

ORDINANCE NO. 2023xxxx-xxx

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, TO AMEND THE "ZONING MAP OF THE CITY OF ANGLETON" BY CHANGING THE ZONING MAP DISTRICT DESIGNATION AND PROVIDING FOR A ZONING CHANGE TO 1.925 ACRES FROM THE CENTRAL BUSINESS DISTRICT (CBD) TO THE PLANNED DEVELOPMENT DISTRICT (PD) NO. 4; PROVIDING FOR A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission conducted a public hearing on January 5, 2023; and

WHEREAS, the City Council conducted a public hearing on January 10, 2023; and

WHEREAS, notice of the public hearings was published in *The Facts* and mailed to property owners within 200 feet of the zoning request; and

WHEREAS, the Planning and Zoning Commission, on January 5, 2023, made findings of fact that rezoning of the property from the Central Business District (CBD) zoning district to the Planned Development District (PD) #4 would be consistent with the zoning adjacent property, the recommendations of the Comprehensive Plan, and with generally accepted urban planning principals; and

WHEREAS, the City Council, on January 10, 2023, adopted by reference the findings of fact made by the Planning and Zoning Commission.

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

SECTION 1. That the foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes as findings of fact.

SECTION 2. The Property is more fully described in Exhibit "A," and depicted on the Rezoning Plat, Exhibit "B", attached hereto and made a part hereof for all purposes be rezoned from the Central Business District (CBD) to the Planned Development District No. Four (4).

SECTION 3. The Planned Development District No. Four (4) shall be developed in accordance with the Angleton Code, including the City of Angleton LDC and Zoning Ordinance regarding an uses and structures in that no building, structure, or land shall be used,

and no building or structure shall be hereafter erected, reconstructed, altered, or enlarged except as provided in this Ordinance. The uses may only be located within the approved Planned Development District No. Four (4) boundaries including: 1. Fleet servicing, 2. Professional offices, and 3. Storage and related uses.

A. All on-site parking is provided, all parking areas shall conform to the requirements of subsection 28-101(c).

SECTION 4. That the Official Zoning Map of the City of Angleton is hereby amended in accordance with the provisions of this Ordinance to show the change in zoning district classification.

SECTION 5. That any person or corporation violating any of the provisions of this Ordinance shall upon conviction be fined any sum not exceeding \$2,000 and each and every day that the provisions of this Ordinance are violated shall constitute a separate and distinct offense.

SECTION 6. That should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity of such section, or part shall in no way affect, impair or invalidate the remaining portion thereof, but as to such remaining portion, the same shall remain in full force and effect.

SECTION 7. That it is hereby found and determined that the meetings at which this Ordinance is considered are open to the public and that notice of the time, place and purpose thereof was given in accordance with the provisions of the Texas Government Code - Chapter 551, as amended, and that a quorum of the City Council was present.

SECTION 8. That this Ordinance shall be effective and in full force immediately upon its adoption.

PASSED AND APPROVED THIS 13TH DAY OF JANUARY 10, 2023.

CITY OF ANGLETON, TEXAS

Jason Perez
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary

Exhibit A
Legal Description

FIELD NOTES OF A 0.79 ACRE TRACT COMPOSED OF LOTS 5,6,7,8,15,16, AND 17, BLOCK 2 OF THE ANGLETON TOWNSITE IN THE CITY OF ANGLETON, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 12 OF THE PLAT RECORDS, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 2" iron pipe found at the intersection of the North right-of-way line of Peach Street (70' Wide) with the East right-of-way of Front Street (40' Wide), in the City of Angleton; said pipe marking the Southwest corner of Lot 8, Block 2 of Angleton Townsite;

THENCE; N 87° 48' 00" E 244.54 feet, along the North right-of-way line of Peach Street (70' Wide), to a ½" iron rod found for corner at the Southwest corner of Lot 18, Block 2, Angleton Townsite;

THENCE; N 2° 12' 00" W 140.00 feet, along the West line of said Lot 18, Block 2, to a ½" iron rod found for corner at the Northwest corner of said Lot 18, Block 2 in the South line of a 20 foot alley;

THENCE; S 87° 48' 00" W 244.54 feet, along the South line of said 20 foot alley, to a 1-1/2" iron pipe found for corner in the East right-of-way line of Front Street (40' Wide) at the Northwest corner of Lot 5, Block 2, Angleton Townsite;

THENCE; S 2° 12' 00" E (REFERENCE BEARING) 140.00 feet, along the East right-of-way line of Front Street (40' Wide), to the place of beginning.

Said tract therein containing 0.79 acres of land.

FIELD NOTES OF A 1.12 ACRE TRACT COMPOSED OF LOTS 1-4 AND 9-14, BLOCK 2 OF THE ANGLETON TOWNSITE IN THE CITY OF ANGLETON, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 12 OF THE PLAT RECORDS, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found at the intersection of the South right-of-way line of Orange Street (70' Wide) with the East right-of-way of Front Street (40' Wide), in the City of Angleton; said iron rod marking the Northwest corner of Lot 1, Block 2 of Angleton Townsite;

THENCE; S 2° 12' 00" E 140.00 feet (Reference Bearing). along the East right-of-way line of Front Street (40' Wide), to a "X" in concrete for corner at the Southwest corner of Lot 4, Block 2, Angleton Townsite;

THENCE; N 87° 48' 00" E 349.29 feet, along the South line of said Lot 4, and Lots 9-14, Block 2, also being the North right-of-way line of 20' alley, to a f iron rod found for corner at the Southeast corner of said Lot 14, Block 2 in the West line of South Velasco Street (70' Wide);

THENCE; N 2' 16' 30" W 140.13 feet, along the West right-of-way line of South Velasco Street (70' Wide), to a "X" in concrete found for corner in the South right-of-way line of Orange Street (70' Wide) at the Northeast corner of Lot 14, Block 2, Angleton Townsite;

THENCE; S 87° 46' 44" W 349.11 feet, along the South right-of-way line of Orange Street (70' Wide), to the place of beginning.

Said tract therein containing 1.12 acres of land.