

ORDINANCE NO. {{item.sequential_number}}
(FY-24-34-ZC)

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A MODIFIED REZONING FROM GENERAL RETAIL AND SINGLE FAMILY TO NEIGHBORHOOD SERVICE AND SINGLE FAMILY ON APPROXIMATELY 1.6938 ACRES SITUATED IN THE MAXIMO MORENO SURVEY, ABSTRACT NO. 14, CITY OF TEMPLE, BELL COUNTY, TEXAS, AND ADDRESSED AS 1818 NORTH 3RD STREET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, this property is located on 3rd Street between Shell Avenue and Royal Avenue - the owner intends to subdivide the property into one residential lot and one non-residential lot;

Whereas, while the current zoning is Single Family (SF-1)/General Retail (GR) and the new zoning is the same, this change is intended to realign the zoning lines for replatting and development purposes;

Whereas, a portion of the property lies within the 1st and 3rd Street overlay and will be subject to the overlay callouts in the Unified Development Code - this zoning change request is in line with the overlay;

Whereas, at its April 7, 2025 meeting, the Planning and Zoning Commission voted 9 to 0 to recommend approval of the proposed rezoning to GR and SF-1; however, upon further consideration, an opportunity was identified to better align the parcel with a more compatible zoning designation—Neighborhood Service (NS) rather than GR—to better suit the adjacent residential areas and neighboring school;

Whereas, the applicant was contacted by City Staff and is in agreement with the proposed change;

Whereas, upon further consideration, Staff recommends approval of an amendment to the requested rezoning from GR and SF-1 to NS and SF-1, rather than GR and SF-1;

Whereas, the applicant was contacted and agreed to the proposed change to the request to rezone the property to NS and SF-1; and

Whereas, the City Council has considered these matters and deems it in the public interest to authorize these actions.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Part 2: The City Council approves a rezoning from General Retail (GR) and Single Family (SF-1) to Neighborhood Service (NS) and Single Family (SF-1) on approximately 1.6938 acres situated in the Maximo Moreno Survey, Abstract No. 14, City of Temple, Bell County, Texas, and addressed as 1818 North 3rd Street.

Part 3: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

Part 4: 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 should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such section, paragraph, sentence, clause, or phrase.

Part 5: This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 6: It is hereby officially found and determined that the meeting at which this Ordinance was passed 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 Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the 17th day of **April, 2025**.

PASSED AND APPROVED on Second and Final Reading on the 1st day of **May, 2025**.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney