

ORDINANCE NO. 20210413-028

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS ADOPTING THE “DOWNTOWN ANGLETON LIVABLE CENTER STUDY”; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 213 of the Texas Local Government Code (LGC) allows that the governing body of a municipality may adopt a comprehensive plan for the long-range development of the municipality; and

WHEREAS, Chapter 213 of the LGC defines that a comprehensive plan may include but is not limited to provisions on land use, transportation, and public facilities, and may consist of a single plan or coordinated set of plans organized by subject and geographic area; and

WHEREAS, Section 7.03(4)(a) of the Home Rule Charter of the City of Angleton states that the Planning Commission “shall have the power and shall be required to amend, extend and add to the master plan for the physical development of the city;” and

WHEREAS, the “Downtown Angleton Livable Center Study”, attached and incorporated as Exhibit “A”, is consistent with the land use goals of the City of Angleton Comprehensive Plan, originally adopted by ordinance in 2003, and amended in 2007, and the City wishes to amend and extend the Comprehensive Plan by adoption of the “Downtown Angleton Livable Center Study”; and

WHEREAS, the “Downtown Angleton Livable Center Study” was developed through a collaborative public engagement process including two public meetings, materials displayed for public review and input, an online community survey, meetings and discussions with partner agencies, and a dedicated Stakeholder Advisory Committee that met regularly during the planning effort; and

WHEREAS, on April 1, 2021 the Angleton Planning and Zoning Commission conducted a public hearing regarding the adoption of the “Downtown Angleton Livable Center Study” as an amendment to the Comprehensive Plan, as amended, following lawful publication of notice of said public hearing, and after considering the public testimony received at the hearing, if any, has recommended approval of the adoption of the “Downtown Angleton Livable Center Study” as an amendment to the Comprehensive Plan; and

WHEREAS, on April 13, 2021 the Angleton City Council conducted a public hearing regarding the adoption of the “Downtown Angleton Livable Center Study” as an amendment and extension of the City of Angleton Comprehensive Plan, as amended, following lawful publication of notice of said public hearing, and after considering the public testimony received at the hearing, if any, approved the adoption of the “Downtown Angleton Livable Center Study”; and

WHEREAS, the City Council desires to adopt the “Downtown Angleton Livable Center Study” as an amendment and extension to the Comprehensive Plan, as amended;

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

SECTION 1. 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. The “Downtown Angleton Livable Center Study”, attached and incorporated herein as Exhibit “A” is hereby adopted as an amendment and extension to the City of Angleton Comprehensive Plan, as amended, pursuant to the limitations, restrictions and requirements of Texas Local Government Code Section 213, Section 7.03 of the City of Angleton Home Rule Charter, and the Code of Ordinances of the City of Angleton.

SECTION 3. Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred and No/100 Dollars (\$500.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense.

SECTION 4. 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 5. 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 on or more parts.

SECTION 6. This ordinance shall be effective and in full force immediately upon its adoption.

SECTION 7. 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.

PASSED AND APPROVED THIS THE 13TH DAY OF APRIL 2021.

CITY OF ANGLETON, TEXAS

Jason Perez
Mayor

ATTEST:

Frances Aguilar, TRMC, CMC
City Secretary

EXHIBIT A

Study to Go Here