

ORDINANCE NO. 36

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POST OAK BEND, TEXAS, AMENDING THE CITY OF POST OAK BEND ZONING ORDINANCE BY ADDING A PROVISION FOR TEMPORARY ZONING CLASSIFICATION FOR NEWLY ANNEXED LAND; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Post Oak Bend, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Post Oak Bend, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, the City Council has concluded that the City of Post Oak Bend Zoning Ordinance should be amended;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POST OAK BEND, TEXAS:**

**SECTION 1.** The City of Post Oak Bend Zoning Ordinance, Ordinance No. 22, as amended, is further amended by amending Section 4 to read as follows:

“Section 4. Comprehensive Plan; Temporary Zoning on Annexation

- A. The zoning regulations and districts as herein established have been made in accordance with a comprehensive plan for the City of Post Oak Bend, Texas.
- B. When the boundaries of the City are expanded by annexation, the area annexed shall be temporarily zoned as RSF “Residential Single Family”. Within a reasonable time thereafter, the Planning and Zoning Commission and City Council shall undertake the procedures required by law to enact an amendatory zoning ordinance placing such annexed area into a zoning district classification provided in this ordinance.”

**SECTION 2. REPEALER**

Any ordinance of the City in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE.**


Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, or of the City of Post Oak Bend Zoning Ordinance, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the City of Post Oak Bend Zoning Ordinance, as amended hereby, which shall remain in full force and effect.

**SECTION 4. EFFECTIVE DATE**

This Ordinance shall become effective from and after the date of its passage as the law in such cases provides, and it is accordingly so ordained.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF POST OAK BEND, TEXAS, ON THIS THE 23<sup>rd</sup> DAY OF August 2017.**

**APPROVED:**

  
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Raymond Bedrick, Mayor

**ATTEST:**

  
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City Secretary