

ORDINANCE NO. {{item.sequential\_number}}  
(FY-22-18-ZC)

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM SINGLE-FAMILY-1 TO OFFICE-1 ON APPROXIMATELY 0.10 ACRE IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS ADDRESSED AS 204 NORTH 7TH STREET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, this property, and the majority of properties between Barton and French that are currently zoned Single-Family-1 (SF-1), were previously zoned Central Area (CA) - in 2009, they were rezoned to their current designation of SF-1;

**Whereas**, this property is for sale and the applicant wishes to enhance development opportunities for this site by expanding the CA zoning district - CA District properties are exempted from the City's parking ratio requirements, which is desired by the applicant due to limited space on-site;

**Whereas**, CA zoning district is a special purpose district intended to promote the City's downtown as a live, work, and play destination and allows many uses to include single family as well as multi-family; various educational/institutional uses; office; hotel; restaurant without drive-in; alcohol sales for on and off-premise consumption; and most retail uses;

**Whereas**, Office-1 District allows fewer uses including residential (single and two family) and limited non-residential uses such as institutional and office, and therefore may be more appropriate in this location;

**Whereas**, at its April 18, 2022 meeting, the Planning and Zoning Commission met and reviewed this item and recommended disapproval of zoning change from SF-1 District to Central Area, and approval of zoning change to Office -1 by a vote of 3 to 2 - Staff does not recommend approval of the requested rezoning from SF-1 to Central Area Zoning District, but does support rezoning to Office -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 authorizes a rezoning from Single-Family-1 to Office-1 on approximately 0.10 acre in the City of Temple, Bell County, Texas addressed as 204 North 7th

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 phrase, clause, sentence, paragraph or section 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 phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

**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 **May, 2022**.

PASSED AND APPROVED on Second and Final Reading on the **2nd** day of **June, 2022**.

THE CITY OF TEMPLE, TEXAS

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TIMOTHY A. DAVIS, Mayor

APPROVED AS TO FORM:

ATTEST:

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Jana Lewellen  
City Secretary

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Kathryn H. Davis  
City Attorney