

ORDINANCE NO.

AMENDING THE ZONING ORDINANCE MAP OF THE CITY OF LAREDO BY AUTHORIZING A SPECIAL USE PERMIT FOR A COMMUNICATION TOWER ON APPROXIMATELY 3.7 ACRES AS FURTHER DESCRIBED BY METES AND BOUNDS IN ATTACHED EXHIBIT A, LOCATED NORTH OF US HIGHWAY 59 AND WEST OF ESCONDIDO DRIVE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a request has been received for the issuance of a special use permit for a communication tower on approximately 3.7 acres as further described by metes and bounds in attached Exhibit A, located north of US Highway 59 and west of Escondido Drive; and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on February 19, 2025; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the issuance of the Special Use Permit; and,

WHEREAS, notice of the Special Use Permit request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on March 03, 2025, on the request and finds the Special Use Permit appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

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

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by authorizing the issuance of a Special Use Permit for a communication tower on approximately 3.7 acres as further described by metes and bounds in attached Exhibit A, located north of US Highway 59 and west of Escondido Drive.

Section 2: The Special Use Permit is further restricted to the following provision herewith adopted by the City Council:

1. The Special Use Permit is restricted to the area identified in the attached site plan, Exhibit “B”, which is made part hereof for all purposes.
2. The Special Use Permit is restricted to a 122’ height communication tower and as further described on the set of plans, Exhibit “C”.
3. The establishment must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
4. Signage shall be consistent with the City's Sign Ordinance or regulations.
5. Off-street parking shall be provided in accordance with the City of Laredo Land Development Code.
6. Applicant shall comply with Section 24.93.10 entirely. All permits, licenses, certifications and inspections required by the codes and ordinances of the City of Laredo shall be kept up to date and current.
7. Landscaping of property shall be provided in accordance with the City of Laredo Land Development Code.
8. Lighting of property shall be screened to avoid adverse impact on adjacent residential neighborhoods.
9. Owner shall provide a 7' high opaque fence along property lines which abut or adjoin any residential zones/uses.
10. Owner shall comply with, Building, Health, Life and Safety, and all applicable codes and regulations as required.
11. Towers shall be enclosed by security fencing not less than six feet in height and also shall be equipped with an appropriate anti-climbing device.
12. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible.
13. Equipment storage buildings or cabinets shall comply with all applicable building codes.
14. Applicant shall provide verification of compliance with FCC, FAA regulations and, if applicable, any other federal state agencies as required.
15. Applicant shall provide a notarized statement by the applicant and a sealed set of plans by a qualified engineer, confirming the construction of the tower will accommodate collocation of additional antennas for future users.
16. Applicant shall provide a safety report by a qualified structural engineer establishing the structural integrity of the tower.
17. The approval of the special use permit does not guarantee the issuance of the building permit.
18. The use authorized by the special use permit is required to abide by all relevant municipal codes.

Section 3: This ordinance shall be published in a manner provided by Section 2.09(D) of the Charter of the City of Laredo.

Section 4: This ordinance shall become effective as and from the date of publication specified in Section 3.

Section 5: The Special Use Permit authorized by this ordinance shall be revoked pursuant to the Laredo Land Development Code, section 24.93.12.12, entitled “Enforcement and Revocation of Special Use Permit Revocation,” according to the criteria and procedures described therein and below:

1. Enforcement and Revocation of Special Use Permit Revocation

If it is determined based on inspection by the Planning Director or reasonable investigation by the City Manager, or his designee, that there exist reasonable grounds for revocation of a Special User Permit, a public hearing shall be set before the Zoning Commission and the City Council.

- A. Circumstances that warrant revocation of an approved special use permit include, but shall not be limited to, any of the following:
 - 1. Any Violation of any of the conditions of the special use permit if not corrected to the satisfaction of the City within 90 days of the owner having received written notice of the violation and the means necessary to correct it;
 - 2. A plea of guilty or no-contest to an offense that that occurs on the property for which the special use permit is granted involving any zoning ordinance or provision of the City’s Land Development Code;
 - 3. The building, premise, or land uses under the special use permit is enlarged, modified, structurally altered, or otherwise significantly changed without the approval of a separate special use permit for such enlargement, modification, structural alteration or change;
 - 4. Violation of any provision of the site plan encompassing the property for which the special use permit was issue for, terms or conditions of a special use permit;
 - 5. The special use permit was obtained by fraud or with deception.
- B. Revocation process. The revocation process shall be conducted through a public hearing and recommendation by the Zoning Commission, followed by a public hearing and ordinance amendment consideration by the City Council. The City Council ma revoke the special use permit, deny the revocation and allow the sue to continue, or deny the revocation and amend the special use permit to attach conditions to assure that the terms, conditions and requirements of the special use permit be met.
- C. Effect of revocation. Upon the effective date of the revocation, it shall be unlawful to undertake or perform any activity that was previously authorized by the special use permit. Any person, firm, or corporation, who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the

provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation exists shall constitute a separate offense.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE _____ DAY OF _____, 2025.

DR. VICTOR D. TREVINO
MAYOR

ATTEST:

MARIO I. MALDONADO, JR.
CITY SECRETARY

APPROVED AS TO FORM:

DOANH "ZONE" T. NGUYEN
CITY ATTORNEY