

ORDINANCE NO. 2022-13

AN ORDINANCE THE PORT ARANSAS CITY COUNCIL APPROVING ZONING CHANGE REQUEST ZCR-22-001065 CHANGING PROPERTY LOCATED AT 5200 STATE HWY 361 ZONE FROM NEWPORT PLANNED UNIT DEVELOPMENT (NPUD) ZONE TO A PARTICULAR HARBOR PLANNED UNIT DEVELOPMENT (APHPUD) AS REQUESTED BY OCEAN HARBOR INC.; PROVIDING FOR THE VALIDITY OF SAID ORDINANCE; REPEALING ALL PRIOR ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application for zoning change was received by the Development Services Department in City Hall, Port Aransas, Texas described as Zoning Change Request # ZCR-22-001065 to rezone the property hereinafter described; and

WHEREAS, on May 16, 2022 said "Notice of Public Hearing" was mailed to affected property owners within 200' of subject property; and

WHEREAS, on May 19, 2022 the City caused to be published a " Notice of Public Hearing" in the South Jetty, official newspaper of the city notifying area residents and the public in general to participate and make their views known regarding this request at the Planning & Zoning commission meeting of June 7, 2022; and

WHEREAS, on June 7, 2022 the Planning & Zoning Commission did meet and after hearing and considering the application said Commission voted (5-0, 2 absent) to recommend that City Council accept Zoning Change Request ZCR-22-001065, currently a vacant tract and effectively changing zoning of said property from NEWPORT PLANNED UNIT DEVELOPMENT (NPUD) to A PARTICULAR HARBOR PLANNED UNIT DEVELOPMENT (APHPUD).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ARANSAS, NUECES COUNTY, TEXAS, THAT:

Section 1. RECEIVE REPORT FROM THE COMMISSION

That the Planning & Zoning Commission after hearing and considering application ZCR-22-001065 voted (3 in favor, 2 opposed, 2 absent) to recommend City Council accept said rezone request for A PARTICULAR HARBOR PLANNED UNIT DEVELOPMENT (APHPUD also known as 5200 State Hwy 361, Port Aransas TX effectively changing the zoning from NEWPORT PLANNED UNIT DEVELOPMENT (NPUD) to A PARTICULAR HARBOR PLANNED UNIT DEVELOPMENT (APHPUD).

Section 2. AMENDMENT

That the Port Aransas City Council accepts the recommendation from the Planning & Zoning Commission and takes action to approve zoning change request ZCR-22-001065.

Section 3. SEVERABILITY

It is the intention of the City Council of the City of Port Aransas that if any phrase, sentence, section, or paragraph of this ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remainder of this ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

Section 4. EFFECTIVE DATE

As provided by Article III, Section 12(b) and (c) and by Article XII, Section 2 of the Charter of the City of Port Aransas, this ordinance shall be effective upon adoption after third and final reading.

PASSED, ORDAINED, APPROVED and ADOPTED by the Port Aransas City Council, County of Nueces, State of Texas, on this 15th day of SEPTEMBER, 2022.



CITY OF PORT ARANSAS, TEXAS

A handwritten signature in dark ink, appearing to read "Wendy Moore", written over a horizontal line.

Wendy Moore, Mayor

ATTEST:

A handwritten signature in dark ink, appearing to read "Francisca Nixon", written over a horizontal line.

Francisca Nixon, City Secretary

First Reading: July 21, 2022

Second Reading: August 18, 2022

Third Reading: September 15, 2022