

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AMENDING ORDINANCE 2022-1 TO APPROVE A REQUEST FOR REDUCED LOT SIZE ON LOTS IN A PD PLANNED DEVELOPMENT DISTRICT, WITH R-6, GARDEN HOME DISTRICT BASE ZONING ON APPROXIMATELY 10.00 ACRES AT 7213 HUEBNER ROAD; MORE SPECIFICALLY DESCRIBED AS CB 4446 P-45 ABS 664; PROVIDING FOR REPEALER, SEVERABILITY AND SAVINGS CLAUSES, AND PROVIDING FOR AN EFFECTIVE DATE, PROVIDING A NOTICE OF MEETING CLAUSE.

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 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 R-1, Single Family Dwelling District, to PD Planned Development District, with R-6, Garden Home District Base Zoning at the subject location; and

WHEREAS the City Council of the City of Leon Valley also held a public hearing and then approved the request; and

WHEREAS the developer is requesting a smaller lot size to provide for a wider street width.

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

SECTION 1. Ordinance 2022-1 is hereby revised to modify Exhibit "C", Section 15.02.312: R-6: Garden House District, (b) Area of each lot, attached hereto, from 3150 square feet to state that the majority of the lots must contain an average of 3010 square feet, to accommodate wider streets, leaving the remaining requirements as originally 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. 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 City Council of the City of Leon Valley 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. That this Ordinance shall take effect immediately from and after its passage as required by law.


SECTION 6. Notice and 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.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 18th day of June 2022.

APPROVED


CHRIS RILEY
MAYOR

Attest :


SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:

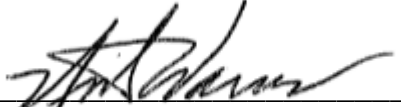

NICOLE WARREN
City Attorney



EXHIBIT "C"

MODIFICATIONS TO CHAPTER 15 ZONING CODE

Sec. 15.02.312 "R-6" garden house district

(b) Lot regulations.

(2) Area of each lot. ~~3150 square feet.~~ The majority of lots in the subdivision shall have a minimum area of 3010 square feet.

(3) Depth. Maximum depth 90 feet.

(c) Setback requirements.

(1) Front yard. There shall be a front yard having a minimum depth of sixteen (16) feet, except as hereinafter provided.

(2) Rear yard. There shall be a rear yard having a minimum depth ten (10) feet. Total square footage of accessory buildings exclusive of a detached garage shall not exceed 150 square feet.

(3) Side yard. There shall be a side yard on each side of all lots of not less than three (3) feet, with a minimum setback of six (6) feet between structures.

(5) Corner lot. Where lots abut on two (2) intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side equal to ten (10) feet or greater.

All other provisions of Chapter 15 Zoning shall apply.

Chapter 10 Subdivision Code

Sec. 10.02.251 Applicable standards and specifications

(2) Streets.

(L) Pavement widths and rights-of-way. Pavement widths and rights-of-way shall be as follows:

(iv) Private street width of 38 feet, with 28 feet of pavement width.

All other provision of Chapter 10 Subdivision shall apply.

ADDITIONAL REQUIRMENTS

1. The project must comply with the Fire Code requirements in effect at the time of platting.
2. All buildings must have a minimum of 30% transparency on the first-floor façade of all units, with the exception of garage doors.
3. A minimum of two materials must be incorporated into each façade.
4. Each front façade must have a minimum of 40% brick, stucco, or stone.
5. That there is a minimum separation of four (4) units between repeating facades.
6. The wall plane of each garage may not extend further than the front wall plane of the front entry or porch.
7. No two abutting units may have the same roof type (i.e., hip, gable, etc.).
8. Garage doors shall have windows.
9. A minimum of two (2) canopy trees must be maintained on each lot.
10. Driveways may be mirrored and must have at least 20 feet of spacing between the next driveway in order to facilitate enough standing curb for on-street parking.