

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 OF 10.12 ACRES FROM THE PLANNED DEVELOPMENT DISTRICT (PD) TO AGRICULTURAL DISTRICT (AG), FOR PROPERTY LOCATED ON THE WEST SIDE OF SHANKS ROAD, AT THE INTERSECTION OF CR220, ANGLETON, TX, BRAZORIA COUNTY; 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 24, 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 10.12 acres from PD District to Agricultural Zoning District, for property located on the west side of Shanks Road, at the intersection of CR220 would be consistent with the adjacent property in the area with generally accepted urban planning principals; and

WHEREAS, the City Council, on January 24, 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 Planned District to the Light Industrial District (LI).

SECTION 3. 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 4. 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 5. 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 6. 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 7. That this Ordinance shall be effective and in full force immediately upon its adoption.

PASSED AND APPROVED THIS 24th DAY OF JANUARY, 2023.

CITY OF ANGLETON, TEXAS

Jason Perez
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary

Exhibit A

LEGAL DESCRIPTION

FIELD NOTES OF A 10.12 ACRE TRACT OUT OF TRACT 5, BLOCK 5 OF THE SUBDIVISION OF THE EAST ONE-HALF OF THE EDWIN WALLER LEAGUE, ABSTRACT 134, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found marking the Northeast corner of said Tract 5, Block 5 of the Subdivision of the East one-half of the Edwin Waller League, Abstract 134, Brazoria County, Texas;

THENCE; South 0 degrees 02' 41" East 748.52 feet, along the East line of said Tract 5, Block 5, to a 1/2" iron rod found for corner in the North right-of-way line of County Road 220;

THENCE; South 88 degrees 06' 13" West 167.23 feet, along the North right-of-way line of County Road 220, to a 5/8" iron rod found for corner in the Northeast right-of-way line of Shanks Road extension;

THENCE; In a Northwesterly direction, along the Northeasterly right-of-way line of the extension of Shanks Road, around a non-tangent curve to the left having a radius of 450.93 feet, through a chord which bears North 43 degrees 38' 07" West 444.27 feet to a 5/8" iron rod, with Baker and Lawson cap, found at the end of said curve;

THENCE; North 73 degrees 08' 13" West 189.26 feet, along the Northeast right-of-way line of the extension of Shanks Road, to a 5/8" iron rod, with Baker and Lawson cap, found at the beginning of a non-tangent curve to the right having a radius of 395.00 feet;

THENCE; Along the Northeast right-of-way line of the extension of Shanks Road, around said curve to the right through a chord which bears North 36 degrees 37' 26" West 470.50 feet to a concrete nail found for corner at the intersection of the East right-of-way line of Shanks Road proper with the North line of said Tract 5, Block 5;

THENCE; East (Reference Bearing) 934.93 feet, along the North line of said Tract 5, Block 5 to the place of beginning.

Said tract therein containing 10.12 acres of land.