

AN ORDINANCE AMENDING ORDINANCE 2024-12 SPECIFIC USE PERMIT #PZ-2023-30 FOR THE CONSTRUCTION AND OPERATION OF A “CAR-WASH (AUTOMATIC)” ON AN APPROXIMATELY 2.32-ACRE TRACT OF VACANT LAND, LOCATED IN THE 5400 BLOCK OF GRISSOM ROAD, BEING LOTS 4 AND 5, BLOCK 102, CB 4433, TIMBERHILL APARTMENTS 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, 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 amend Ordinance 2024-12 to allow the location of the Car Wash to be moved on the property.

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

SECTION 1. The request to amend Ordinance 2024-12 Specific Use Permit PZ-2023-30 at the subject location – being specifically described as located in the 5400 Block of Grissom Road, Being Lots 4 and 5, Block 102, CB 4433, Timberhill Apartments Subdivision, is hereby approved.

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hereby expressly repealed to the extent that such inconsistency is apparent by any other ordinance.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. 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. 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 municipality under any section or provisions 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. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 5th day of November, 2024.

APPROVED

CHRIS RILEY
MAYOR

Attest:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:

ARTURO D. 'ART' RODRIGUEZ
City Attorney