

ORDINANCE NO. 2016-O-031

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY AUTHORIZING A CONDITIONAL USE PERMIT FOR THE TEMPORARY PLACEMENT OF A MANUFACTURED HOME DURING THE CONSTRUCTION OF A SINGLE-FAMILY RESIDENTIAL STRUCTURE ON LOT 2, BLOCK 624, WESTERN DIVISION, LOCATED AT 2416 VENTURA STREET; PROVIDING FOR EFFECTIVE DATE AND PUBLICATION.

WHEREAS, a request has been received for the issuance of a Conditional Use Permit for the temporary placement of a manufactured home during the construction of a single-family residential structure on Lot 2, Block 624, Western Division, located at 2416 Ventura Street; 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 December 17, 2015; and,

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

WHEREAS, notice of the zone change 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 February 16, 2016, on the request and finds the Conditional Use Permit appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, all conditions imposed by the Conditional Use Permit, and all pertinent requirements the Laredo Land Development Code shall be met before the activity sanctioned by the Conditional Use Permit may commence; 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 Conditional Use Permit for the temporary placement of a manufactured home during the construction of a single-family residential structure on Lot 2, Block 624, Western Division, located at 2416 Ventura Street.

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

1. The C.U.P. shall be issued to Luis Castillo and is nontransferable.
2. The C.U.P is restricted to the temporary placement of a manufactured home during the construction of a single-family residential structure.
3. The manufactured home must be removed upon final inspection approval of the single-family residential home.
4. This permit is issued for a period of ten (10) years.
5. Owner shall comply with all Building, Fire and Life Safety Code Regulations as required.
6. Owner must comply with minimum building setbacks as per the City of Laredo Land Development

Code.

7. Owner shall make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
8. The C.U.P. is restricted to the site plan, Exhibit "A", which is made part hereof for all purposes.
9. Owner must obtain all necessary building permits for placement of manufactured home and construction of single-family residential structure.

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 Conditional Use Permit authorized by this ordinance shall be revoked pursuant to the Laredo Land Development Code, section 24.94.10, entitled "Revocation," according to the criteria and procedures described therein and below:

1. Criteria

Any Conditional Use Permit, authorized by City Council, shall be considered in noncompliance and shall be revoked and removed from the City of Laredo Zoning Map, in the event a court of law finds the use in violation of any of the following conditions:

- A. The use established on site does not conform, at any time, with any or all permit condition(s) approved by the City Council and or any local, state, or federal law.
- B. The activity authorized by the Conditional Use Permit commences prior to the institution of all conditions imposed by the Conditional Use Permit.
- C. Discontinuance of the Council approved conditional use for a period of six (6) consecutive months.
- D. The use of which the Conditional Use Permit was authorized does not commence within six months of City Council's final approval date.

2. Procedures

Should City of Laredo Enforcement Official inspection reveal noncompliance with Laredo Land Development Code, Subsection 24.94.10, Conditional Use Permit revocation procedures shall commence as below stipulated:

- A. A Zoning Officer shall, upon discovery of conditional use permit noncompliance as per Subsection 24.94.10, issue a written warning, granting a grace period of a minimum of ten (10) working days, within which time the use may be brought into compliance with the current City Council approved Conditional Use Permit for that location.
- B. If noncompliance persists after the conclusion of the warning grace period, a Zoning Enforcement Official shall issue a written citation.
- C. Should the citation result in a guilty verdict, the City of Laredo shall consider the Conditional Use Permit revoked and proceed with its removal from the City of Laredo Zoning Map.
- D. The Planning Director shall then issue the permit holder written notification of the Conditional Use Permit's official revocation and removal from the City of Laredo Zoning Map.
- E. In the event of discontinuance or failure to commence as stipulated in Subsection 24.94.10.1 D and E of this Ordinance, Zoning Enforcement Staff will issue written notification of same. Ten days after issuance of Zoning Enforcement notification of discontinuance

or failure to commence, the Planning Director shall then issue the permit holder written notification of the Conditional Use Permit's official revocation and removal from the City of Laredo Zoning Map.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE
7th DAY OF March, 2016.



PETE SAENZ
MAYOR

ATTEST:



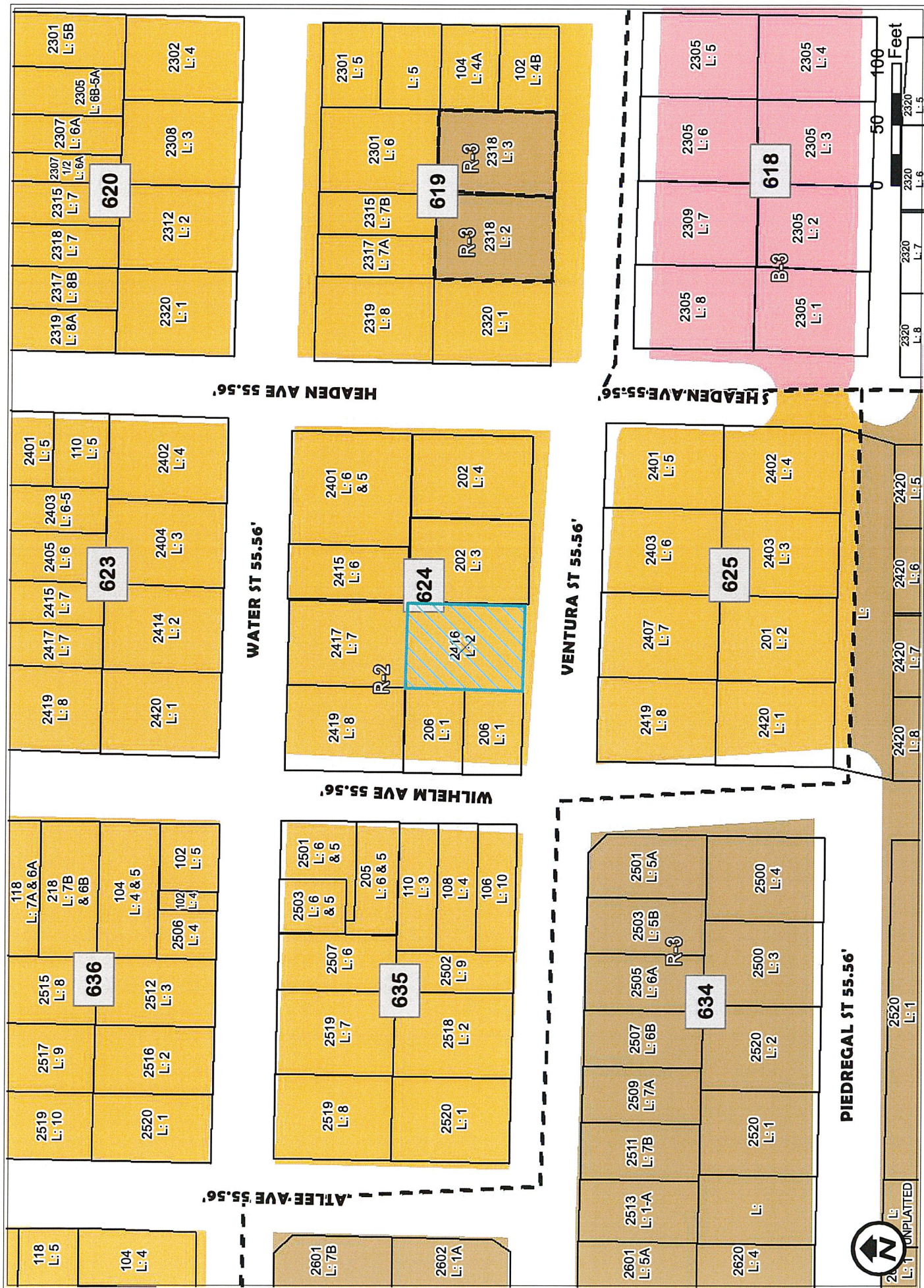
DOANH "ZONE" T. NGUYEN
ACTING CITY SECRETARY



APPROVED AS TO FORM:
RAUL CASSO, CITY ATTORNEY



KRISTINA LAUREL HALE
ASSISTANT CITY ATTORNEY



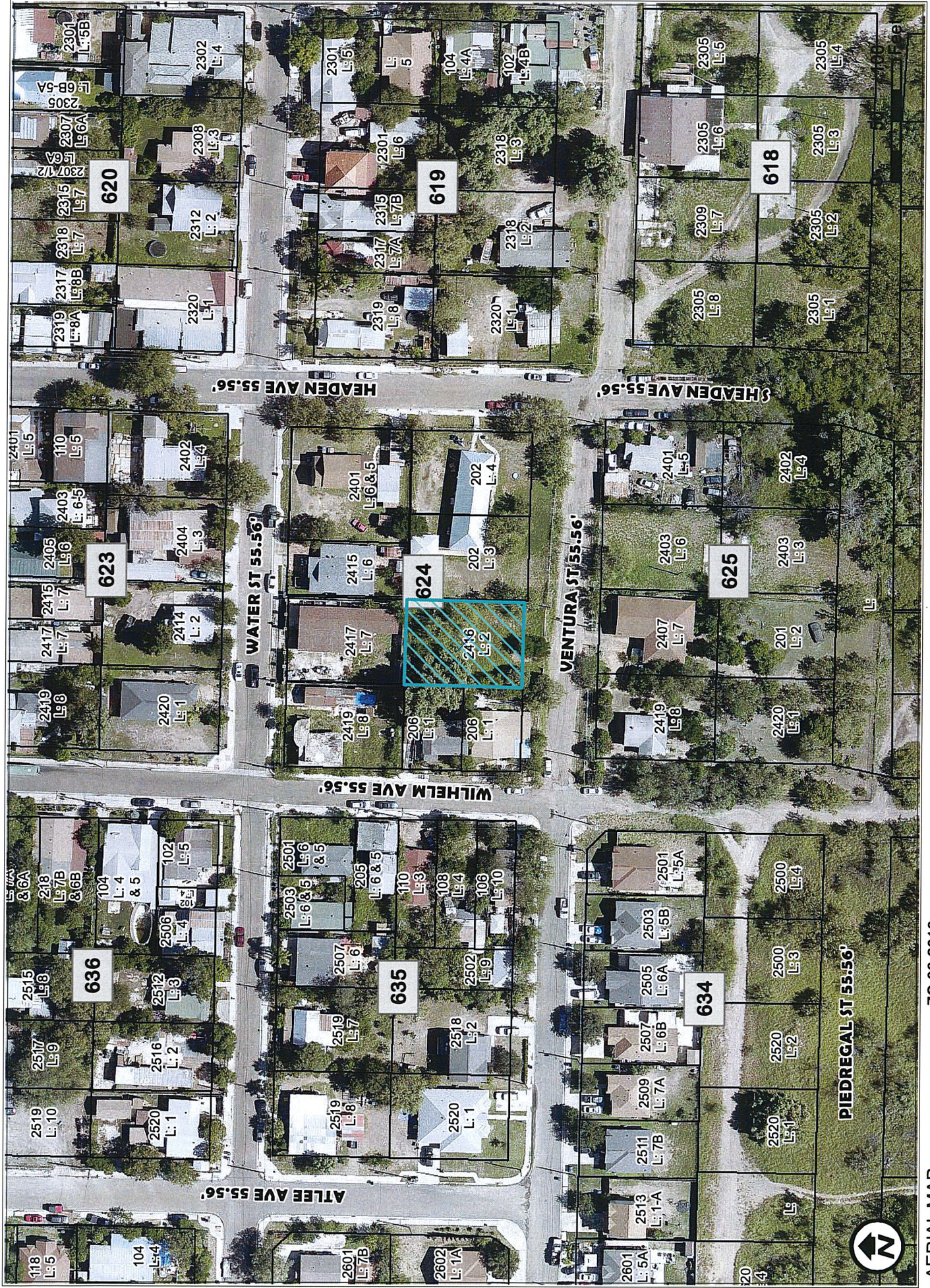
ZONING MAP
 ZC-06-2016
 COUNCIL DISTRICT 8
 2416 VENTURA ST
 REZONE FROM
 R2 (MULTI-FAMILY RESIDENTIAL DISTRICT)
 -> R3 (MIXED RESIDENTIAL DISTRICT)

Legend:

- [Yellow Box] R-2 (MULTI-FAMILY RESIDENTIAL DISTRICT)
- [Pink Box] R-3 (MIXED RESIDENTIAL DISTRICT)
- [Brown Box] R-3 (SPECIAL USE PERMITS)
- [Blue Box] C.U.P. (CONDITIONAL USE PERMITS)
- [Red Box] S.U.P. & C.U.P.

Scale: 1 inch = 100 feet

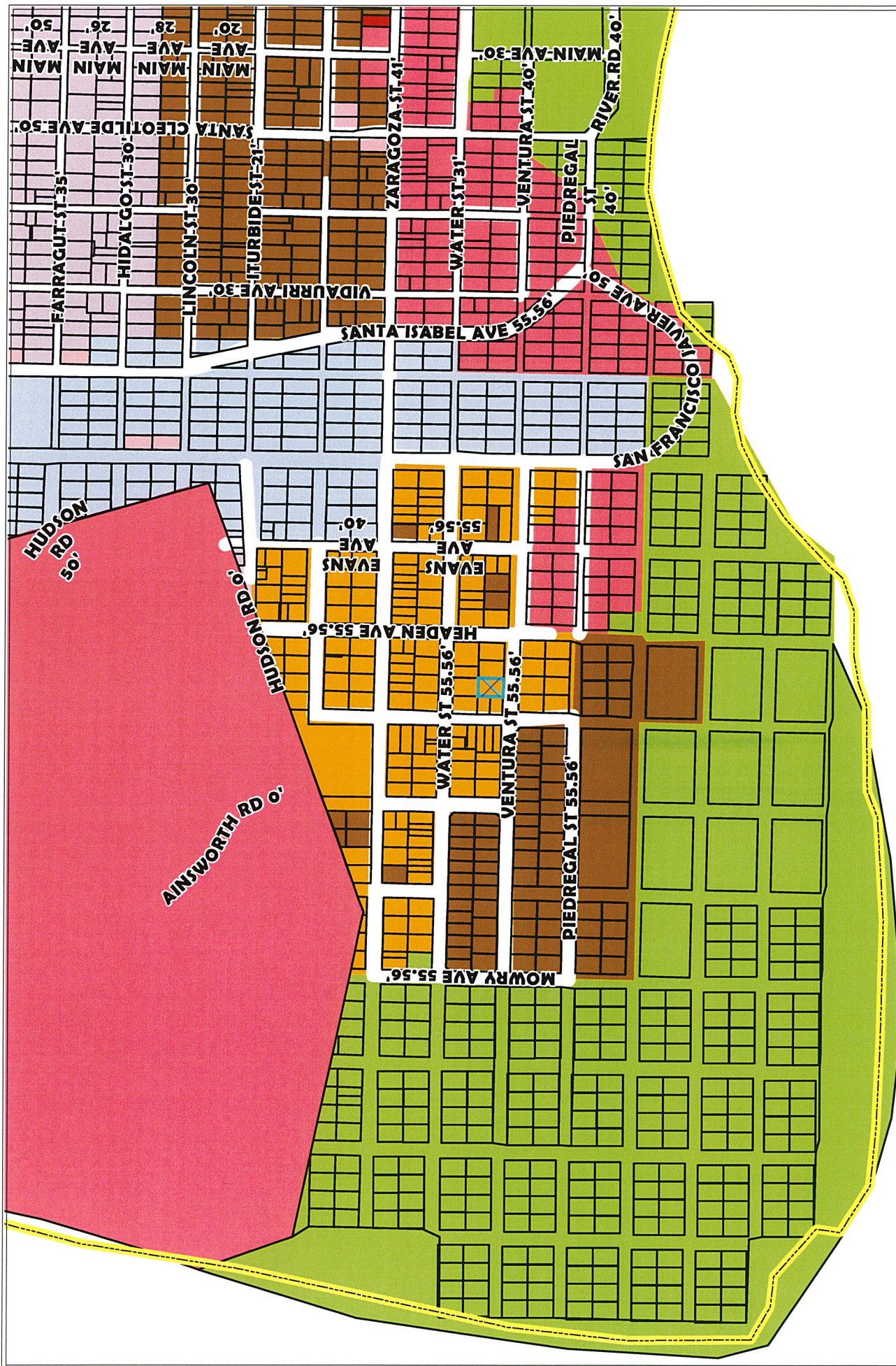
Date: 12/2/2015



REZONE FROM
R2 (MULTI-FAMILY RESIDENTIAL DISTRICT)
-> R3 (MIXED RESIDENTIAL DISTRICT)

ZC-06-2016
COUNCIL DISTRICT 8
2416 VENTURA ST

AERIAL MAP
1 inch = 100 feet
Date: 12/2/2015



ZONING OVERVIEW
 1 inch = 500 feet
 Date: 12/2/2015

REZONE FROM
 R2 (MULTI-FAMILY RESIDENTIAL DISTRICT)
 -> R3 (MIXED RESIDENTIAL DISTRICT)

ZC-06-2016
 COUNCIL DISTRICT 8
 2416 VENTURA ST

2416 Ventura Street
R-2 (Multi-Family Residential District) to R-3 (Mixed Residential District)
ZC-06-2016



2416 Ventura Street
R-2 (Multi-Family Residential District) to R-3 (Mixed Residential District)
ZC-06-2016



Councilman,

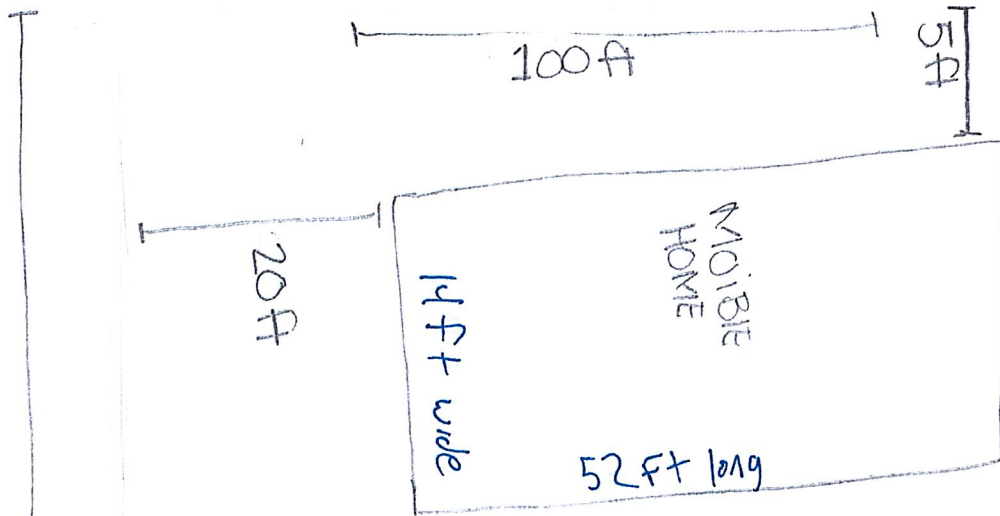
My name is Luis Alfredo Castillo, I want to inform you about my ideas towards the lot, if you approve my recommendation. The first thing in my agenda is to pay off the lot which would take me around a year to do so.

Then, I would start saving money to begin to construct my new home. I calculate to finish in seven years I know I am asking too much time but I want to be free from owing too much money to banks. I want to take advantage of not paying rent somewhere else. My family and I will be very thankful if we get approved.



Thank you,
Luis A. Castillo

Wilhelm St.



[Entrance]
25 ft wide

6.9 ft

Ventura St.

7 mis. 6.9 ft

Final Reading of Ordinances 7.

City Council-Regular

Meeting Date: 03/07/2016

Initiated By: Horacio De Leon, Assistant City Manager

Initiated By: Luis Castillo, owner

Staff Source: Nathan R. Bratton, Planning Director

SUBJECT

2016-O-031 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for the temporary placement of a manufactured home during the construction of a single-family residential structure on Lot 2, Block 624, Western Division, located at 2416 Ventura Street; providing for publication and effective date. District VIII

PREVIOUS COUNCIL ACTION

This item was introduced by the Honorable Roberto Balli at the regular meeting of February 16, 2016.

BACKGROUND

Council District: VIII – The Honorable Roberto Balli

Proposed use: Manufactured home

Site: vacant lot

Surrounding land uses: The properties to the north include single-family residences, multi-family residential and vacant lots. To the east are single-family residences, manufactured homes, vacant lots, vacant commercial structures and tractor trailer storage. To the west are single-family residences and vacant lots. To the south are single-family residential residences and vacant lots.

Comprehensive Plan: The Future Land Use Map recognizes this area as Medium Density Residential.

Transportation Plan: The Long Range Thoroughfare Plan does not identify Ventura Street.

Letters sent to surrounding property owners: 35 In Favor: 0 Opposed: 0

STAFF COMMENTS

Staff recommends approval of the proposed Conditional Use Permit for the following reasons:

1. The proposed use is appropriate at this location because it is compatible with the residential uses in the immediate area.
2. The proposed use is in conformance with the existing low density residential land use pattern in the neighborhood.

Staff recommends the following conditions:

1. The C.U.P. shall be issued to Luis Castillo and is nontransferable.
2. The C.U.P is restricted to the temporary placement of a manufactured home during the construction of a single-family residential structure.
3. The manufactured home must be removed upon final inspection approval of the single-family residential home.
4. This permit is issued for a period of two (2) years.
5. Owner shall comply with all Building, Fire and Life Safety Code Regulations as required.
6. Owner must comply with minimum building setbacks as per the City of Laredo Land Development Code.
7. Owner shall make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
8. The C.U.P. is restricted to the site plan, Exhibit "A", which is made part hereof for all purposes.
9. Owner must obtain all necessary building permits for placement of manufactured home and construction of single-family residential structure.

COMMITTEE RECOMMENDATION

The P & Z Commission, in a 7 to 0 vote, recommended approval of the zone change.

STAFF RECOMMENDATION

Staff supports the proposed Conditional Use Permit.

Fiscal Impact

Fiscal Year:

Budgeted Y/N?:

Source of Funds:

Account #:

Change Order: Exceeds 25% Y/N:

FINANCIAL IMPACT:

N/A

Attachments

[Ordinance](#)

[Zoning Map](#)

[Aerial Map](#)

[Future Land Use Map](#)

[Zoning Overview Map](#)

[Pictures](#)

[Survey](#)

[Exhibits](#)
