

ORDINANCE No.

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL GRANTING A ZONE CHANGE FROM R-1 SINGLE FAMILY DWELLING WITH SUSTAINABILITY OVERLAY (SO) TO R-3 MULTI-FAMILY DISTRICT WITH SUSTAINABILITY (SO), LOCATED AT 5900 WURZBACH ROAD, BEING A 2.998 ACRE TRACT OF LAND, LOT 1 BLK1 CB 4429, CHERRY HILL SUBDIVISION; PROVIDING FOR REPEALER, SEVERABILITY, AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS Chapter 211 of the Vernon's Local Government Code empowers cities to enact zoning regulations and provide for their administration, enforcement, and amendment; and

WHEREAS the City has previously deemed it necessary and desirable to adopt zoning regulations to provide for the orderly development of property within the City, in order to promote the public health, safety, and welfare of the residents of the City; and

WHEREAS the Leon Valley Code of Ordinances Chapter 15 Zoning constitutes the City's Zoning regulations and requires the property to be zoned in accordance with proper designations as defined by the City; and

WHEREAS the Planning and Zoning Commission of the City of Leon Valley provided adequate notice and held a public hearing in accordance with Chapter 15 of the Leon Valley Code of Ordinances; and

WHEREAS, the Planning and Zoning Commission of the City of Leon Valley has recommended granting a zone change from R-1 Single Family Dwelling o R-3 Multi-Family Dwelling District, and

WHEREAS, the City Council, after proper notice and public hearing determined that the request is consistent and compatible with the surrounding zoning and with the City's Future Land Use Plan, and

WHEREAS, twenty percent (20%) or more of the area of the lots or land immediately adjoining the area covered by the proposed change and extending two hundred [feet] (200') from such area did protest this change and the City Council, by affirmative vote of three-fourths (3/4) of all the members of the City Council, did vote to approve the change; and

WHEREAS the City Council of the City of Leon Valley now desires to grant the zone change, as requested at the subject location.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, THAT:

SECTION 1. A 2.998-acre tract of land, being part of Lot 1 Blk 1, CB 4429, Cherry Hill Subdivision, at 5900 Wurzbach Road, which is currently zoned R-1 Single Family District, with SO Sustainability Overlay District Zoning, shall hereafter bear the zoning classification of R-3 Multiple Family Dwelling with Sustainability Overlay District.

SECTION 2. That this Ordinance shall be cumulative of all provisions of the City of Leon Valley, Texas, except where provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event, conflicting provisions of such Ordinance are hereby repealed.

SECTION 3. That it is hereby declared to be the intention of the City Council of the City of Leon Valley that this Ordinance is not severable.

SECTION 4. The Ordinance shall be effective upon passage and publication as required by law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 21st day of February, 2023.

APPROVED

**CHRIS RILEY
MAYOR**

Attest:

**SAUNDRA PASSAILAIGUE, TRMC
City Secretary**

Approved as to Form:

**NICOLE WARREN
City Attorney**