

ORDINANCE NO. 2024-3989

AN ORDINANCE ADOPTING AN UPDATE TO THE FUTURE LAND USE MAP COMPONENT OF THE COMPREHENSIVE PLAN OF THE CITY OF LA PORTE, TEXAS, BY CHANGING THE DESIGNATION OF A 56.7-ACRE TRACT OF LAND LOCATED AT THE NORTHEAST OF STATE HIGHWAY 146 AND WHARTON WEEMS BOULEVARD IN THE CITY OF LA PORTE, AND LEGALLY DESCRIBED AS LOTS 1-32, BLK 1267 & TRACT 33, LA PORTE SUBDIVISION; TRACT 1M, ABSTRACT 35, J. HUNTER SURVEY; AND TRACTS 5 AND 5L, ABSTRACT 30, W.P. HARRIS SURVEY, HARRIS COUNTY, TEXAS BY CHANGING THE FUTURE LAND USE DESIGNATION FROM “COMMERCIAL” TO “LOW DENSITY RESIDENTIAL”; MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF

WHEREAS, Section 211.004 of the Texas Local Government Code provides that zoning regulations must be adopted in accordance with a Comprehensive Plan; and

WHEREAS, Section 213.003 of the Texas Local Government Code provides that a municipality may amend a Comprehensive Plan by ordinance, after public hearing and review by the municipality's planning commission or department; and

WHEREAS, Section 213.003 of the Texas Local Government Code also provides that a municipality may establish, in its charter or by ordinance, procedures for adopting and amending a Comprehensive Plan; and

WHEREAS, Chapter 106, "Zoning" Article I, Section 106-3, and Article II, Section 106-65 of the Code of Ordinances of the City of La Porte, delegates to the Planning and Zoning Commission the duty to review and make recommendations relevant to modifications of the Comprehensive Plan and Zoning Ordinance; and

WHEREAS, the City of La Porte has a Comprehensive Plan, which Plan was adopted by the City Council of the City of La Porte, Texas in 1986, and which Plan has been the subject of multiple amendments since its adoption;

WHEREAS, pursuant to mandate of Chapter 106, "Zoning" of the Code of Ordinances of the City of La Porte, the Planning and Zoning Commission of the City of La Porte has reviewed all elements of the Comprehensive Plan, and as duly approved by the City Council of the City of La Porte, to consider possible amendments thereto; and

WHEREAS, at the La Porte Planning and Zoning Commission meeting which occurred on May 22, 2024, the La Porte Planning and Zoning Commission reviewed the Future Land Use Map component of the Comprehensive Plan for the purpose of considering proposed amendments thereto, to change the designation for a portion of 56.7-acre tract of land located at the northeast corner of State Highway 146 and Wharton Weems Boulevard, legally described as Lots 1-32, Blk 1267 & Tract 33, La Porte Subdivision; Tract 1M, Abstract 35, J. Hunter Survey; and Tracts 5 and 5L, Abstract 30, W. P. Harris Survey, Harris County, Texas, from its present designation of “Commercial” to “Low Density Residential”, and at the conclusion of such review the La Porte Planning and Zoning Commission voted to recommend to the La Porte City Council that it approve

such amendment to the Future Land Use Plan component of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS, THAT:

Section 1. All of the facts recited in the preamble to this Ordinance are hereby found by the Council to be true and correct and are incorporated herein by this reference

Section 2. That an amendment to the Future Land Use Map component of the Comprehensive Plan of the City of La Porte, Texas, which is incorporated into this ordinance by reference herein and attached hereto as Exhibit A, be and is hereby authorized, approved, and adopted by the City Council of the City of La Porte, Texas, after duly noticed public hearing held at its June 10, 2024, meeting, pursuant to the recommendations of the Planning and Zoning Commission of the City of La Porte, Texas.

Section 3. The City Secretary of the City of La Porte or her designated representative shall be required to make this amendment to the Comprehensive Plan available to the public and duly mark and note the updated reference on the Future Land Use Plan component of the Comprehensive Plan of the City of La Porte, Texas.

Section 4. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject to this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 5. This ordinance shall be in effect from and after its passage and approval.

PASSED AND APPROVED this, the 10th day of June 2024.

CITY OF LA PORTE, TEXAS

Rick Helton, Mayor

ATTEST:

APPROVED:

Lee Woodward, City Secretary

Clark Askins, Assistant City Attorney