ORDINANCE NO. 2023-10

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, REZONING SIX IDENTIFIED PROPERTIES TO "NMU" NEIGHBORHOOD MIXED-USE ZONING, IN THE CITY OF SAGINAW, TEXAS, MORE SPECIFICALLY DESCRIBED AS: APPROXIMATELY 1.7 ACRES, SAGINAW SPRINGS BLOCK 2 LOT 30 COMMERCIAL TRACT 2; APPROXIMATELY 4.6 ACRES, ALBRIGHT, ALEXANDER F SURVEY ABSTRACT 1849 TRACT 2C04; APPROXIMATELY 12 ACRES, ALBRIGHT, ALEXANDER F SURVEY ABSTRACT 1849 TRACT 2C; APPROXIMATELY 1.4 ACRES, IDEA SCHOOLS ADDITION BLOCK A LOT 1 ; APPROXIMATELY 0.2 ACRES, ALBRIGHT, ALEXANDER F SURVEY ABSTRACT 1849 TRACT 3A; APPROXIMATELY 4.0 ACRES, ALBRIGHT, ALEXANDER F SURVEY ABSTRACT 1849 TRACT 3H05; REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE WITH THEREWITH; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw, Texas is a home rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City has a substantial interest in protecting the health, safety, welfare, convenience, and enjoyment of the general public and has adopted zoning regulations to further this interest; and

WHEREAS, the City adopted an update to the Comprehensive Plan in 2022, which includes a Future Land Use Plan designating certain areas as Neighborhood Mixed-Use (NMU); and

WHEREAS, the City adopted a new NMU zoning district to implement the Comprehensive Plan by providing for low-intensity mixed uses compatible with residential land uses and encouraging the development of community gathering spaces, and enacting regulations related to landscaping, screening, and fencing of this new zoning district; and

WHEREAS, the City has selected parcels to rezone to NMU based on their designation of NMU in the Comprehensive Plan's Future Land Use Plan; and

WHEREAS, the Planning and Zoning Commission of the City of Saginaw, Texas held a public hearing on November 08, 2022, and the City Council of the City of Saginaw, Texas, held a public hearing on February 21, 2023, with respect to the regulations described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements to amend the Zoning Regulations of the City.

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

SECTION 1.

The Comprehensive Zoning Ordinance of the City of Saginaw, as amended, is hereby amended by rezoning the six properties more fully described and depicted on the attached Exhibit "A" as "NMU" Neighborhood Mixed-Use District.

SECTION 2.

The use of the properties described above shall conform to all applicable regulations contained in the zoning ordinance and all other applicable and pertinent ordinances of the City of Saginaw.

SECTION 3.

The zoning district as herein established has been made in accordance with the Comprehensive Plan's Future Land Use Plan for the purpose of promoting the health, safety, morals, and general welfare of the community.

SECTION 4.

The official zoning map of the City of Saginaw is hereby amended and the City Secretary is directed to revise the zoning map to reflect the zoning classification, as set forth above.

SECTION 5.

This ordinance shall be cumulative of all provisions of ordinances and the Code of Ordinances of the City of Saginaw, Texas, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 6.

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 void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness, or

unconstitutionality 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 herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 7.

All rights or remedies of the City of Saginaw, Texas, are expressly saved as to any and all violations of the Saginaw City Code or any amendments thereto that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 8.

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars ($2000.00) for each violation of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 9.

The City Secretary of the City of Saginaw is hereby directed to publish at least twice in the official newspaper of the City of Saginaw, the caption and the penalty clause of this ordinance in accordance with Section 52.013(b) of the Local Government Code.

SECTION 10.

This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

PASSED AND APPROVED ON this the 21st day of February, 2022.

Todd Flippo, Mayor

ATTEST:

Janice England, City Secretary

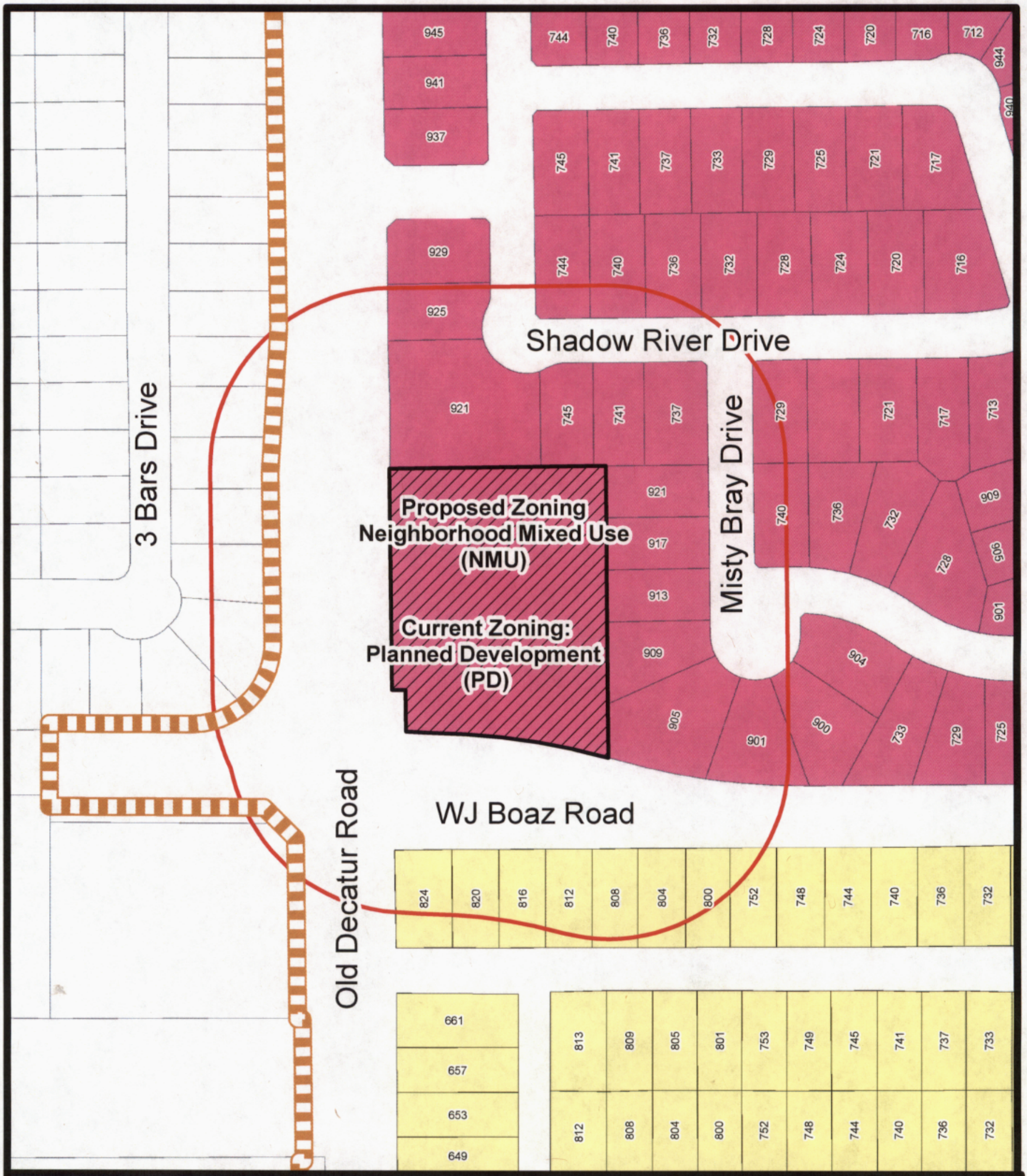
CITY OF SAGINAW TEXAS CORPORATE SEAL

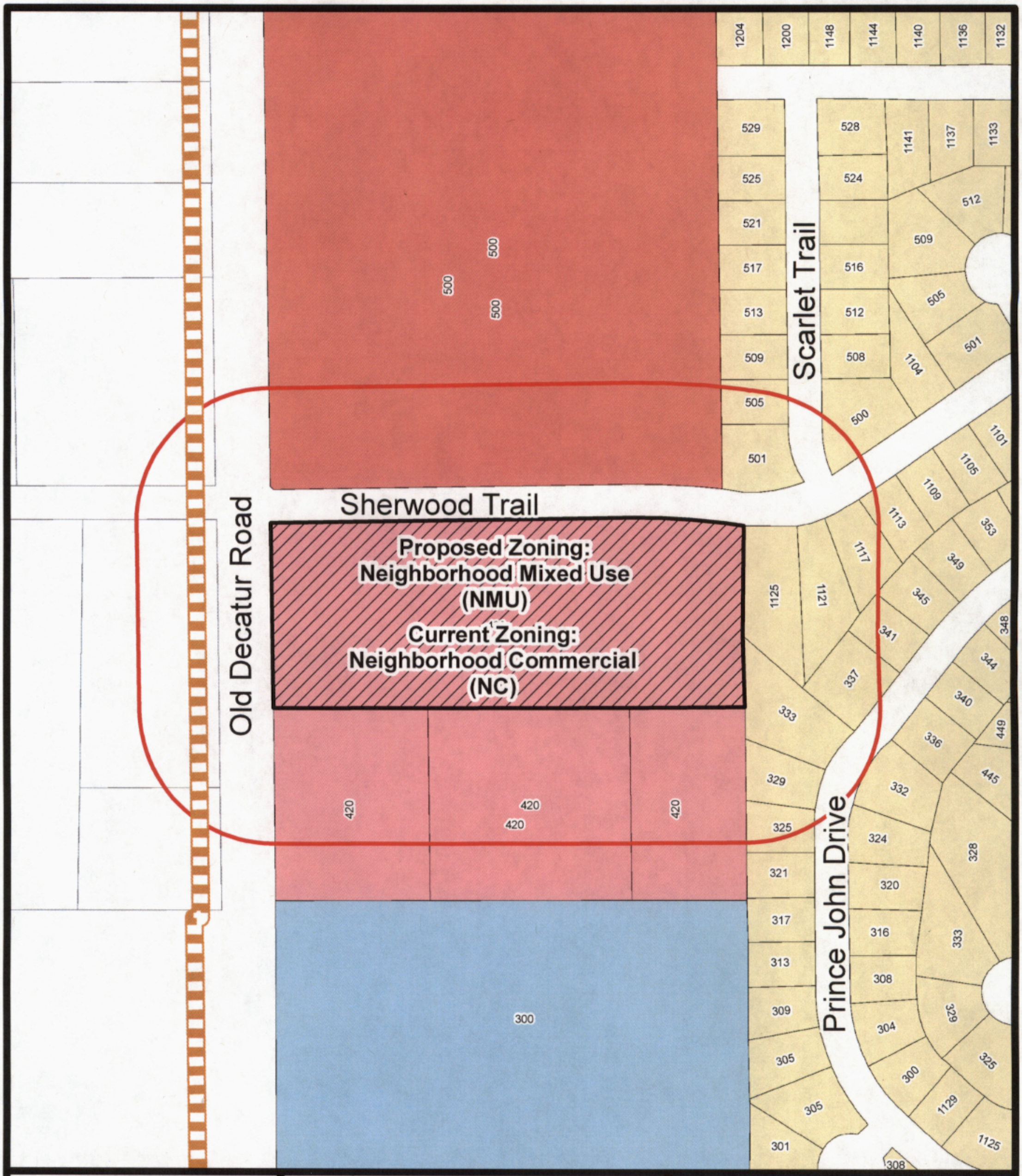
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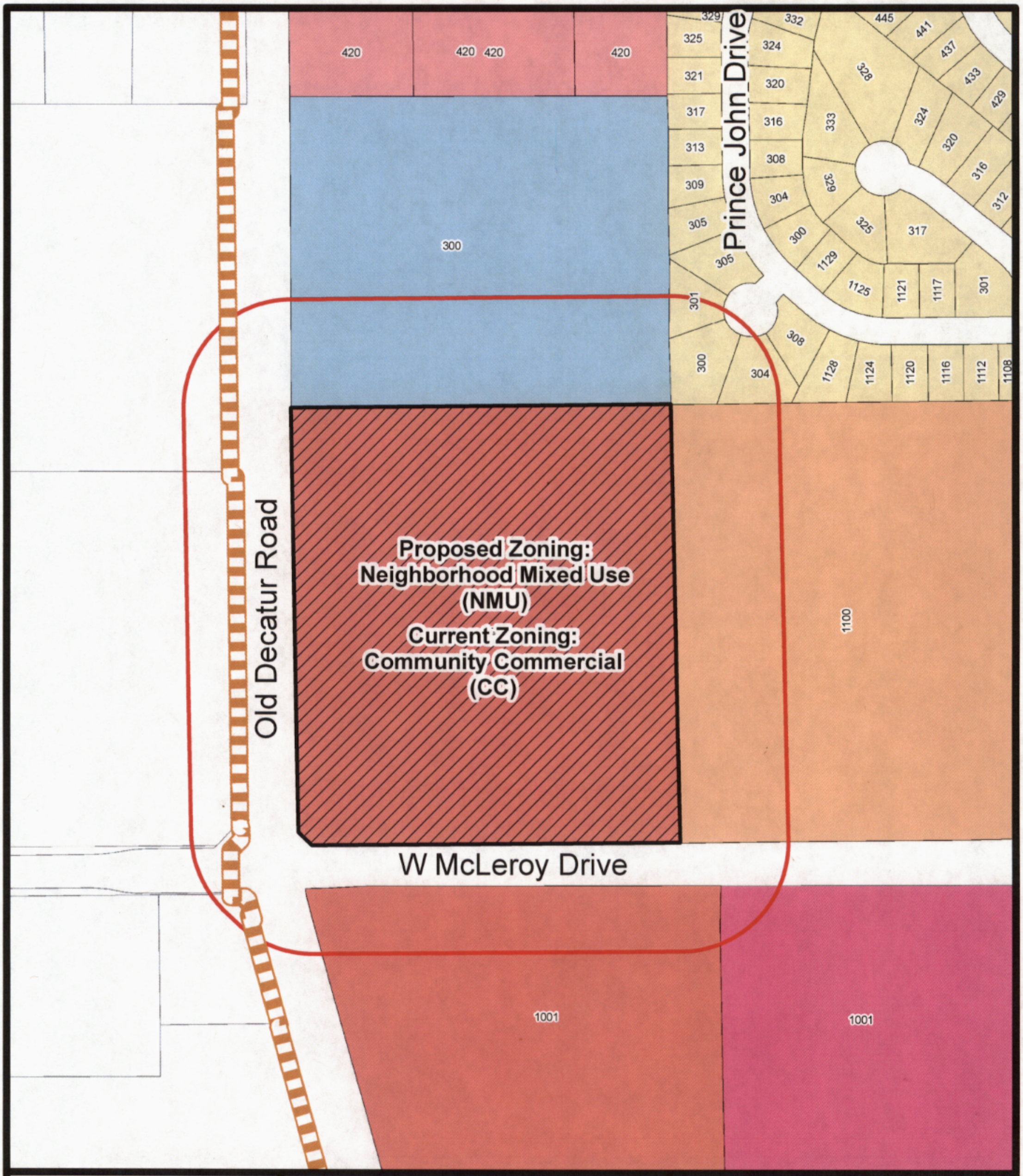
Bryn Meredith, City Attorney

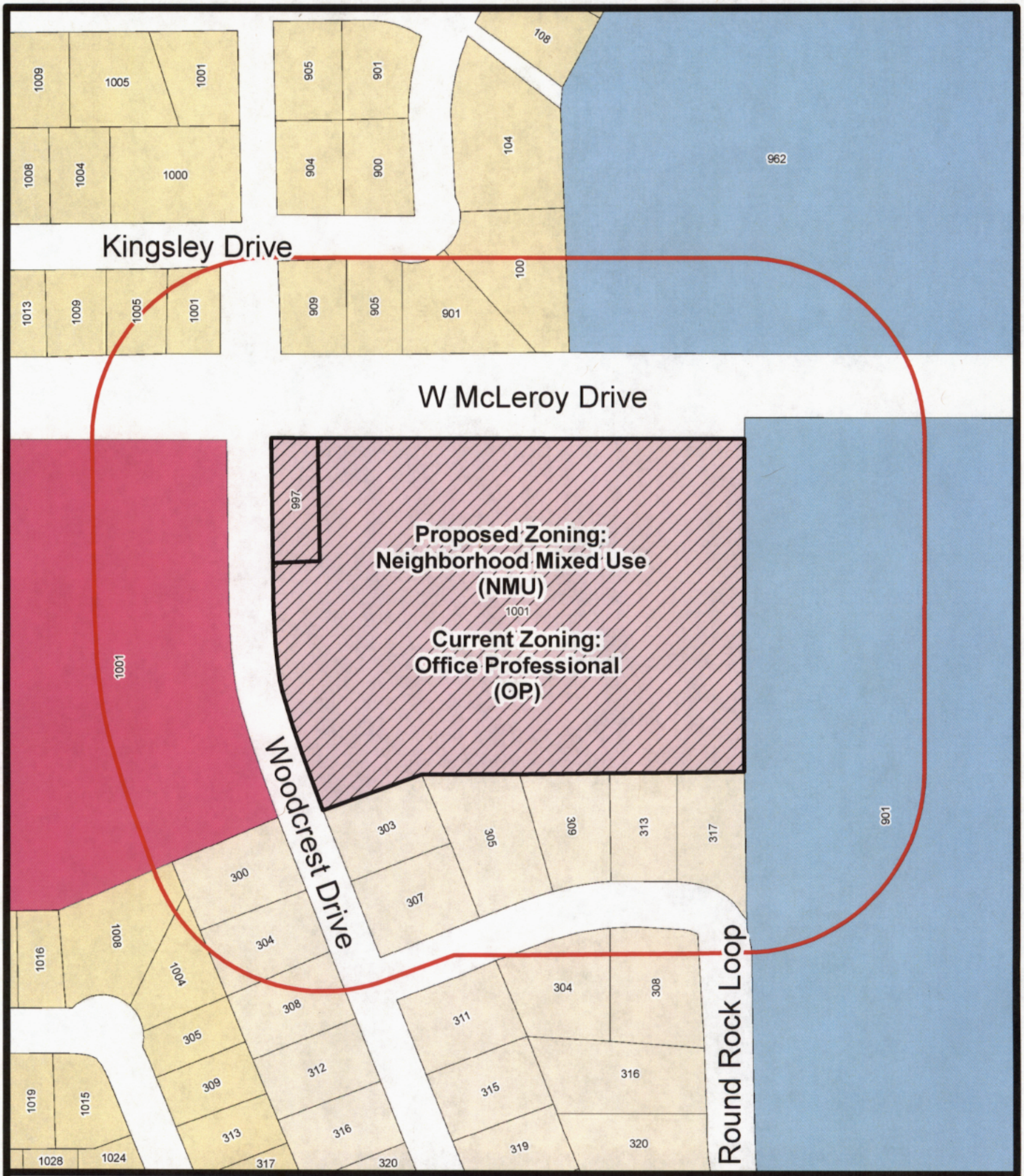
EXHIBIT A

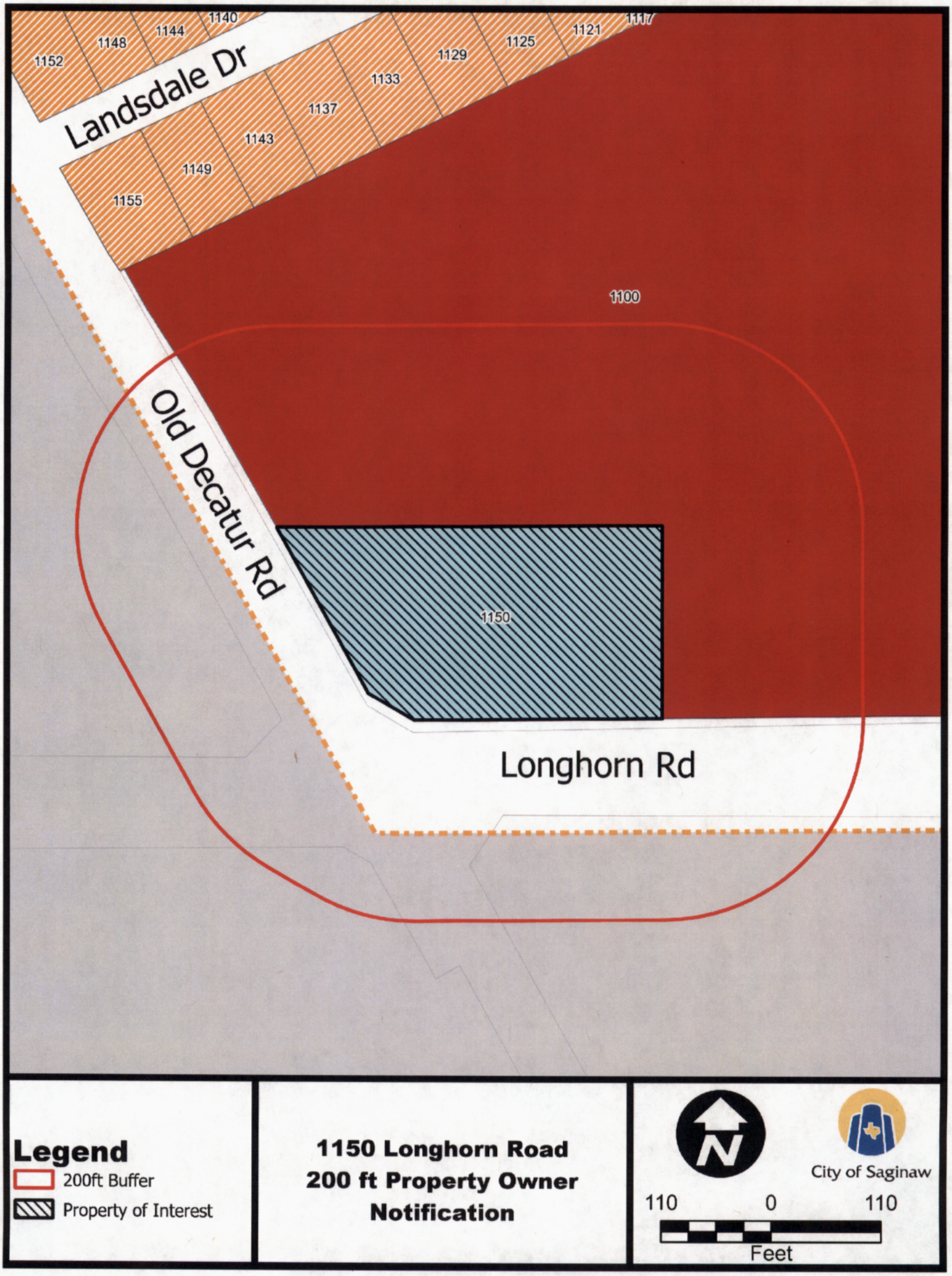
Parcel Number	Legal Description
1	SAGINAW SPRINGS BLOCK 2 LOT 30 COMMERCIAL TRACT 2
2	ALBRIGHT, ALEXANDER F SURVEY ABSTRACT 1849 TRACT 2C04
3	ALBRIGHT, ALEXANDER F SURVEY ABSTRACT 1849 TRACT 2C
5	1100 LONGHORN ROAD
7	1150 LONGHORN ROAD
8	ALBRIGHT, ALEXANDER F SURVEY ABSTRACT 1849 TRACT 3H05


Shadow River Drive
Misty Bray Drive
3 Bars Drive
Old Decatur Road
WJ Boaz Road
Proposed Zoning
Neighborhood Mixed Use
(NMU)
Current Zoning:
Planned Development
(PD)
945
941
937
929
925
921
917
913
909
905
901
744
740
736
732
728
724
720
716
712
944
940
745
741
737
733
729
725
721
717
713
909
906
904
900
824
820
816
812
808
804
800
752
748
744
740
736
732
661
657
653
649
813
809
805
801
753
749
745
741
737
733
Legend
200ft Buffer
Property of Interest
Saginaw Springs Block 2,
Lot 30 Commercial Tract 2
200 ft Propery Owner
Notification
N
City of Saginaw
150
0
150
Feet


Scarlet Trail
Sherwood Trail
Old Decatur Road
Prince John Drive
Proposed Zoning:
Neighborhood Mixed Use
(NMU)
Current Zoning:
Neighborhood Commercial
(NC)
1204
1200
1148
1144
1140
1136
1132
529
525
521
517
513
509
505
501
528
524
516
512
508
500
1141
1137
1133
512
509
505
501
1104
1101
1105
1109
1113
1117
1121
1125
353
349
345
341
337
333
348
344
340
336
332
329
325
321
317
313
309
305
301
449
445
328
324
320
316
308
333
329
325
1129
1125
500
500
500
420
420
420
420
300
Legend
200ft Buffer
Property of Interest
Albright, Alexander F
Survey Abstract 1849
Tract 2C04
200 ft Propery Owner
Notification
N
City of Saginaw
200
0
200
Feet


Prince John Drive
Old Decatur Road
W McLeroy Drive
420
420
420
420
300
329
325
321
317
313
309
305
305
301
332
324
320
316
308
304
300
328
333
329
325
1129
1125
445
441
437
433
429
324
320
316
312
317
1121
1117
301
308
304
300
1128
1124
1120
1116
1112
1108
1100
1001
1001
Proposed Zoning:
Neighborhood Mixed Use
(NMU)
Current Zoning:
Community Commercial
(CC)
Legend
200ft Buffer
Property of Interest
Albright, Alexander F
Survey Abstract 1849
Tract 2C
200 ft Propery Owner
Notification
N
City of Saginaw
250
0
250
Feet


Kingsley Drive
W McLeroy Drive
Woodcrest Drive
Round Rock Loop
Proposed Zoning:
Neighborhood Mixed Use
(NMU)
1001
Current Zoning:
Office Professional
(OP)
997
1009
1005
1001
1008
1004
1000
905
901
904
900
108
104
962
100
1013
909
1016
1019
1015
1028
1024
303
305
309
313
317
300
307
304
308
311
312
315
316
319
320
901
Legend
200ft Buffer
Property of Interest
Albright, Alexander F
Survey Abstract 1849
Tract 3A & 3H05
200 ft Propery Owner
Notification
N
City of Saginaw
150
0
150
Feet


Landsdale Dr
1152
1148
1144
1140
1155
1149
1143
1137
1133
1129
1125
1121
1117
1100
1150
Old Decatur Rd
Longhorn Rd
Legend
200ft Buffer
Property of Interest
1150 Longhorn Road
200 ft Property Owner
Notification
N
City of Saginaw
110
0
110
Feet