

City Council- Regular Meeting

Meeting Date: 08/05/2024

Initiated By: Jose A. Valdez, Jr. Assistant City
Manager/City Secretary

Initiated By: Garzas Fence, Inc, Owner; Edgar M. Garza, Applicant; Miguel De La Rosa,
Representative

Staff Source: Vanessa Guerra, Interim Planning Director

SUBJECT

2024-O147 An ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a Special Use Permit for Storage and Handling of Hazardous Materials on Lot 4, Block 6, International Commerce Center, Unit 1, located at 1022 Black Diamond Street.

ZC-054-2024

District VII

PREVIOUS COUNCIL ACTION

On July 22, 2024, the City Council made a motion to introduce the item.

BACKGROUND

Council District: VII - Cm. Vanessa Perez

Zoning District: M-1 (Light Manufacturing District) zoning district

Proposed use: Above-ground diesel and fuel storage (storage and handling of hazardous materials)

Site: The current site is vacant developed land.

Surrounding land uses: To the north of the site is vacant undeveloped land. To the east of the site is a paved area, T.A.O. Laredo Yard, and vacant developed land. To the south of the site is Black Diamond Street, Las Minas Boulevard, Anita's Restaurant and Trailer Washout, vacant developed, and a trucking yard. To the west of the site is vacant developed land.

Comprehensive Plan: The Future Land Use Map recognizes this area as Light Industrial.

[https://www.openlaredo.com/planning/
2017 Comprehensive Plan-Viva Laredo.pdf#page=39](https://www.openlaredo.com/planning/2017%20Comprehensive%20Plan-Viva%20Laredo.pdf#page=39)

Transportation Plan: The Long Range Thoroughfare Plan does not identify Black Diamond Street

[www.laredompo.org/wp-content/uploads/
2021/05/2021-Future-Thoroughfare-Plan_2021.02.11.pdf](http://www.laredompo.org/wp-content/uploads/2021/05/2021-Future-Thoroughfare-Plan_2021.02.11.pdf)

Letters sent to surrounding property owners: 11

In Favor: 0

Opposed: 0

COMMITTEE RECOMMENDATION

The Planning and Zoning Commission in an 8 to 0 vote recommended **approval** of the proposed special use permit.

STAFF RECOMMENDATION

A Special Use Permit is used for those types of uses that warrant individual attention on a case by case basis and should not be categorized in a zoning district. A Special Use Permit is basically an overlay on top of the existing zoning designation and can be limited in many respects, such as time, fencing, setbacks, landscaping, etc. A Special Use Permit is required for storage and handling of hazardous materials located in M-1 zoning districts. The property is in a M-1 (Light Manufacturing District) zoning district.

Staff **supports** the proposed special use permit for the following reasons:

1. The location is appropriate as the majority of the surrounding land uses is vacant undeveloped land. The location of this property also abuts the city limit line.
2. The proposed use is not out of character since there are industrial uses existing within the vicinity of the site.
3. There are no residential uses or institutional uses near the proposed site.

If approved, Staff suggests the following conditions:

1. The Special Use Permit is restricted to the site plan, "Exhibit A", which is made part hereof for all purposes.
2. The hours of operation shall be 24 hours a day, seven (7) days a week (24/7).
3. The tanks shall not be abutting the nearest property lines, but shall be located in the middle of the property.
4. There shall be bollards surrounding the tanks as protection from vehicle impact.
5. The tanks shall be placed within above-ground cement barriers as a spillage prevention measure.
6. There shall be signage of 'Flammable = "No Smoking"' in both English and Spanish located throughout the property.
7. The distance between any two flammable liquid storage tanks shall not be less than three (3) feet, as per the Occupational Safety and Health Administration (OSHA).
8. The applicant shall follow all rules and regulations as required by the Occupational Safety and Health Administration.
9. The establishment shall be kept in a sanitary condition.
10. Lighting of property shall be screened to avoid adverse impact on adjacent residential neighborhoods.
11. Landscaping shall be provided in accordance with the City of Laredo Land Development Code.
12. The owner shall provide an opaque fence or wall of not less than 7 (seven) feet in height along any side or rear property lines which abut or adjoin property containing a residential use or residential zoning district. Apartment complexes, residential condominiums or residential townhomes shall be similarly screened irrespective of which zoning district they occur in.
13. The required opaque or wall fence shall comply with the Laredo Land Development Code, Section 24.79. Plywood, sheet metal, and corrugated steel fencing is prohibited.
14. The establishment must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
15. Signage shall be consistent with the City's Sign Ordinance.
16. Off-street parking shall be provided in accordance with the City of Laredo Land Development Code.
17. The proposed use shall not exceed the "Occupant Load" as set forth in the Certificate of Occupancy with Occupant Load issued to the CUP business holder.
18. The proposed use shall, during all hours of operation, maintain, free from obstruction or impediment to full instant use in the case of fire or other emergency, all exit accesses, exits or exit discharges.

19. The proposed use shall undergo an annual Fire Inspection.
20. 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, including but not limited to: a. Food Manager License (annual), b. Food Handler's Permit (annual), c. Certificate of Occupancy with Occupant Load. Occupant Load being the approved capacity of a building or portion thereof.
21. Owner shall comply with Building, Health, Safety, Fire, Environmental, and all applicable codes and regulations as required.

Staff **supports** the application.

Is this change contrary to the established land use pattern?

No. There are other industrial uses within the vicinity of the site.

Would this change create an isolated zoning district unrelated to surrounding districts?

No, the zone will not change.

Will change adversely influence living conditions in the neighborhood?

Possibly.

Are there substantial reasons why the property cannot be used in accordance with existing zoning?

Yes. The underlying zone requires the SUP overlay to allow for storage and handling of hazardous materials as intended by the applicant.

Attachments

Maps

Narrative

Site Plan

Tanks Photos & Specs

Zone Change Signage

Final Ordinance
