

**ORDINANCE NO. 20-0109-1**

**AN ORDINANCE OF THE CITY OF CHINA GROVE, TEXAS; AMENDING THE ZONING CODE BY AUTHORIZING *VEHICLE REPAIR AND MAINTENANCE*; AUTHORIZING *TRAILER STORAGE AND REPAIR*; AUTHORIZING *WAREHOUSING AND STORAGE*; AUTHORIZING *MANUFACTURING AND FABRICATING* OPERATIONS AS CONDITIONAL USES IN CLASS 2 MEDIUM INTENSITY LAND USE DISTRICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of China Grove, Texas has the authority to regulate the zoning of property pursuant to Texas Local Government Code Chapter 211; and

**WHEREAS**, in accordance with such authority City Council adopted a Zoning Ordinance (Ordinance No. 960711); and

**WHEREAS**, City Council finds it appropriate to amend Section 6 Subsection B of Ordinance No. 960711) to allow *Vehicle Repair and Maintenance; Trailer Storage and Repair; Warehousing and Storage; Manufacturing and Fabricating* operations as Conditional Uses in the Class -2 Medium Intensity Land Use District; and

**WHEREAS**, City Council provided members of the public to provide testimony and comments regarding the merits of the proposed zoning amendment and published notice of the public hearing by publication in the official city newspaper and by mailing notice as required by Texas Local Government Code Chapter 211.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHINA GROVE, TEXAS:**

**Section 1. Findings.** The findings set out herein are found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes.

**Section 2. Ordinance No. 960711 amended.** Ordinance No. 960711 is hereby amended by adding to Section 5 (entitled "Section 6: "CLASS-2" MEDIUM INTENSITY LAND USE DISTRICT") Subsection B (entitled "Conditional Uses") by adding the use set out in italics (*italics*) and underlined (underlined) below:

*B. Conditional Uses: The following principal uses, their accessory uses and structures may be permitted with an approved site plan and the issuance of a conditional use permit.*

*Public or private schools  
Medical Care Facilities  
Shopping Centers  
Establishments for on-site alcoholic beverage consumption  
Veterinary care facilities  
Mini-storage units  
Private recreation facilities  
Child care facilities  
Commercial recreation facilities*

*Wholesale salesrooms*  
*Personal service establishments*  
*Dining establishments*  
*Vehicle Repair and Maintenance*  
*Trailer Storage and Repair*  
*Warehousing and Storage*  
*Manufacturing and Fabricating*

**Section 3. Cumulative Clause.** This Ordinance shall be cumulative of all provisions of the City, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

**Section 4. Severability.** 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 should 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 the Ordinances, since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrases, clause, sentence, paragraph, or section.


**Section 5. Effective Date.** This Ordinance shall take effect immediately from and after its passage.

PASSED, APPROVED, AND ADOPTED this 9th day of JANUARY, 2020.



Mary Ann Hajek  
Mayor

ATTEST:



Susan Conaway  
City Administrator *Secretary*

APPROVED AS TO FORM:

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Habib H. Erkan, Jr.  
City Attorney