

ORDINANCE NO. 1523-12-2022

AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE REZONE FROM COMMERCIAL TWO DISTRICT (C-2) ZONING TO AN OUTDOOR COMMERCIAL (C-3) ZONING DISTRICT OF PLUS OR MINUS 4.36 ACRES LOCATED AT 1505 E HWY 82, PARCEL ID 23689, LEGALLY DESCRIBED AS HARDIN JG 0460 AND 0.8 ACRES LOCATED AT HWY 82, PARCEL ID 136281, LEGALLY DESCRIBED AS HARDIN JG 0460; PROVIDING FOR AN AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF GAINESVILLE; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

WHEREAS, the plus or minus 4.36 acres, Cooke County Appraisal District Parcel ID 23689, located at 1505 E Hwy 82 and the .8 acres, Cooke County Appraisal District Parcel ID 136281, located at Hwy 82 are currently zoned Commercial Two District (C-2); and

WHEREAS, property owner Ronnie Neu requests rezoning the property to an Outdoor Commercial (C-3) zoning district; and

WHEREAS, the Planning and Zoning Commission of the City of Gainesville, Texas, held an open public hearing on October 11, 2022, following notices as required by law, on the request for the zoning district change, at which time all persons interested were given an opportunity to be heard; and the Planning and Zoning Commission of the City of Gainesville filed its report of the findings; and

WHEREAS, the Planning and Zoning Commission, by a count of 4 AYE and 0 NAY did vote in favor of recommending to City Council approval of the zoning district change; and

WHEREAS, public notice, as required by law, was given of the public hearing before the City Council of the City of Gainesville on this date for the rezoning, at which time all persons present were given an opportunity to be heard; and

WHEREAS, the City Council of the City of Gainesville has duly considered the Planning and Zoning Commission report, findings, and recommendations.

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

That the City Council of the City of Gainesville has approved the zoning district changes as follows:

SECTION ONE: REZONING .531 ACRES, PARCEL ID 2357

The plus or minus 4.36 acres, Cooke County Appraisal District Parcel ID 23689, located at 1505 E Hwy 82 and the .8 acres, Cooke County Appraisal District Parcel ID 136281, located at Hwy 82, have been rezoned from a Commercial Two (C-2) zoning district to an Outdoor Commercial (C-3) zoning district.

SECTION TWO: AMENDMENT OF THE ZONING MAP

The official zoning map of the City of Gainesville, Cooke County, Texas, shall hereby be amended to reflect the rezoning to an Outdoor Commercial zoning district (C-3) in Section One of this Ordinance.

SECTION THREE: SEVERABILITY

If any provision, section, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstance, if for any reason held to be unconstitutional, void, or invalid (or for any reason unenforceable), the validity of the remaining portion of this Ordinance or its application to other person or sets of circumstances shall not be affected thereby, it being the intention of the City Council and of the Mayor of the City of Gainesville in adopting and approving this Ordinance, that no portion hereof or provision or regulation contained herein shall become inoperative or fail by any reason of any unconstitutionality or invalidity of any other portion, provision, or regulation.

SECTION FOUR: EFFECTIVE DATE

This ordinance shall be effective upon passage and publication.

SECTION FIVE: OPEN MEETING FINDING


That it is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required.

INTRODUCTION, FIRST READING, CHARTER SUSPENSION

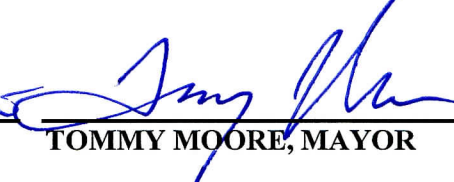
INTRODUCED AND READ FOR THE FIRST TIME BEFORE THE CITY COUNCIL OF THE CITY OF GAINESVILLE ON THE 6th DAY OF DECEMBER 2022, AT WHICH THE CHARTER PROVISION OF THE CITY OF GAINESVILLE REQUIRING THE READING OF THE ORDINANCE ON THREE SEPARATE OCCASION WAS SUSPENDED BY A VOTE:

 7 AYES 0 NAYS 0 ABSENCES, AND 0 ABSTENTIONS

ATTEST:



DIANA ALCALA, CITY SECRETARY



TOMMY MOORE, MAYOR

ADOPTION

ADOPTED BY THE CITY COUNCIL OF THE CITY OF GAINESVILLE ON THE 6th DAY OF DECEMBER 2022.

 7 AYES 0 NAYS 0 ABSENCES, AND 0 ABSTENTIONS

ATTEST:



DIANA ALCALA, CITY SECRETARY



TOMMY MOORE, MAYOR

