

**CITY OF RIVER OAKS, TEXAS**

**ORDINANCE NO. 1258-2019**

**AN ORDINANCE ADOPTING THE CITY OF RIVER OAKS  
2019 COMPREHENSIVE PLAN INCLUDING A NEW  
MASTER THOROUGHFARE PLAN MAP, AND A FUTURE  
LAND USE PLAN MAP; PROVIDING A SEVERABILITY  
CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of River Oaks (the "City") is a home rule municipality; and

**WHEREAS**, under the provisions of Local Government Code Chapter 213, Municipal Comprehensive Plans, (the "Act"), the City may define the content and design of a comprehensive plan and may include, but is not limited to, provisions on land use, transportation, and public facilities; and

**WHEREAS**, the purpose of a comprehensive plan is to promote the sound development of municipalities and promote the public health, safety, and welfare; and

**WHEREAS**, under the provisions of the Act, a comprehensive plan can consist of a single plan or a coordinated set of plans organized by subject and geographic area and can be used to coordinate and guide the establishment of development regulations; and

**WHEREAS**, under the provisions of the Act, the City may adopt or amend a comprehensive plan by ordinance following a hearing at which the public is given the opportunity to give testimony and present written evidence and after review by the municipality's planning commission; and

**WHEREAS**, the City previously approved Resolution 786-2013 which supported the key regional initiatives of the of the North Central Texas Council of Governments' Planning Livable Military Communities Regional Vision Report; and

**WHEREAS**, the City desires to create a new strategy for enhancing economic development across the commercial corridor of the City, create a new Master Thoroughfare Plan Map, and create a new Future Land Use Plan Map; and

**WHEREAS**, the City Council has prepared a *2019 Comprehensive Plan* (the "Comprehensive Plan") attached hereto as **Exhibit A**; and

**WHEREAS**, parties in interest and the public in general had an opportunity to be heard and provide input at the Community Meeting held on October 28, 2019; and

**WHEREAS**, on November 18, 2019 a public hearing was held by the Planning and Zoning Commission of the City, and the public was given the opportunity to give testimony and present written evidence; and

**WHEREAS**, the November 18, 2019 Public Hearing held before the Planning and Zoning Commission was continued until Monday, December 9, 2019 at 6:30 P.M. to allow the consultant, Petty and Associates to bring back a completed Comprehensive Plan; and

**WHEREAS**, the November 18, 2019 Public Hearing held before the Planning and Zoning Commission was continued until Monday, December 9, 2019 at 6:30 P.M. and following the public hearing continuance on December 9, 2019, the Planning and Zoning Commission of the City recommended approval of the Comprehensive Plan to the City Council; and

**WHEREAS**, a notice of public hearing on the adoption of the Comprehensive Plan was posted on the agenda at City Hall more than seventy-two (72) hours before the public hearing; and

**WHEREAS**, on December 10, 2019 a public hearing was held by City Council to consider the Comprehensive Plan, and the public was given the opportunity to give testimony and present written evidence; and

**WHEREAS**, upon the conclusion of the public hearing, and considering the recommendation of the Planning and Zoning Commission, the City Council is of the opinion that it is in the best interests of the City and its citizens to approve and adopt the Comprehensive Plan.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVER OAKS:**

**SECTION 1. RECITALS.**

All matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

**SECTION 2. ADOPTION.**

The *2019 Comprehensive Plan* attached hereto as **Exhibit A** is hereby adopted and designated as the Comprehensive Plan for the City.

**SECTION 3. FINDINGS OF FACT.**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 4. SEVERABILITY.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section 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 phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

**SECTION 5. PROPER NOTICE AND MEETING.**

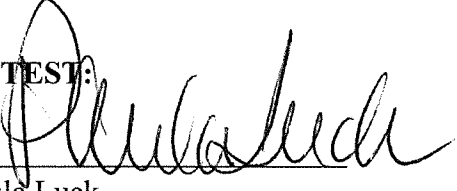
It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.


**SECTION 6. EFFECTIVE DATE.**

This Ordinance shall take effect immediately from and after its passage as the law in such case provides.

**PASSED, AND APPROVED ON THE 10<sup>th</sup> DAY OF DECEMBER 2019.**

**ATTEST:**

  
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Paula Luck  
City Secretary

  
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Herman Earwood  
Mayor

Effective: 12/10/2019

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Betsy Elam, City Attorney

**Exhibit A**  
**City of River Oaks**  
**2019 Comprehensive Plan**

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# RIVER OAKS PLANNING AND ZONING COMMISSION

December 9, 2019

To Mayor and City Council:

On this date, **December 9, 2019** the Planning and Zoning Commission of the City of River Oaks, met at 6:30 P.M. for a special called meeting in accordance to the Rules and Procedures. As a part of that Meeting the P & Z requests and **recommends** to the Mayor and to the City Council the following:

The P & Z of the City of River Oaks voted, 5 Ayes to 0 Nays to recommend to the City Council of River Oaks to:

**APPROVE THE ADOPTION OF** THE CITY OF RIVER OAKS COMPREHENSIVE PLAN AS AMENDED INCLUDING THE FUTURE LAND USE MAP AND MASTER THOROUGHFARE PLAN AS PRESENTED (ZONING CASE # PZ 2019-0009).

**NOT APPROVE THE ADOPTION OF** THE CITY OF RIVER OAKS COMPREHENSIVE PLAN AS AMENDED INCLUDING THE FUTURE LAND USE MAP AND MASTER THOROUGHFARE PLAN AS PRESENTED (ZONING CASE # PZ 2019-0009).

**APPROVE THE ADOPTION OF** THE CITY OF RIVER OAKS COMPREHENSIVE PLAN AS AMENDED INCLUDING THE FUTURE LAND USE MAP AND MASTER THOROUGHFARE PLAN AS PRESENTED (ZONING CASE # PZ 2019-0009) PROVIDING THAT THE FOLLOWING STIPULATIONS ARE COMPLIED WITH:

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\_\_\_\_\_

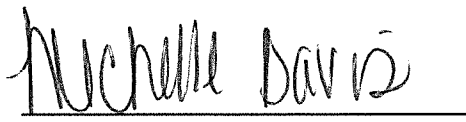
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**APPROVED THIS THE 9<sup>th</sup> DAY OF DECEMBER 2019 BY:**

  
**Chairman**  
**Planning and Zoning Commission**

**ATTEST:**

  
**Michelle Davis**  
**Zoning Secretary**