CITY OF SEABROOK
ORDINANCE NO. 2016-17

ADOPTION OF THE CITY OF SEABROOK COMPREHENSIVE MASTER PLAN 2035

AN ORDINANCE OF THE CITY OF SEABROOK, TEXAS, ADOPTING THE "SEABROOK COMPREHENSIVE MASTER PLAN 2035" PURSUANT TO TEXAS LOCAL GOVERNMENT CODE CHAPTER 213 AND SECTION 11.23 OF THE SEABROOK CITY CHARTER AS PROVIDED HEREIN; REPEALING ALL ORDINANCES AND RESOLUTIONS INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

WHEREAS, Chapter 213 of the Texas Local Government Code provides that municipalities may adopt a comprehensive plan for long range development for the City, and that such a comprehensive plan may include, but is not limited to provisions of land use, transportation, public facilities, and to coordinate and guide the establishment of development regulations; and

WHEREAS, pursuant to Section 11.23 of the Charter of the City of Seabrook, the Seabrook City Council appointed a Comprehensive Master Plan Review Commission ("Commission"), comprised of seven (7) citizens, for the purpose of developing such a plan pursuant to Chapter 213 of the Texas Local Government Code; and

WHEREAS, the Commission conducted an extensive review, conducted public hearings, and received public and staff comments; and thereafter made its final recommendations to the City Council for adoption of the "Seabrook Comprehensive Master Plan 2035" ("Master Plan 2035"), attached hereto as Exhibit "A"; and

WHEREAS, after the subject public hearings, studies, and reviews, the City Council has considered and has accepted the recommended changes of the Commission incorporated into the "Seabrook Comprehensive Master Plan 2035," to be adopted in accordance with the limitations, restrictions and requirements of Chapter 213 of the Texas Local Government Code for use as a future planning device of an advisory nature only, with the specific intent that the Master Plan 2035 is not to conflict with zoning regulations, which will prevail in case of conflict; and

WHEREAS, all public notices have been posted, published and all required hearings on this matter have been held in accordance with law;

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

SECTION 1. FINDINGS OF FACT.

That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2. ADOPTION OF COMPREHENSIVE MASTER PLAN 2035.

The "Seabrook Comprehensive Master Plan 2035" is hereby adopted pursuant to the limitations, restrictions and requirements of Section 213 of the Texas Local Government Code, as contained herein, Section 11.23 of the Charter of the City of Seabrook, and any map of the Master Plan 2035 illustrating future land use shall contain the following clearly visible statement "A comprehensive plan shall not constitute a zoning regulation or establish zoning district boundaries."

SECTION 3. REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS.

All Ordinances or Resolutions or parts of Ordinances or Resolutions in conflict or inconsistent with this Ordinance are hereby expressly repealed.

SECTION 4. 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 Seabrook, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts

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SECTION 5. **NOTICE**

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED, AND APPROVED on first reading this 19th day of July, 2016

PASSED, AND APPROVED on second and final reading this 2nd day of August, 2016

BY: _____
Glenn Royal
Mayor

ATTEST:

By: _____
Robin Hicks, TRMC
City Secretary

APPROVED AS TO FORM:

_____
Xochytl Greer
Acting City Attorney