



To: City Council

From: Michael Barrera, City Manager

Date December 2, 2022

Re: **SECOND Reading of AN ORDINANCE OF THE CITY OF MATHIS, SAN PATRICIO COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND THE ZONING MAP SO AS TO GIVE THE FOLLOWING NEWLY ANNEXED PROPERTY ON EXHIBIT A, DATED NOVEMBER 14, 2022; A ZONING CLASSIFICATION OF INDUSTRIAL DISTRICT USE, IN SAN PATRICIO COUNTY, TEXAS. AMENDING THE OFFICIAL ZONING MAP OF THE CITY, PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Caption

AN ORDINANCE OF THE CITY OF MATHIS, SAN PATRICIO COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND THE ZONING MAP SO AS TO GIVE THE FOLLOWING NEWLY ANNEXED PROPERTY ON EXHIBIT A, DATED NOVEMBER 14, 2022; A ZONING CLASSIFICATION OF INDUSTRIAL DISTRICT USE, IN SAN PATRICIO COUNTY, TEXAS. AMENDING THE OFFICIAL ZONING MAP OF THE CITY, PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Purpose

To zone the above property for industrial use located on I37 frontage road, about 1 mile south of town.

Background

The property has been purchased by HAC Materials LTD (HAC) for development of a road construction material yard. This property is adjacent to the property they purchased back in 2020 and will be an expansion of their original development. The rail spur will be built on this property to accommodate trainloads of road construction material that will be stockpiled on the property and sold to road building construction companies for use in their business. HAC will also use the site for their own road building construction jobs. HAC will invest approximately \$5 million dollars in improvements to the property which will become a part of the tax base of the City. The property was recently annexed by the City for development and use as an Industrial business.

THE CITY OF MATHIS

ORDINANCE NO. O-23-11-02

AN ORDINANCE OF THE CITY OF MATHIS, SAN PATRICIO COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND THE ZONING MAP SO AS TO GIVE THE FOLLOWING NEWLY ANNEXED PROPERTY ON EXHIBIT A, DATED NOVEMBER 14, 2022; A ZONING CLASSIFICATION OF INDUSTRIAL DISTRICT USE, IN SAN PATRICIO COUNTY, TEXAS. AMENDING THE OFFICIAL ZONING MAP OF THE CITY, PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the Zoning Ordinance No. 06-03-13-02 of the City of Mathis, the City Manager has made recommendation to the Mathis City Council that the Zoning Ordinance be supplemented or changed; and

WHEREAS, the City Secretary of said City accordingly caused to be issued and published the notice required by its zoning ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation, in the City of Mathis, Texas, at least fifteen days prior to the time set for such hearing, as is shown by the publishers affidavit, attached to the original copy of this ordinance; and

WHEREAS, The City Council of the City of Mathis, Texas, pursuant to such notice, held its public hearing and heard all persons wishing to be heard, both for and against the aforesaid change in the Zoning Ordinance; and

WHEREAS, The City Council of the City of Mathis, Texas, heard all arguments for and against said change in the Zoning Ordinance and is of the opinion and finds that such reclassification would not be detrimental, but would be beneficial for the health, safety, morals, preservation of property values and the best and most orderly development of the properties affected thereby, and to be affected thereby in the City of Mathis, and as well, the owners and occupants thereof; and the City generally;

**NOW THEREFORE; BE IT ORDAINED BY THE CITY
COUNCIL OF THE CITY OF MATHIS, TEXAS:**

Section 1. ZONING CHANGE

That the Comprehensive Zoning Ordinance No. 06-03-13-02 is hereby amended so as to establish the zoning on the property listed on the attached Exhibit A, dated November 14, 2022, as Industrial District, in San Patricio County, Texas. This restricts such property to the use provided under the Comprehensive Zoning Ordinance of the City of Mathis, as amended.

Section 2. VALIDITY

This Ordinance No. O-23-11-02 is declared to be valid and enforceable in all respects.

Section 3. CONFLICT

The repeal of any ordinance or part thereof effectuated by enactment of this Ordinance shall not be construed as abating any action now pending under or by virtue of such ordinance or as abating or modifying any penalty for violation thereof or as affecting the liability of any person, firm or corporation or waiving any right of the City of Mathis under any ordinance in effect at the time passage of this Ordinance.

Section 4. SEVERABILITY

It is the intention of the City Council of the City of Mathis that this Ordinance and each provision hereof shall be considered separable and the invalidity of any section, clause or provision or part thereof shall not affect the validity of any other part of this Ordinance or Ordinance No. 06-03-13-02.

Section 5. EFFECTIVE DATE

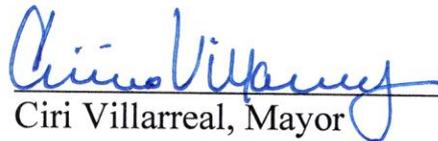
This Ordinance shall be effective upon its adoption and publication of the descriptive caption.

Section 6. READING DATES

That this ordinance was first read and approved by a majority of the City Council of the City of Mathis, Texas on November 14, 2022. The City Charter requirement for a second reading and action of any proposed ordinance was accomplished for this ordinance on December 5, 2022.

DULY PASSED AND APPROVED by the City Council of the City of Mathis, Texas this December 5, 2022.

APPROVED


Ciri Villarreal, Mayor

ATTEST:


Mary A. Gonzales, City Secretary