

ORDINANCE NO. 20221108-010

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 ZONING, SEC. 28-81(B) USE CHARTS, ALLOWING AN S.U.P., SPECIFIC USE PERMIT, FOR A COLUMBARIUM USE IN THE CBD, CENTRAL BUSINESS DISTRICT, AGRICULTURAL (AG), COMMERCIAL-GENERAL (CG), COMMERCIAL-OFFICE/RETAIL (C-OR), AND THE LIGHT INDUSTRIAL (LI) DISTRICTS, OF THE CITY OF ANGLETON CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING FOR REPEAL AND EFFECTIVE DATE.

WHEREAS, In April 2009, the City Council of the City of Angleton, Texas adopted Ordinance No. 2009-0-4A, subsequently amended other sections of the Chapter regarding Zoning in the City of Angleton; and

WHEREAS, the City is authorized by Chapter 211 of the Texas Local Government Code to promulgate rules and regulations governing regulation of land use, structures, businesses and related activities; and;

WHEREAS, the City the City Council further finds that the rules and regulations governing land use, structures, and related activities within the territorial limits of the City promote the safe, orderly, and healthful development of the City; and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the proposed amendments to Chapter 28 Zoning of the City Code of Ordinances on October 6, 2022, following lawful publication of the notice of said public hearing; and

WHEREAS, after considering the public testimony received at such hearing, if any, the Planning and Zoning Commission has recommended that Chapter 28 Zoning of the City Code of Ordinances of the City of Angleton, Texas, be amended to better protect the health, safety and welfare of the citizens of Angleton; and

WHEREAS, each and every applicable requirement set forth in Chapter 211, Subchapter A, Texas Local Government Code, and the Code of Ordinances, City of Angleton, Texas, concerning public notices, hearings, and other procedural matters has been fully complied with;

WHEREAS, the City Council desires to amend Chapter 28, Sec. 28-81(b), Use Charts, allowing an S.U.P., Specific Use Permit for a Columbarium to be included in the CBD, Central Business District, Agricultural (AG), Commercial-General (CG), Commercial- Office/Retail (C-OR), and the Light Industrial (LI) Districts.

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. Code of Ordinances, City of Angleton, Texas, Chapter 28 Zoning, Sec. 28-81(b), Use Charts, is hereby amended to allow an S.U.P., Specific Use Permit for a Columbarium in the CBD, Central Business District, Agricultural (AG), Commercial-General (CG), Commercial- Office/Retail (C-OR), and the Light Industrial (LI) Districts.

SECTION 3. Penalty. 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 Two Thousand and No/100 Dollars (\$2,000.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense.

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

SECTION 7. 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 AND APPROVED THIS THE 8TH DAY OF NOVEMBER, 2022.

CITY OF ANGLETON, TEXAS

Jason Perez
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary