except when 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 8.**

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 9.**

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 each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

#### **SECTION 10.**

All rights and remedies of the City of Saginaw are expressly saved as to any and all violations of the provisions of Ordinance No. 2002-04, as amended, or 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 11.**

The City Secretary of the City of Saginaw is hereby directed to publish in the official newspaper of the City of Saginaw, the caption and the penalty clause of this ordinance in accordance with Section 52.013(b) of the Texas Local Government Code.

#### **SECTION 12.**

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

PASSED AND APPROVED ON THIS <sup>19<sup>th</sup></sup> 16<sup>TH</sup> DAY OF FEBRUARY, 2021



Todd Flippo

TODD FLIPPO,  
MAYOR

ATTEST:

Janice England  
JANICE ENGLAND, CITY SECRETARY

EFFECTIVE: 3-10-2021

APPROVED AS TO FORM AND LEGALITY:

Bryn Meredith  
BRYN MEREDITH, CITY ATTORNEY