

ORDINANCE No. 2025-

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AMENDING ORDINANCE 2021-54 TO CHANGE THE ZONING FROM PD PLANNED DEVELOPMENT DISTRICT, WITH B-3 COMMERCIAL DISTRICT AND NO SO, SUSTAINABILITY ZONING TO PD PLANNED DEVELOPMENT DISTRICT WITH R-3 MULTIPLE-FAMILY DWELLING BASE ZONING DISTRICT ON APPROXIMATELY 2.85 ACRES AT 6758 POSS ROAD; AND MORE SPECIFICALLY DESCRIBED AS CB 5784, BLOCK 4, LOT 64, QUALITY SUBDIVISION, LEON VALLEY, TEXAS; PROVIDING A REPEALER CLAUSE; SEVERABILITY CLAUSE; NOTICE OF MEETING; SAVINGS CLAUSE; PROVIDING 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, 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 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 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:

1. **SECTION 1.** The request for rezoning from PD Planned Development District, with B-3 Commercial District and No SO, Sustainability Zoning to PD Planned Development District with R-3 Multiple-Family Dwelling Base Zoning District at the subject location, being described as CB 5784, Block 4, Lot 64, Quality Subdivision, located at 6758 Poss Road, Leon Valley, Texas, is hereby approved with the following variances:

- A. Lot regulation - minimum unit size after the first three units decreased from 1,200 to 400 square feet.
- B. Minimum Frontage on Public Right-Of-Way reduced from 95 feet to no minimum.
- C. Minimum Floor Space decreased from 600 to 400 square feet.
- D. Minimum Height increased from three (3) stories to four (4) stories.
- E. Reduce Minimum Setbacks from 20' to 10' Front, 25' to 10 Rear and 15' to five (5) foot between buildings.
- F. Minimum Parking Spaces for two bedrooms decreased from two (2) to one and one half (1 ½).
- G. Provide only two parking spaces for apartments with more than two bedrooms.
- H. Reduce minimum landscaping requirements from 35% of property and 5% of plantings to 10% of property and 2% of plantings.

SECTION 2. REPEALER CLAUSE. The provisions of the Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent by any other ordinance.

SECTION 3. SEVERABILITY CLAUSE. If any provision, section, sentence, clause, or phrase of this ordinance or application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the Leon Valley City Council in adopting, and the Mayor in approving this Ordinance, that no portion thereof or provisions or regulation contained herein shall become inoperative or fall by reason of any unconstitutionally or invalidity of any portion, provision, or regulation.

SECTION 4. SAVINGS CLAUSE. The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this ordinance.

SECTION 5. NOTICE OF MEETING CLAUSE. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 6. EFFECTIVE DATE. This ordinance shall become effective on and after its passage, approval and publication as required by law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 15th day of April 2025.

APPROVED

CHRIS RILEY
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form: _____
ART RODRIGUEZ
City Attorney