

RESOLUTION NO. 2023-07-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAINT HEDWIG, TEXAS, REMOVING ALL MEMBERS OF THE PLANNING AND ZONING COMMISSION; TRANSFERRING ALL MATTERS PENDING TO CITY COUNCIL FOR CONSIDERATION; DIRECTING CITY ATTORNEY TO TAKE SUCH ACTIONS NECESSARY TO DISBAND THE PLANNING AND ZONING COMMISSION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to ensure the orderly development of the City and has pursuant to Local Government Code Chapters 211 and 212 has adopted ordinances establishing planning, zoning and subdivision regulations; and

WHEREAS, the City Council has previously established a Planning and Zoning Commission to act in an advisory capacity on matters affecting platting, zoning and other development-related matters pursuant to its authority under chapters 211 and 212 of the Local Government Code, and appointed members thereto; and

WHEREAS, pursuant to Ordinance No. 2022-24, all members of the Planning and Zoning Commission serve at the pleasure of the city council and may be removed at any time with or without cause; and

WHEREAS, the City Council desires to implement changes in its development processes and ordinances related, thereto; and

WHEREAS, the City Council finds that development services can be more efficiently providing by centralizing the development services process by performing all of the functions of the planning and zoning commission as well as those functions authorized by state law; and

WHEREAS, City Council finds that the dissolution of the Planning and Zoning Commission is in the best interest of the City but requires an orderly process for resolution of matters currently pending or scheduled for consideration by the Planning and Zoning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT HEDWIG, TEXAS:

Section 1. Recitals. The foregoing recitals are adopted and incorporated herein for all purposes.

Section 2. Release of members. All Planning and Zoning Commission members are released from service upon approval of this Resolution. Released member are directed to archive any City records they hold in their capacity as a commission member with the City Secretary.

Section 3. Transfer of pending matters. The City Council will perform all the functions of the Planning and Zoning Commission as provided for by Ordinance No. 2022-24, as well as those functions authorized by state law. All matters pending before the Planning and Zoning Commission are hereby transferred to the City Council for disposition.

Section 4. Revisions to zoning ordinance. The City Attorney is directed to amend Ordinance No. 2022-24 to dissolve the Planning and Zoning Commission in its entirety and publish such notices as required to affect the amendments.

Section 5. Conflicts. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 6. Controlling law. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 7. Severability. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 8. Public meeting. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 9. Effective date. This Resolution shall be effective upon its adoption by City Council.

PASSED AND ADOPTED, this 6 day of July, 2023.

CITY OF SAINT HEDWIG, TEXAS


DENISE GRIMM, MAYOR

ATTEST:


JANICE STAUDT, CITY SECRETARY

