ORDINANCE NO. 2372

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING THE COMPREHENSIVE PLAN AND FUTURE LAND USE MAP CHANGING THE USE FROM LOW DENSITY RESIDENTIAL TO RETAIL FOR A TRACT OF LAND LOCATED AT 812 N. PARK AVENUE, DESCRIBED AS LOT 8, BLOCK 6, WARREN ADDITION, CITY OF TERRELL, KAUFMAN COUNTY, TEXAS.

ARTICLE I.

WHEREAS, the Planning and Zoning Commission of the City of Terrell, Texas, and the governing body of the City of Terrell, Texas, in compliance with the Charter of the City of Terrell, Texas and the State law with reference to granting of changes to the Comprehensive Plan and Future Land Use Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Terrell, Texas, is of the opinion that said establishments of such land uses should be made Retail for a certain tract of land located at 812 N. Park Avenue, described as Lot 8, Block 6, Warren Addition, City of Terrell, Kaufman County, Texas.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Terrell, Texas:

THAT the Comprehensive Plan, Ordinance No. 2118, of the City of Terrell, Texas, be, and the same is hereby amended by amending the Future Land Use Map, so as to depict changes for property thereon, hereinafter provided.

It is directed that the Official Future Land Use Map of the City of Terrell, Texas, be changed to reflect the land uses established by this Ordinance.

That the above described tract of land shall be used only in the manner and for the purposes allowed by the Future Land Use Map as amended heretofore, and as amended herein.

That is any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged to be unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion or part thereof other than that portion so decided to be invalid or unconstitutional.

That the previous land use classification hereby be amended as indicated.

WHEREAS, it has been found that there has been a change in the conditions in the above described property, it is now necessary that it be given the above land use classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare, public health, and safety of the City of Terrell, Texas, and requires that this ordinance shall take effect from and after its adoption.

ARTICLE II

All ordinances or part of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

ARTICLE III

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 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, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this

Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

ARTICLE IV

This Ordinance will take effect immediately from and after its passage and the publication of the caption, as the law in such case provides.

PASSED AND APPROVED this the 20th day of May, 2008.
PASSED AND ADOPTED this the 3rd day of June, 2008.

APPROVED:

_____
Hal Richards, Mayor

ATTEST:

_____
John Rounsavall, City Secretary

APPROVED AS TO FORM:

_____
Mary Gayle Ramsey, City Attorney