

**ORDINANCE NO. O-2020-029**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
MAGNOLIA, TEXAS, AMENDING CHAPTERS 2, 4 AND 14 OF THE  
UNIFIED DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY;  
PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR OTHER  
PROVISIONS**

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**WHEREAS**, the City Council of the City of Magnolia, Texas has adopted a “Unified Development Code” (“UDC”) by ordinance No O-2015-018; and

**WHEREAS**, the City Council of the City of Magnolia Texas has studied the present provisions of the UDC regarding Jurisdiction and Enforcement, Design Standards and Definitions; and

**WHEREAS**, the City Council finds it necessary to amend a certain section in Chapter 2 “Zoning Districts and Land Uses; Chapter 4 Design Standards; and Chapter 14 Word Usage, Measurements, Calculations and Definitions; and

**WHEREAS**, the City Council hereby finds and determines that the all public notification and comment procedures and any required hearings under Texas State Law have been followed pertaining to the proposed amendments to the UDC.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS:**

**Section 1.** Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted as findings of fact and conclusions of law by the City Council and made a part hereof for all purposes.

**Section 2.** Chapter 2 of the Unified Development Code, Table 2-2-1.06.1 Temporary Uses is amended and new sections are added as shown in the attached Exhibit “A” and incorporated herein for all purposes.

**Section 3.** Chapter 4 of the Unified Development Code, Section 4-2-1.02 Applicability to Development Types is amended and a new section added as shown in the attached Exhibit “A” and incorporated herein for all purposes.

**Section 4.** Chapter 14 of the Unified Development Code, Article 14-3 Definitions is amended by adding three (3) new definitions as shown in the attached Exhibit “A” and incorporated herein for all purposes.

**Section 5.** Repealing Clause. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be

cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

**Section 6.** Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences or sections of this ordinance, and the remainder of this Ordinance shall be enforced as written.

**Section 7.** Compliance Clause and Effective Date. The City Council finds, determines and declares that a sufficient written notice was posted and this Ordinance was passed in accordance with the Open Meetings Act. The City Secretary is instructed to publish this Ordinance in the Official Newspaper of the City of Magnolia in the manner provided and for the time required by Section 52.011(a) of the Local Government Code, at which time this Ordinance takes effect.

**PASSED, APPROVED and ADOPTED** by the City Council of the City of Magnolia, Montgomery County, Texas on this the 10<sup>th</sup> day of November 2020.



CITY OF MAGNOLIA, TEXAS

Todd Kana, Mayor

ATTEST:

Diane Hurley  
Interim City Secretary