

ORDINANCE NO. 20221108-008

**AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS,
APPROVING SPECIFIC USE PERMIT TO ALLOW FOR
A COLUMBARIUM WALL, PROVIDING A
SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY;
AND PROVIDING FOR REPEAL AND EFFECTIVE DATE,
AND FINDINGS OF FACT.**

WHEREAS, On October 3, 2022, the City of Angleton Planning & Zoning Commission held a public hearing and approved the Specific Use Permit (SUP) submitted by Holy Comforter Episcopal Church, for the construction of a columbarium wall to be located in the Central Business District (CBD), at 227 Chenango St./234 S. Arcola St., Angleton, TX.; and

WHEREAS, on October 3, 2022, the Angleton Planning & Zoning Commission, after conducting a public hearing, discussed and considered the written recommendation of staff, responses to questions of the applicant regarding the proposed columbarium wall and confirmed the location to be outside of the public right of way; and

WHEREAS, on October 25, 2022, the Angleton City Council conducted a public hearing, discussed and considered the written recommendation of staff, responses to questions of the applicant regarding the proposed columbarium; and

WHEREAS, the City considered the factors and provisions set forth in the City of Angleton Code of Ordinances, Chapter 28 Zoning, Sec. 28-63 Specific Use Permits, and considered the proposal as an accessory use to a place of worship located at 227 Chenango St./234 S. Arcola St., Angleton, TX.;

WHEREAS, the City Council desires to grant the Specific Use Permit (SUP) submitted by Holy Comforter Episcopal Church to allow a columbarium wall, with the conditions set forth below;

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

SECTION 1. That all of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated herein by this reference and expressly made a part hereof, as if copied herein verbatim.

SECTION 2. City Council approves the Specific Use Permit in accordance with City of Angleton Code of Ordinances Sec. 28-63 Specific Use Permits (SUP),

- (a.) The Columbarium wall will comply with all provisions of City of Angleton Code of Ordinances including but not limited Chapter 28 Zoning, Sec. 28-63 Specific Use Permits;
- (b.) The applicant agrees to ensure that the most current copy of the Holy Comforter Episcopal Church Rules and Regulations policy document remains on file at the Development Services Department.

SECTION 3. **Repeal.** All ordinances or parts of ordinances inconsistent with the terms 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 4. **Severability.** In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Angleton, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

SECTION 4. **Effective date.** That this Ordinance shall be effective and in full force immediately upon its adoption.

SECTION 5. **Proper Notice & Meeting.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED, APPROVED AND ADOPTED THIS 8TH DAY OF NOVEMBER, 2022.

CITY OF ANGLETON, TEXAS

Jason Perez
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary