



47           **WHEREAS**, the City Council of the City of Seabrook is continually reviewing the  
48 provisions of the City Code of Ordinances relating to land use, regulation, and other  
49 circumstances which generally impact the health, safety and well-being of residents, citizens  
50 and inhabitants; and

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52           **WHEREAS**, all public notices have been published, mailed and provided in  
53 accordance with statute and Appendix “A” of the City Code of Ordinances (Zoning Code);  
54 and

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56           **WHEREAS**, as a result of the said public hearings and the recommendation of the  
57 Planning and Zoning Commission as contained in its final report, the City Council hereby  
58 finds and determines that the proposed amendments to Ordinance 2021-01 “Seabrook Town  
59 Center “PUD” (Planned Unit Development)”, as provided herein, would not be detrimental to  
60 the community, and is in conformance with the zoning ordinance and comprehensive plan for  
61 development of the City;

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63           **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY**  
64 **OF SEABROOK, STATE OF TEXAS:**

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66           **SECTION 1. FINDINGS.**

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68           The facts and matters set forth in the preamble of this Ordinance are hereby found to  
69 be true and correct.

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71           **SECTION 2. AMENDMENT TO ORDINANCE 2021-01 “SEABROOK**  
72 **TOWN CENTER “PUD” (PLANNED UNIT DEVELOPMENT).**

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74           The Plan made the basis of Ordinance 2021-01 is hereby amended as referenced in  
75 the identified revisions attached hereto as Exhibit “B” (the “Site Plan”), including  
76 modifications for (7) seven commercial buildings in lieu of (6) six commercial buildings,  
77 construction in 2 phases in lieu of 3 phases, adjusting the square footage of the commercial  
78 structures from 37,000 square feet to 37,540 square feet; revising the General Provisions to  
79 revise all references of “Retail and Office” to “Commercial”, modifying the reference of 459  
80 parking spaces to reflect 475 parking spaces, changing in the reference to 2.0 parking spaces  
81 per three bedroom units, adding the term cementitious stucco, replacing all reference of  
82 pylon multi-tenant sign to monument sign, providing a modified schedule, changing all  
83 reference of “WMF Investments”, to “HS Development”, as provided in the attached Exhibit  
84 “B”, which is incorporated by reference.

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86           **SECTION 3. REVISION**

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88           This Ordinance shall in no manner amend, change, supplement, or revise any  
89 provision of any ordinance of the City of Seabrook, or prior Ordinance 2021-01, save and  
90 except the amendments permitted herein of said Property as described in Exhibit “B” hereof.

93                   **SECTION 4. INCORPORATION INTO THE CODE; PENALTY CLAUSE.**  
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95                   This ordinance is hereby incorporated and made a part of the Seabrook City Code.  
96 Violation of this Ordinance is subject to the penalty section of said Code including, Section  
97 11.06, “Criminal Enforcement” which provides that any person who shall violate any  
98 provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction,  
99 shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a  
100 separate offense. Additionally, should the subject PUD project fail to meet any schedule as  
101 approved herein, or otherwise fail to comply with this Ordinance, the PUD Plan, the PUD  
102 classification and all related permits shall be terminated as provided by law.  
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104                   **SECTION 5. REPEAL OF CONFLICTING ORDINANCES.**  
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106 All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are  
107 hereby expressly repealed. This Ordinance shall in no manner amend, change, supplement,  
108 or revise any provision of any ordinance of the City of Seabrook, save and except the change  
109 in zoning classification and specific uses/structures approved in the Plan, as provided herein.  
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111                   **SECTION 6. SEVERABILITY.**  
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113                   In the event any clause phrase, provision, sentence, or part of this Ordinance or the  
114 application of the same to any person or circumstances shall for any reason be adjudged  
115 invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect,  
116 impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the  
117 part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook,  
118 Texas, declares that it would have passed each every part of the same notwithstanding the  
119 omission of any such part thus declared to be invalid or unconstitutional, whether there be  
120 one or more parts.  
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122                   **SECTION 7. NOTICE.**  
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124                   The City Secretary shall give notice of the enactment of this Ordinance by promptly  
125 publishing it or its descriptive caption and penalty after final passage in the official  
126 newspaper of the City; the Ordinance to take effect upon publication.  
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129 **PASSED AND APPROVED** on first reading with a quorum present, by an affirmative vote  
130 of a majority of Councilmembers present, in accordance with Seabrook City Charter Section  
131 2.10 on this 5<sup>th</sup> day of April, 2022.  
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133 **PASSED, APPROVED, AND ADOPTED** on final reading with a quorum present, by an  
134 affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City  
135 Charter Section 2.10 on this 19<sup>th</sup> day of April , 2022.  
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BY: \_\_\_\_\_  
Thomas G. Kolupski  
Mayor

ATTEST:

By: \_\_\_\_\_  
Robin Lenio, TRMC  
City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven L. Weathered  
City Attorney