

ORDINANCE NO. 09-27

AN ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES OF THE CITY OF TEXAS CITY, GALVESTON COUNTY, TEXAS, ALSO KNOWN AS THE ZONING ORDINANCE, TO PERMANENTLY REZONE, FOR HWY. 66 PARTNERS PROJECT, FROM DISTRICT "A", SINGLE FAMILY RESIDENTIAL TO DISTRICT "PUD", PLANNED UNIT DEVELOPMENT, FOR A MIXED USE DEVELOPMENT, LOCATED IN 7000-7100 BLOCK OF E. F. LOWRY EXPRESSWAY, FOR THE COSTA MARIPOSA PROJECT; ORDERING SAID CHANGES MADE ON THE CITY ZONING MAP; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH; DISPENSING WITH THE CHARTER REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION AND PUBLICATION BY CAPTION ONLY IN THE OFFICIAL NEWSPAPER OF THE CITY.

WHEREAS, due and proper notice has been given and public hearing held and all other required action taken to amend the Zoning Ordinance for the City of Texas City, Texas, and it is the considered opinion of the City Commission that said Ordinance be amended and changed as follows for the public welfare, good, economy, and enjoyment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS:

SECTION 1: That certain property located within the City of Texas City, in the 7000-7100 block of E. F. Lowry Expressway, being 8 parcels of land described as:

- 1.9580 acres out of Lots 13, 14 of the Motor S/d S.A. & M.G. RR Survey
- 25.4724 acres out of Lots 3-10, Motor S/d S.A. & M.G. RR Survey
- 4.6149 acres out of Lots 1 and 2, Motor S/d S.A. & M.G. RR Survey
- 5.2230 acres out of Lots 11, 12, Motor S/d S.A. & M.G. RR Survey
- 2.8846 acres out of the S.A. & M.G. RR Survey, A-189
- 4.2271 acres out of the S.A. & M.G. RR Survey, A-189
- 17.533 acres out of the S.A. & M.G. RR Survey, A-189
- 1.6677 acres out of the S.A. & M.G. RR Survey, A-189

is hereby permanently rezoned and classified as District "PUD", Planned Unit Development, for a mixed use development, as building permits have been issued for the

Costa Mariposa Project which is part of the Hwy. 66 Partners Project.

SECTION 2: That the City Engineer shall designate said changes from District "A", Single Family Residential to District "PUD", Planned Unit Development, for a mixed use development as hereinabove provided on the original zoning map, as amended, and on the duplicate copy thereof kept in the Office of the City Planning Board.

SECTION 3: That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. In the event any section, clause, sentence, paragraph, or part of this Ordinance shall be for any reason adjudged by any court of competent jurisdiction to be invalid, such invalidity shall not affect, invalidate, or impair the remainder of this Ordinance.

SECTION 4: That the Charter requirement for reading this Ordinance on three (3) separate days has been dispensed by a majority vote of the City Commission.

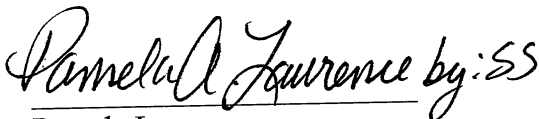
SECTION 5: That this Ordinance shall be finally passed upon the date of its introduction and shall become effective from and after its passage and adoption and publication by caption only in the official newspaper of the City.

PASSED AND ADOPTED the 5th day of August, 2009.



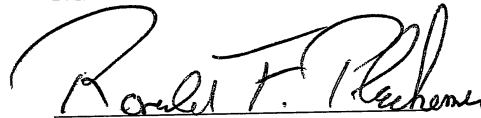
Matthew T. Doyle, Mayor
City of Texas City, Texas

ATTEST:



Pamela Lawrence
City Secretary

APPROVED AS TO FORM:



Ronald F. Plackemeier
City Attorney

A F F I D A V I T

Attachment

CITY OF TEXAS CITY

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Published: August 24, 2009
00219783

County of Galveston §
§
State of Texas §

Before me, the undersigned authority, on this day personally came and appeared **Lois Colvin**, to me well known (or proved to me on the basis of satisfactory evidence), and who after being duly sworn (affirmed) did depose and say that she is an **AGENT** for **THE GALVESTON COUNTY DAILY NEWS**, a newspaper of general circulation, which has been continuously and regularly published for a period of not less than one year, in the County of Galveston, and that the **NOTICE**, a copy of which is hereto attached was published in said newspaper on the following days, to wit:

August 24, 2009

Lois Colvin
Agent Signature

Sworn and subscribed before me

On this the 24th day of August, 2009

Lynette Tisdale
Notary for the State of Texas

