

ORDINANCE NO. 64

AN ORDINANCE DECLARING A MORATORIUM ON AND PROHIBITING ISSUANCE OF PERMITS, THE APPROVAL OF SUBDIVISION PLATS AND PLANNED DEVELOPMENT DISTRICTS, APPROVAL OF AND INSTALLATION OF MOBILE HOMES, APPROVAL OF AND INSTALLATION OF MANUFACTURED HOUSING, APPROVAL OF MANUFACTURED HOME PARKS, APPROVAL OF MANUFACTURED HOME SUBDIVISIONS, WITHIN THE CITY OF PATTISON UNTIL APRIL 9, 2002, TO ALLOW THE CITY TIME TO REVIEW ITS DEVELOPMENT, DRAINAGE, VEHICULAR TRAFFIC, AND ROAD USE MATTERS IN RELATION TO POPULATION DENSITY AND DEVELOPMENT.

WHEREAS, the City of Pattison is located approximately five miles north of Interstate 10 in Waller County, Texas in the path of potential development; and

WHEREAS, the City Council wishes to undertake a study of its development to adopt a comprehensive plan as a guide to future development of undeveloped property within the City of Pattison; and

WHEREAS, density and population and coverage of land by improvements, tend to increase the danger of flood waters, run-off, and storm drainage problems; and

WHEREAS, the City's plans to undertake studies of its road needs, future road construction, vehicular use of roads, and traffic problems; and

WHEREAS, the City Council of the City of Pattison has determined that efforts must be made to protect existing development within the City along with future development from over crowding which increases the problems of drainage and traffic, by limiting density of development and establishing run-off rates for development properties sufficient to protect downstream land; and

WHEREAS, potential development has raised questions about what criteria the City should adopt to exercise the City's police power with respect to the safety, location of development and,

development of the City, and

WHEREAS, preserving property values, is an appropriate purpose and basis for the exercise of the police powers of the City; and

WHEREAS, the City Council has the authority to adopt a moratorium on the issuance of permits for a period until April 9, 2002, during which period the City Council will review the criteria for new regulations and ordinances; and

WHEREAS, the study of storm water run-off, density restrictions, road needs, future road construction, vehicular use of roads, run-off rates, and site development in general is necessary for the health, welfare, and well being of the citizens of the City of Pattison, and such efforts are time consuming and would be hindered by continued development until solutions are formulated, a moratorium on development is required.

I.

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

Section 1. That the findings and recitals contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. A moratorium is hereby adopted effective immediately until April 9, 2002 during which period the City Council will review the criteria for new regulations and ordinances.

II.

1. This Ordinance shall take effect from and after the date of its passage, and all Ordinances or portion of Ordinances heretofore passed in conflict with the terms hereof are specifically repealed.

2. The issuance of permits, approval of subdivision plats, approval of planned development districts, approval of and installation of mobile homes, approval and installation of manufactured housing, approval of manufactured home parks, approval of manufactured home subdivisions, within the City of Pattison is prohibited until April 9, 2002, to allow the city time to review its development, provide for a comprehensive plan, study the effects of drainage and storm water runoff, road needs, future road construction, vehicular traffic, and road use matters in relation to population density and development.

III.

If any provision, section, subsection, sentence, clause, phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion thereof or provision, or regulation contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other person hereof and all provisions of this Ordinance are declared to be severable for that purpose.

IV.

The prohibitions set out in this Ordinance shall not apply to any subdivision or development or other related matters which has been approved or which has been filed prior to the date of this Ordinance.

V.

The City Secretary is instructed to post and publish notice of this Ordinance as required by Law, by publishing only the descriptive caption.

PASSED AND APPROVED this 8th day of January, 2002.

THE CITY OF PATTISON, TEXAS

By: Linda O Everitt
Linda Everitt, Mayor

ATTEST:

By: Lynda Fairchild
Lynda Fairchild
City Secretary

ALDERMAN VOTING:

Ted Krenek	<u>✓</u>
Bill Matthews	<u>✓</u>
Mikel Leff	<u>✓</u>
Lynn Bell	<u>✓</u>
Roy Taylor	<u> </u>