

ORDINANCE 2013-1122

AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FULSHEAR, TEXAS, ADOPTED IN ORDINANCE 2012-1069, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE 20.943 ACRES OF LAND FROM RESIDENTIAL ACREAGE (R1) TO COMMERCIAL (C); PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; PROVIDING AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City of Fulshear, Texas, recently annexed 20.943 acres of land out of the Churchill Fulshear League, Abstract No. 29 Fort Bend County, Texas, being more fully described in Exhibit "A" (the "Property,") attached hereto and incorporated herein; and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the rezoning of the Property on the 8th day of November, 2013, following lawful publication of the notice of said public hearing; and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the Property in Exhibit "A" be rezoned as Commercial (C); and

WHEREAS, on the 19th day of November, 2013, after proper notification, the City Council held a public hearing on the proposed rezoning; and

WHEREAS, the City Council determines that the zoning provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community; and

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

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONT BELVIEU, TEXAS:

Section 1. All of the facts and recitations found in the preamble of this Ordinance are hereby found to be true and correct and incorporated herein for all purposes.

Section 2. The property described in Exhibit "A", attached hereto and incorporated herein, is hereby designated as Commercial (C) and the Official Zoning

Map of the City of Fulshear, Texas, is hereby amended to reflect said zoning classification.

Section 3. 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 Fulshear, 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 4. Repeal. All ordinances or parts of ordinances in force when the provisions of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

Section 5. Effective Date. This Ordinance shall be effective and in full force when published as required by law.

November PASSED, APPROVED, and ADOPTED this the 19th day of November, 2013.



Thomas C. Kuykendall, Jr., Mayor
City of Fulshear, Texas

ATTEST:



D. Gordon Offord, City Secretary