

ORDINANCE No. 2021-69

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, AMENDING SECTION 15.02, APPENDIX C(I), D, STRUCTURAL NONCONFORMITY; PROVIDING FOR REPEALER, SEVERABILITY AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Chapter 15 of the City's Code of Ordinances establishes the City's Zoning Regulations pursuant to Chapter 211 of the Texas Local Government Code; and

WHEREAS, Section 15.02, Appendix C(I), D contains regulations pertaining to non-conformity within the City's Overlay Districts; and

WHEREAS, the City's Planning Zoning Commission has held a public hearing and recommended the City Council amend Chapter 15 as provided for in the attached Exhibit A; and

WHEREAS, the City Council now desires amend Section 15.02, Appendix C(I), D, as provided in Exhibit A.

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

SECTION 1. Section 15.02, Appendix C(I)D is hereby amended as provided in the attached Exhibit A.

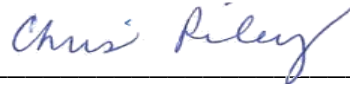
SECTION 3. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

SECTION 4. That it is hereby declared to be the intention of the City Council of the City of Leon Valley that phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, and section.

SECTION 5. The ordinance shall be effective upon passage and publication as required by law.

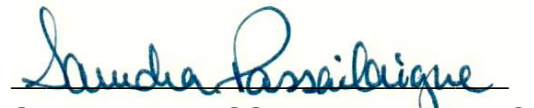
PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 21st day of December 2021.

APPROVED



CHRIS RILEY
MAYOR


Attest :



SAUNDRA PASSAILAIGUE, TRMC
City Secretary



Approved as to Form: City Attorney



CLARISSA M. RODRIGUEZ
City Attorney

EXHIBIT A

D. Structural nonconformity.

1. Intent. It is the intent to allow nonconforming structures to be expanded and to bring properties into conformity in proportion to the amount of work being done.
2. Where improvements equal 51% or more of the value of existing improvements or 51% or more of the building area, then all zoning requirements for setback, height, building materials, color, landscaping, parking and signs shall be brought into conformity with current regulations. The 51% requirement shall be cumulative over any 5-year period.
3. Any expansion of a building must be contiguous and meet current zoning requirements for setback, height, building materials, color, landscaping and parking.

Ordinance 2020-10, secs. 10, 11, adopted 3/3/20)