

ORDINANCE NO. 2018-21

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS, AMENDING THE OFFICIAL ZONING ORDINANCE CREATING A ZONING DISTRICT FOR PRIVATE RECREATION AND AMENDING THE USE REGULATIONS CHART; REPEALING ANY ORDINANCE IN CONFLICT THEREWITH, PROVIDING FOR A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village is a Type A General Law municipality in the State of Texas; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the Village has general authority to adopt an ordinance or police regulation that is for the good government, peace, or order of the Village and is necessary or proper for carrying out a power granted by law to the Village; and

WHEREAS, on September 18, 2003, the Board adopted Ordinance No. 2003.12 establishing the official Zoning Ordinance for the Village of Salado; and

WHEREAS, on April 15, 2004, the Board adopted Ordinance No. 2004.06 adopting the Comprehensive Plan establishing a need for public facility and parks designations in the Zoning Ordinance;

WHEREAS, the Board now finds it reasonable and necessary to add an additional zoning classification for Private Recreation;

WHEREAS, the Planning and Zoning Commission, at a meeting on November 27, 2018, and the Board of Aldermen, at a meeting on December 6, 2018, held the required public hearings for the requested zoning district

WHEREAS, public notice of such public hearings was accomplished in accordance with State Law and Chapter 211 of the Texas Local Government Code and the City's Zoning Ordinance through newspaper publication;

WHEREAS, the regulations established by this Ordinance are in furtherance of the public interest, for the good government, peace, order, trade, and commerce of the Village and necessary and proper for carrying out the power granted by law to the Village;

WHEREAS, the Board finds that the provisions of this Ordinance will serve to promote the public health, safety, morals, and general welfare; and

WHEREAS, parties in interest and citizens have had an opportunity to be heard regarding this Ordinance at a meeting of the Board, an agenda for which was posted at the Municipal Building more than seventy-two (72) hours prior to the respective hearings;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS:

The official zoning ordinance of the Village shall be amended to include the creation of a zoning district for private recreation with the following text:

Section 3.19 – PR, Private Recreation

- A. General Purpose and Description: The PR, Private Recreation District is to provide a location for private recreation facilities, such as parks and/or playgrounds not owned or operated by a political subdivision, country clubs, golf courses, and other recreation activities not operated by a governmental entity.
- B. Permitted Uses: Those uses listed for the PR, Private Recreation in Section 4.1 (Use Charts) as “P” or “C” are authorized uses permitted by right or conditionally permitted uses, respectively. Conditional uses must be approved utilizing procedures set forth in Section 3.17.
- C. Area Regulations
 - 1. Size of Lots
 - a. Minimum Lot Area – None.
 - b. Minimum Lot Width – None.
 - c. Minimum Lot Depth – None.
 - 2. Size of Yards:
 - a. Minimum Front Yard – Twenty-Five (25) feet.
 - b. Minimum Side Yard – Fifteen (15) feet.
 - c. Minimum Rear Yard – Twenty-Five (25) feet.
- D. Parking
 - a. Refer to Section 5.1, Off-Street Parking and Loading Regulations
- E. Landscaping
 - a. Refer to Section 5.2, Landscape Requirements

Further, that **Section 4.1 Use Regulation (Charts)** of the official zoning ordinance of the Village shall be amended to include the uses for the Private Recreation (PR) zoning district, as set forth in *Exhibit A* of this ordinance.

SECTION I.

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly

made a part hereof, as if copied verbatim. The Board of Alderman hereby finds that this Ordinance implements the vision, goals, and policies of the Village of Salado's Comprehensive Plan and further finds that the enactment of this Ordinance is not inconsistent or in conflict with any other policies or provisions of the Comprehensive Plan and the Village's Zoning Ordinance

SECTION II.

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

SECTION III.

This Ordinance shall take effect immediately from and after its passage and publication as may be required by law.

SECTION IV.

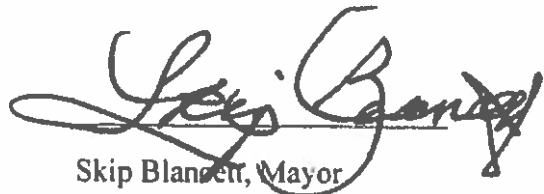
It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

SECTION V.

The Mayor is hereby authorized to sign this Ordinance and the Village Secretary to attest. This Ordinance shall become effective in accordance with the provisions of state law and the Code of Ordinances of the Village of Salado.

PASSED AND APPROVED this 6th day of December, 2018, by a vote of Ayes 4
Nays 0 Abstain 0 of the Board of Aldermen of the Village of Salado, Texas.

VILLAGE OF SALADO, TEXAS


Skip Blanchett, Mayor

ATTEST:

Cara McPartland

Cara McPartland, Village Secretary



APPROVED AS TO FORM:

Josh

Village Attorney

Exhibit A

Section 4.1: Use Regulations (Charts) shall be amended to include the following uses for the PR, Private Recreation zoning district.

Permitted by right

1. Amusement Services (Indoors)
2. Country Club (Private)
3. Dinner Theatre
4. Driving Range
5. Golf Course (Miniature)
6. Golf Course (Private)
7. Health Club (Physical Fitness)
8. Membership Sports
9. Museum
10. Park (Private or Public)
11. Swimming Pool (Commercial)
12. Tennis Court (Private/not lighted)
13. Theater (non-motion picture)
14. Antenna (Non-commercial)
15. Church/Place of Worship
16. Civic Club
17. Fire Station
18. Fraternal Organization, Lodge, or Union
19. Franchised Private Utility (not listed)
20. Membership Sports