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**CITY OF SEABROOK
ORDINANCE NO. 2016-19**

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**AMENDMENT TO THE OFFICIAL ZONING MAP TO
REZONE APPROXIMATELY 2.500 ACRES EAST OF BAYPORT BOULEVARD
AND WEST OF OLD HIGHWAY 146 FROM C-2 (MEDIUM COMMERCIAL)
TO LI (LIGHT INDUSTRIAL).**

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AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SEABROOK WHICH IS PART OF THE SEABROOK CITY CODE OF ORDINANCES, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING 2.500 ACRES OF TRACT 6J-1, ABSTRACT 52 OF THE RITSON MORRIS SURVEY, HARRIS COUNTY, TEXAS, AS MORE PARTICULARLY DESCRIBED IN ATTACHMENT A, FROM C-2 MEDIUM COMMERCIAL DISTRICT TO LI LIGHT INDUSTRIAL DISTRICT; REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS AMENDMENT; MAKING SPECIFIC FINDINGS RELATING TO REZONING OF SUCH TRACT; PROVIDING A PENALTY IN AN AMOUNT OF NOT MORE THAN \$2,000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH, AND PROVIDING FOR SEVERABILITY.

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WHEREAS, WMF Investments, as Owner, has applied on behalf of Gulf Winds International, Applicant, for a zoning change for 2.500 acres of land consisting of Tract 6J-1, Abstract 52 of the Ritson Morris Survey, of Harris County, Texas, located along Bayport Boulevard and Old Highway 146, as more specifically described in Attachment A, (the "Property"); and

WHEREAS, all public notices have been published, mailed and provided in accordance with State statute and Appendix A of the City Code of Ordinances, ("Code"); and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted, in the time and manner required by law and the City Code, a public hearing on such request, allowing all persons attending to be heard on the question of whether the changes of the uses being requested would affect the public health, safety, or general welfare of the citizens of Seabrook; and

WHEREAS, the Planning and Zoning Commission recommended this zoning change at its meeting of July 21, 2016, and has made its final report;

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

47 **SECTION 1. FINDINGS.**
48

49 The facts and matters set forth in the preamble of this Ordinance are hereby found
50 to be true and correct. The representations of Owner/Applicant Gulf Winds International,
51 (as referenced in the application and submittals for zone change from C2 to LI, final
52 report/minutes from the Planning & Zoning Commission, and owner's/Gulf Winds
53 International representations to the City Council), are incorporated by reference, which
54 City Council is specifically relying upon in granting Owner's request for this zone
55 change, together with the corresponding requirements for compliance with the Code, as
56 provided hereafter.

57
58 **SECTION 2. AMENDMENT TO THE SEABROOK CITY CODE AND TO THE**
59 **OFFICIAL ZONING MAP.**
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61 The Seabrook City Code of Ordinances, Appendix A, "Comprehensive Zoning",
62 Article 2, "Administration", Section 2.05, "Official Zoning Map" is hereby amended by
63 rezoning the Property, 2.500 acres of land, consisting of Tract 6J-1, Abstract 52, Ritson
64 Morris Survey, of Harris County, Texas, located along and east of Bayport Boulevard and
65 to the west of Old Highway 146 from C-2 Medium Commercial District to LI Light
66 Industrial District, as more particularly described in Attachment A, which is incorporated
67 by reference, conditioned upon strict compliance with the Code .
68

69 Upon passage of this Ordinance, the official zoning map of the City of Seabrook
70 shall be amended to reflect this change.
71

72 **SECTION 3. INCORPORATION INTO THE CODE; PENALTY CLAUSE.**
73

74 This ordinance is hereby incorporated and made a part of the Seabrook City Code.
75 Violation of this Ordinance is subject to the penalty section of said Code including,
76 Section 11.06, "Criminal Enforcement" which provides that any person who shall violate
77 any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon
78 conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation
79 shall constitute a separate offense.
80

81 **SECTION 4. REPEAL OF CONFLICTING ORDINANCES.**
82

83 All ordinances or parts of ordinances in conflict or inconsistent with this
84 Ordinance are hereby expressly repealed.
85

86 **SECTION 5. SEVERABILITY.**
87

88 In the event any clause phrase, provision, sentence, or part of this Ordinance or
89 the application of the same to any person or circumstances shall for any reason be
90 adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not
91 affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof
92 other than the part declared to be invalid or unconstitutional; and the City Council of the

93 City of Seabrook, Texas, declares that it would have passed each every part of the same
94 notwithstanding the omission of any such part thus declared to be invalid or
95 unconstitutional, whether there be one or more parts.
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97 **SECTION 6. NOTICE**

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99 The City Secretary shall give notice of the enactment of this Ordinance by
100 promptly publishing it or its descriptive caption and penalty after final passage in the
101 official newspaper of the City; the Ordinance to take effect upon publication.
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103
104 PASSED AND APPROVED on first reading this ____ day of _____, 2016.
105

106 PASSED, APPROVED, AND ADOPTED on second and final reading this _____ day
107 of _____, 2016.
108

109
110 By: _____
111 Glenn Royal
112 Mayor

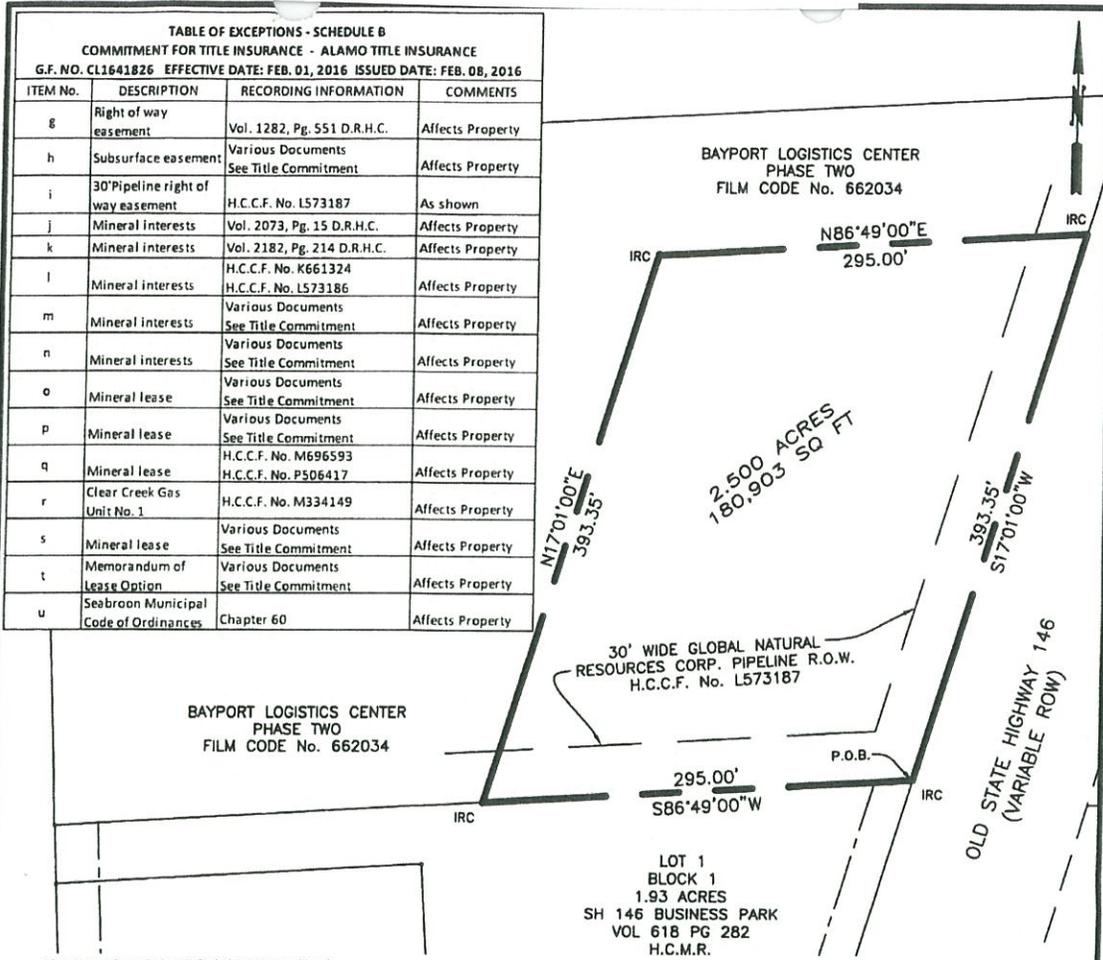
113 ATTEST:

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117 By: _____
118 Robin Hicks, TRMC
119 City Secretary
120

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123 APPROVED AS TO FORM:
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127 _____
128 Steven L. Weathered
129 City Attorney

ATTACHMENT A



METES AND BOUNDS DESCRIPTION

Being all that certain 2.500 acre (180,903 square feet) tract of land in the Ritson Morris Survey, Abstract 52, Harris County, Texas, said tract being out of and part of a certain 19.4174 acre tract of land, described in those certain Warranty Deeds from Vannie E. Cook, Jr. to John B. Carter, Jr. recorded under Harris County Clerk's File No(s). D486035 and D486036, said 2.500 acre tract being more particularly described by metes and bounds as follows:

BEGINNING in the west line of Old State Highway 146 (variable right of way) at the northeast corner of Lot 1, Block 1 of STATE HIGHWAY 146 BUSINESS PARK, according to the plat as recorded in Volume 618 Page 282, Harris County Map Records (H.C.M.R.), and same said corner being the southeast corner of the herein described tract, from which a found 5/8 inch iron rod bears S 67°28'30"E, 0.28 feet;

THENCE S 86°49'00" W, along and with the north line of said Lot 1, Block 1 of STATE HIGHWAY 146 BUSINESS PARK, a distance of 295.00 feet to the most southerly southeast corner of BAYPORT LOGISTICS CENTER PHASE TWO FINAL PLAT recorded in Film Code No. 662034, being the southwest corner of the herein described tract, from which a found 5/8 inch iron rod bears N 19°27'04"W, 0.21 feet;

THENCE N 17°01'00" E, along and with the easterly line of said BAYPORT LOGISTICS CENTER PHASE TWO, a distance of 393.35 feet to a point for interior corner of said BAYPORT LOGISTICS CENTER PHASE TWO tract, being the northwest corner of the herein described tract, from which a found 5/8 inch iron rod bears N 43°19'48"E, 0.30 feet;

THENCE N 86°49'00" E, along and with BAYPORT LOGISTICS CENTER PHASE TWO tract, a distance of 295.00 feet to a point for corner in said west line of Old State Highway 146 (variable right of way), being the most easterly southeast corner of said BAYPORT LOGISTICS CENTER PHASE TWO tract, being the northwest corner of the herein described tract, from which a found 5/8 inch iron rod bears S 60°40'14"W, 0.63 feet;

THENCE S 17°01'00" W, along and with said west line of Old State Highway 146 (variable right of way), a distance of 393.35 feet to the PLACE OF BEGINNING.

Basis of Bearing: Grid North Texas State Plane Coordinate System, NAD83, South Central Zone.



Date: 3-22-2016
Scale: 1" = 100'
Project No.: 2500



ELLIS SURVEYING SERVICES, LLC.
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Tel: (409) 938-8700 Fax (866) 678-7685
Texas Firm Reg. No. 100340-00

