VILLAGE OF VOLENTE

ORDINANCE NO. 2007-O-78

AN ORDINANCE OF THE VILLAGE OF VOLENTE, TEXAS, AMENDING THE ZONING REGULATIONS PROMULGATED AT SECTION 30.112(5) SINGLE FAMILY RESIDENTIAL DISTRICT R-1; SECTION 30.113(5) SINGLE FAMILY RESIDENTIAL RIDGETOP R-1R; SECTION 30.114(5) SINGLE FAMILY RESIDENTIAL CLUSTER R-1C; SECTION 30.115(5) SINGLE FAMILY RESIDENTIAL DISTRICT R-2 AND SECTION 30.118 COMMERICAL AND INDUSTRIAL USES BY REMOVING PUMPING PLANT AS A PERMITTED USE IN R-1, R-1R, R-1C AND ADDING PUMPING PLANT AS A CONDITIONAL USE IN R-1, R-1R, R-1C1 AND ADDING PUMPING PLANT AS A PERMITTED USE IN COMMERCIAL AND INDUSTRIAL ZONING; AND PROVIDING PURPOSE; REQUIREMENTS AND PROHIBITIONS; EFFECTIVE DATE; SEVERABILITY; PUBLIC NOTICE AND MEETING.

WHEREAS, the Village of Volente has adopted zoning regulations within the corporate limits of the Village of Volente; and,

WHEREAS, the Planning and Zoning Commission of the Village of Volente after notice and a public hearing, has recommended to the Village Council that the regulations on the location of pumping plants be changed; and,

WHEREAS, the Village Council has concluded that the recommendation of the Planning and Zoning Commission should be accepted and the zoning ordinance changed as set forth below;

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE OF VOLENTE, TEXAS, THAT THE SITE DEVELOPMENT REGULATIONS IN ARTICLE 30.100 OF THE VILLAGE OF VOLENTE CODE OF ORDINANCES IS AMENDED AS FOLLOWS:

Section 1. Legislative Findings

The recitals above made in the Preamble are hereby deemed to be the Factual and Legislative Findings of the Village Council, and are hereby incorporated within this Ordinance.

Section 2.

Section 30.112(b)(5) is amended to remove pumping plants and provide as follows:

(5) Water supply reservoirs and towers.

Section 30.112 is amended to add 30.112(d)(1) authorizing pumping plants as a conditional use in this zoning district:

(c) Conditional Uses Permitted Upon Authorization of Council.

(1) Pumping plants

Section 30.113(b)(5) is amended to remove pumping plants and provide as follows:

(5) Water supply reservoirs and towers.

Section 30.113 is amended to add 30.113(d)(1) authorizing pumping plants as a conditional use in this zoning district:

(c) Conditional Uses Permitted Upon Authorization of Council.

(1) Pumping plants

Section 30.114(b)(5) is amended to remove pumping plants and provide as follows:

(5) Water supply reservoirs and towers.

Section 30.114 is amended to add 30.114(d)(1) authorizing pumping plants as a conditional use in this zoning district:

(c) Conditional Uses Permitted Upon Authorization of Council.

(1) Pumping plants

Section 30.115(b)(5) is amended to remove pumping plants and provide as follows:

(5) Water supply reservoirs and towers.

Section 30.115 is amended to add 30.115(d)(1) authorizing pumping plants as a conditional use in this zoning district:

(c) Conditional Uses Permitted Upon Authorization of Council.

(1) Pumping plants

Section 30.120(b) is amended to add 30.120(b)(3) authorizing pumping plants as a conditional use in this zoning district:

(b) Conditional Uses Permitted Upon Authorization of Council.

(3) Pumping plants

Section 30.121(a) is amended to add 30.121(a)(11) authorizing pumping plants as a permitted use in this zoning district:

(11) Pumping plants

Section 30.122(a) is amended to add 30.122(a)(8) authorizing pumping plants as a permitted use in this zoning district:

(11) Pumping plants

Section 30.123(a) is amended to add 30.123(a)(22) authorizing pumping plants as a permitted use in this zoning district:

(11) Pumping plants

Section 3. Severability.

If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 4. Effective Date

This Ordinance shall take effect upon adoption or if required by state law, after any required posting and publication of this Ordinance.

Section 5. Public Notice and Meeting

It is hereby officially found and determined that the meeting at which this Ordinance is 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 this the 6th day of May 2007, by a vote of 3 ayes, 0 nays, and 0 abstentions of the Volente Village Council.

VILLAGE OF VOLENTE

Jan Yenawine, Mayor

ATTEST:

Jennifer Zufelt, Village Secretary