

ORDINANCE NO. {{item.sequential_number}}
(FY-24-2-AMND)

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS, APPROVING A CITY-INITIATED AMENDMENT TO THE 2020 COMPREHENSIVE PLAN FUTURE DEVELOPMENT CATEGORY FROM BUSINESS PARK TO RESIDENTIAL AND NEIGHBORHOOD SERVICES ON APPROXIMATELY 68 ACRES, GENERALLY LOCATED NEAR THE NORTHWEST CORNER OF CEDAR CREEK ROAD AND OLD HOWARD ROAD TO INCLUDE THE LONG VIEW ESTATES SUBDIVISION, ADDRESSED AS 6000 OLD HOWARD ROAD, 4170, 4318, 4324, 4332, 4340, 4346, 4356, 4394, 4404, 4412, 4422, 4430, 4434, 4440, 4448, AND 4474 CEDAR CREEK ROAD, TEMPLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, this item encompasses approximately 68 acres and accompanies a 16-acre annexation request and a 13-acre rezoning request, both located within the amendment case boundary - the areas currently in the City limits are zoned Agricultural (AG);

Whereas, Properties are assigned the AG zoning district upon annexation and then the applicant typically submits a rezoning request to accommodate the proposed use - duplex use is proposed for the 13 acres;

Whereas, the applicant has requested the rezoning of the 13 acres to proceed concurrently with the annexation request so they can determine if the rezoning is viewed favorably before committing to the annexation;

Whereas, in evaluating the rezoning request, it was noted that the proposed rezoning to Two-Family Dwelling (2F) was not consistent with the 2020 Comprehensive Plan Future Land Use (FLU) development category of Business Park, which considers residential use as inappropriate;

Whereas, Staff reviewed the existing uses in the area which includes farmland, undeveloped land, and single-family detached dwellings, most of which are located in the Long View Estates subdivision;

Whereas, based on the existing uses and general future proposed master plans in this vicinity, residential use appears to be appropriate in this area - therefore, a City-initiated comprehensive plan amendment is recommended to change the current FLU of Business Park to Residential and Neighborhood Services;

Whereas, the Residential and Neighborhood Services development category will support residential uses to include detached and attached single-family developments including duplex, as well as neighborhood serving retail, personal service, and restaurant (no drive-thru);

Whereas, at its September 3, 2024 meeting, the Planning and Zoning Commission voted 7 to 0 to recommend approval;

Whereas, Staff recommends approval of a City-initiated amendment to the 2020 Comprehensive Plan future development category from Business Park to Residential and Neighborhood Services on approximately 68 acres, generally located near the northwest corner of Cedar Creek Road and Old Howard Road to include the Long View Estates Subdivision, addressed as 6000 Old Howard Road, 4170, 4318, 4324, 4332, 4340, 4346, 4356, 4394, 4404, 4412, 4422, 4430, 4434, 4440, 4448, and 4474 Cedar Creek Road, Temple, Texas; 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 City-initiated amendment to the 2020 Comprehensive Plan future development category from Business Park to Residential and Neighborhood Services on approximately 68 acres, generally located near the northwest corner of Cedar Creek Road and Old Howard Road to include the Long View Estates Subdivision, addressed as 6000 Old Howard Road, 4170, 4318, 4324, 4332, 4340, 4346, 4356, 4394, 4404, 4412, 4422, 4430, 4434, 4440, 4448, and 4474 Cedar Creek Road, Temple, Texas.

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 sections, paragraphs, sentence, clauses, or phrases 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 **19th** day of **September, 2024.**

PASSED AND APPROVED on Second and Final Reading on the 3rd day of **October, 2024**.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

APPROVED AS TO FORM:

ATTEST:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney