

ORDINANCE NO. 23-1102

**AN ORDINANCE OF THE CITY OF CHINA GROVE, TEXAS
AMENDING THE OFFICIAL ZONING MAP BY REZONING
APPROXIMATELY 10.378 ACRES OF LAND FROM CLASS 1 DISTRICT
TO PLANNED DEVELOPMENT DISTRICT (PDD)**

WHEREAS, the City of China Grove (“City”) is a Texas General Law Municipality operating under the laws of the State of Texas; and

WHEREAS, the City is empowered by Chapter 211 of the Texas Local Government Code to establish a zoning ordinance establishing zoning districts and permissible land uses within the incorporated limits of the City; and

WHEREAS, the City Council has previously adopted zoning regulations with the approval of Ordinance #960711 as amended; and

WHEREAS, the City Council may from time to time choose to amend, supplement, change or modify the City’s zoning regulations, boundaries, or classifications; and

WHEREAS, an application has been filed with the City to rezone approximately 10.378 acres of land generally located on the eastern boundary of the Foster Commerce Center Planned Development District, and being approximately 1500 feet west of Real Road, also known as 7443 and 7485 Real Road, and more specifically described in Exhibit “A” (“Property”), from Class 1 District to Planned Development District and develop in accordance with the conceptual plan and development standards set forth in Exhibit “B” and Exhibit C attached herein; and

WHEREAS, it is the intent for this property to be incorporated into the overall development of the Foster Commerce Center Planned Development District, which was approved by City Council on March 16, 2022, by Ordinance No. 22-0316; and

WHEREAS, on October 11, 2023, notice of a public hearing was published in the Wilson County News newspaper; and

WHEREAS, the City Council has duly held public hearings and given proper notice, as necessary, pertaining to changing zoning classifications; and

WHEREAS, on November 2, 2023, the City Council conducted a public hearing and after consideration determined that the requested zoning be approved as provided herein.

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

Section 1. The Property as shown and more particularly described in the attached Exhibit “A” is hereby zoned Planned Development District (PDD) and shall develop in accordance with

the conceptual plan and development standards set forth in Exhibit "B" and Exhibit "C" attached herein.

Section 2. The Official Zoning Map of the City of China Grove, shall be revised to reflect the above amendment.

Section 3. The foregoing recitals are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

Section 4. If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

Section 5. This Ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 6. This Ordinance shall be construed and enforced in accordance with the laws of the state of Texas and the United States of America.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 8. This Ordinance will take effect upon its adoption by the City Council.

PASSED AND APPROVED this 2nd day of November, 2023.

CITY OF CHINA GROVE, TEXAS

By: _____
Mary Ann Hajek, Mayor

ATTEST:

Melinda Saucedo, City Secretary