

**CITY OF HEATH, TEXAS
ORDINANCE NO. 260728D**

AN ORDINANCE OF THE CITY OF HEATH, TEXAS, AMENDING THE CITY OF HEATH 2025 COMPREHENSIVE PLAN FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL TO RURAL ESTATE, AS DEPICTED IN EXHIBIT 'A', ON TWO TRACTS OF LAND TOTALING 4.126-ACRES, DESCRIBED AS LOT 1, BLOCK A, WANAMAKER ESTATES AND LOT 1, BLOCK 1, HALL ADDITION, CITY OF HEATH, ROCKWALL COUNTY, TEXAS, AS DEPICTED IN EXHIBIT 'B'; DETERMINING THAT IT IS IN THE PUBLIC INTEREST, HEALTH SAFETY, MORALS AND GENERAL WELFARE BY ADOPTING AN AMENDED FUTURE LAND USE MAP; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Heath ("City") is a Home Rule Municipality, acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, Section 213.002 of the Texas Local Government Code provides that a municipality may adopt a comprehensive plan for the long-range development of the municipality; and

WHEREAS, Section 213.002 of the Texas Local Government Code provides that a municipality incorporate future land use assumptions as part of the comprehensive plan and illustrate future land uses in a map incorporated into the comprehensive plan; and

WHEREAS, Section 213.003 of the Texas Local Government Code provides that a municipality may amend a comprehensive plan by ordinance following a hearing at which the public is given the opportunity to give testimony and present written evidence; and review by the municipality's planning commission; and

WHEREAS, the Planning and Zoning Commission of the City of Heath and the City Council of the City of Heath desire to amend the City of Heath 2025 Comprehensive Plan Future Land Use Map to change the future land use designation from Medium Density Residential to Rural Estate, as depicted in **Exhibit A**, on two tracks of land totaling 4.126 acres of land, described as lot 1, block A, Wanamaker Estates and lot 1, block 1, Hall Addition in the City of Heath, Rockwall County Texas, hereinafter the "Property", as depicted in **Exhibit B**; and

WHEREAS, the Planning and Zoning Commission of the City of Heath and the City Council of the City of Heath, in compliance with the laws of the State of Texas, have held due hearings and afforded a full and fair hearing to all persons interested, and the City Council of the City of Heath finds that said changes should be granted; and

WHEREAS, the City Council does hereby find and conclude based upon the information presented that adoption of the amended Future Land Use Map, attached as **Exhibit A**, for the

Property is in the best interest of the citizens of Heath and the general public, and in support of the health, safety, and general welfare of the City.

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

Section 1. Findings Incorporated.

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. Adoption of the Amended Future Land Use Map.

That the Future Land Use Map be amended by changing the Future Land Use designation from Medium Density Residential to Rural Estate, as depicted and incorporated herein as **Exhibit A**, for two tracts of land totaling 4.126 acres described as Lot 1, Block A, Wanamaker Estates, and Lot 1, Block 1, Hall Addition, as depicted and incorporated herein as **Exhibit B**. The Future Land Use Map is hereby adopted by the City Council of the City of Heath, Texas. The Director of Planning and Development is hereby authorized and directed to prepare a new Future Land Use Map to reflect the amendments authorized by this Ordinance No. 260728D.

Section 3. Cumulative Clause.

This Ordinance shall be cumulative of all provisions of state or federal law and other ordinances of the City of Heath, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such other ordinances are hereby repealed.

Section 4. Severability Clause.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are 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, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 5. Repealer Clause.

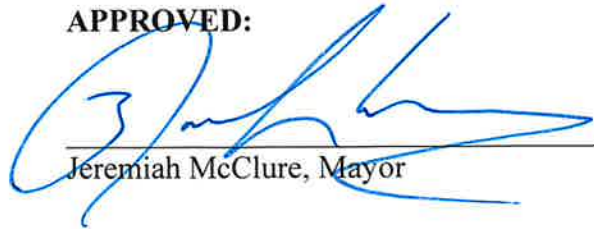
Any provisions of any prior ordinance of the City whether codified or uncoded, which are in conflict with any provision of the Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City whether codified or uncoded, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 6. Effective Date.

This Ordinance shall become effective immediately upon passage and approval by the City Council, and it is so ordained.

PASSED, APPROVED, AND ADOPTED on this the 28th day of July 2026.

APPROVED:


Jeremiah McClure, Mayor

ATTEST:


Norma Duncan, City Secretary

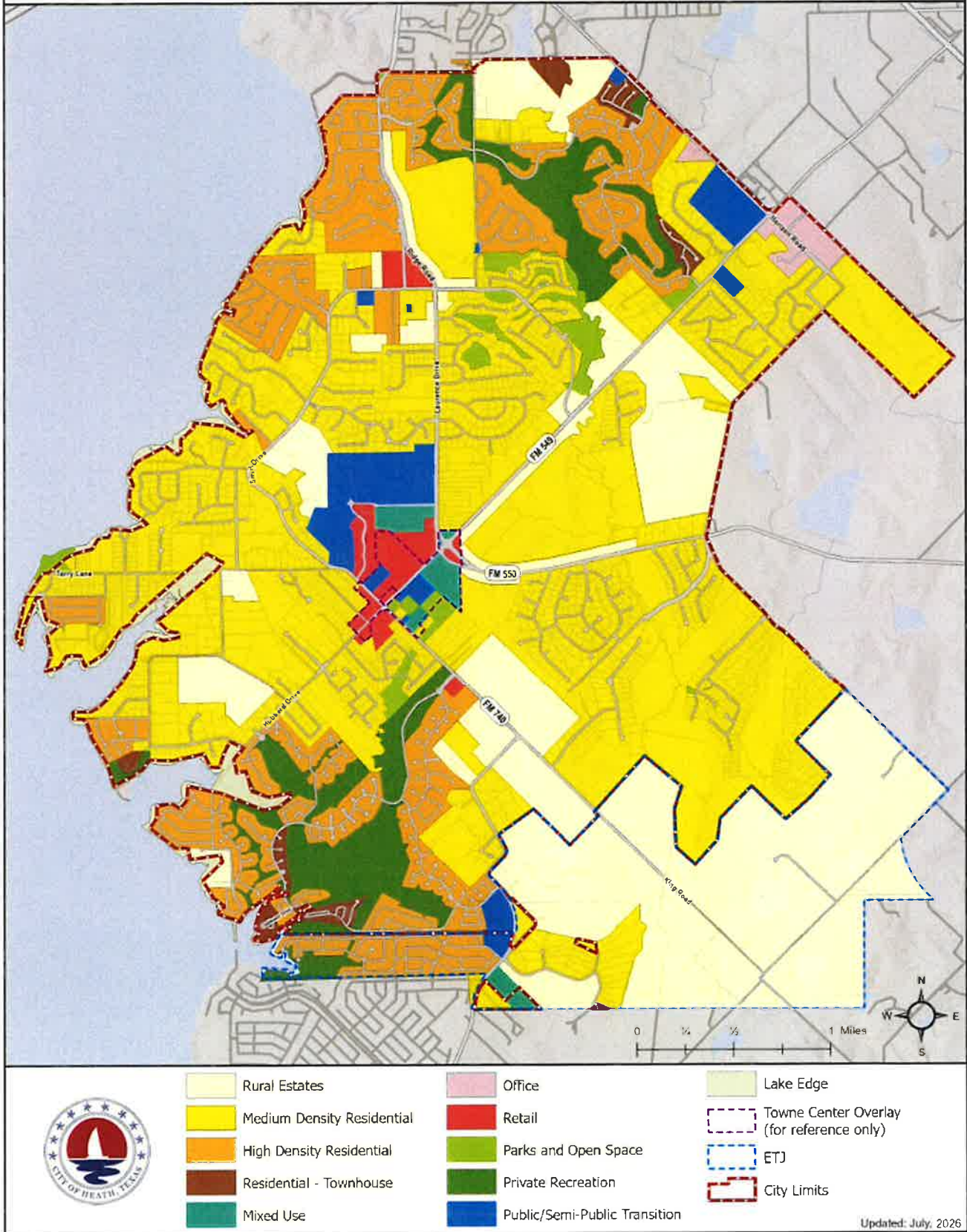


APPROVED AS TO FORM:


Marie Johnson, City Attorney

EXHIBIT A

Future Land Use



Future Land Use Map Amendment – Medium Density Residential to Rural Estate
400 Heathland Crossing & 1500 Laurence Drive

[illegible]

[illegible]

EXHIBIT B

