

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO AQUA SOLUTIONS FOR AT&T TO CONSTRUCT A TELECOMMUNICATION TOWER LOCATED AT 6911 1/2 HIGHWAY 225, DEER PARK, TEXAS; AND DECLARING AN EMERGENCY.**

**WHEREAS, AQUA SOLUTIONS**, the owner of a site at 6911 ½ Highway 225, located in Deer Park, Harris County, Texas, has made application for a Specific Use Permit pursuant to section 11.4 of Ordinance No. 3886, the Zoning Ordinance of the City of Deer Park, for AT&T to construct a telecommunication tower on said property; and

**WHEREAS**, following due notice, the Planning and Zoning Commission of the City of Deer Park, Texas, held a Public Hearing upon such application and, having investigated the manner in which the proposed location and character of such Specific Use will affect the Zoning Ordinance and the comprehensive plan of the City of Deer Park, Texas, made final report and recommendation to the City Council of the City of Deer Park, Texas, recommending that such application **NOT** be conditionally granted; and

**WHEREAS**, the City Council of the City of Deer Park, Texas, finds that the granting and approval of said application for such Specific Use Permit will not adversely affect the character and appropriate use of the area of neighborhood in which it is proposed to be located, will not substantially depreciate the value of adjacent and nearby properties for use in accordance with the regulations of the Zoning District in which they are located; will not be detrimental in keeping with the spirit and intent of said Zoning Ordinance; will not adversely affect traffic, public utilities, public health, public safety and the general welfare under the conditions hereinafter set forth;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEER PARK:**

1. That **AQUA SOLUTIONS** be, and is hereby, **NOT GRANTED** a Specific Use Permit for the purpose of AT&T to construct a telecommunication tower at 6911 ½ Highway 225, in Deer Park, Texas, subject to **AQUA SOLUTIONS** complying with all the requirements of the Zoning Ordinance of the City of Deer Park and plat submitted for said project.

2. A copy of this Ordinance, duly certified by the City Secretary and approved by the City Engineer of the City of Deer Park, Texas shall operate as the Permit.

3. It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and that public notice of the time, place and purpose of said meeting was give, all as required by Chapter 551 of the Government Code of the State of Texas.

4. The City Council finds that this Ordinance relates to the immediate preservation of the public peace, health, safety and welfare of the youth of Deer Park in that it is necessary that the improvements provided for by this Ordinance can become available at the earliest possible moment, so as to provide adequate and effective telecommunications in the City, which will protect the safety of the youth of Deer Park, Texas, thereby creating an emergency, for which the Charter requirement providing for the reading of Ordinances on three (3) several days should be dispensed with, and this Ordinance be passed finally on its introduction; and accordingly, such requirement is dispensed with and this Ordinance shall take effect upon its passage and approval by the Mayor.

In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, **passed, approved and adopted** on this the \_\_\_\_ day of \_\_\_\_\_, 2019 **by a vote of** \_\_\_\_\_ **“Ayes” and** \_\_\_\_\_ **“Noes”**.

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**MAYOR**, City of Deer Park, Texas

**ATTEST:**

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City Secretary

**APPROVED:**

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City Attorney