

ORDINANCE NO.

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR A PLANT NURSERY ON LOTS 5, 6, 7, AND 8, BLOCK 911, WESTERN DIVISION, LOCATED AT 2001 BALTIMORE STREET; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE,

WHEREAS, a request has been received for the issuance of a conditional use permit for a plant nursery on Lots 5, 6, 7, and 8, Block 911, Western Division, located at 2001 Baltimore 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 June 18, 2026; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **denial** of the proposed conditional use permit; and,

WHEREAS, notice of the conditional 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 June 27, 2026 on the request and finds the conditional 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.

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 is hereby amended by authorizing issuance of a conditional use permit for a plant nursery on Lots 5, 6, 7, and 8, Block 911, Western Division, located at 2001 Baltimore 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 Fernando Galvan and Mireya Galvan, and shall be transferable only with the approval of the City Council, and shall be subject to all

conditions of the initial approval, and such other conditions as the City Council may require.

2. The hours of operation shall be limited to, Saturday and Sunday, from 6:00 a.m. to 6:00 p.m.
 - Loading and unloading activities associated with the plant nursery shall be permitted to a maximum of three (3) hours per day between 8:00 a.m. and 6:00 p.m.
3. The plant nursery shall be limited to the growing and cultivation of plants. Retail sales, wholesale sales, and customer transactions conducted on the premises shall be prohibited unless otherwise approved by the City through a separate permit or authorization.
4. The property owner shall implement and maintain a mosquito abatement procedures. Standing water shall not be permitted to remain on the property for more than seventy-two (72) hours unless actively managed through circulation, approved larvicide treatment, or other mosquito-control measures.
5. All fertilizers, pesticides, herbicides, and other materials shall be stored in covered and secured areas designed to prevent exposure to precipitation and stormwater runoff. Soil, mulch, compost, and similar materials shall be stored in an orderly manner and shall not create odor, dust, insect, or rodent nuisances for adjacent properties.
6. The property owner shall maintain the site free of litter, debris, dead vegetation, and other materials that may create visual blight, harbor pests, or negatively impact adjacent properties. All outdoor storage areas shall be maintained in an orderly condition at all times.
7. The establishment must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
8. All plant waste, landscaping debris, dead vegetation, soil materials, and related nursery byproducts shall be collected and disposed of properly on a regular basis. There shall be no outdoor burning of materials, and all waste shall be managed in a manner that prevents the accumulation of standing water, odors, insects, rodents, or other nuisances to adjacent properties.
9. There shall be no hazardous chemical storage on the property. The determination of hazardous material shall be made by the Fire Chief as per the Laredo Land Development Code, Section 24.74.3(d). Hazardous materials are defined as stated in the City of Laredo Code of Ordinances, Sec. 33-20.
10. The proposed use shall be limited to one (1) box truck. The box truck may be parked on the subject property or along the public right-of-way adjacent to the property's frontage and shall be used solely for the loading, unloading, and transportation of plants associated with the proposed use. No additional commercial vehicles shall be permitted as per the City of Laredo Land Development Code, Section 24-65.0(a), General Supplemental Provisions, Residential.
 - No commercial vehicle exceeding sixteen thousand (16,000) pounds manufacturer's Gross Vehicle Weight Rating (GVWR) or having more than two (2) axles, and no commercial or farm trailer exceeding twelve (12) feet in length, shall be parked or stored on the subject property.

- No commercial vehicle exceeding one (1) ton manufacturer's GVWR, having more than two (2) axles, or any commercial, farm, or utility trailer shall be parked or stored within the public right-of-way adjacent to the subject property.
- 11. Parking on the sidewalk is prohibited.
- 12. Lighting of property shall be screened to avoid adverse impact on adjacent residential uses or neighborhoods.
- 13. Landscaping shall be provided and maintained for the entire duration of the proposed use in accordance with the City of Laredo Land Development Code.
- 14. 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.
- 15. The proposed use shall comply with the City's Sign Ordinance, as per Sections 28-38.a, Permitted Sign Dimensions-Freestanding and 28-38.b Permitted Sign Dimensions-, Attached, and shall be limited to the sign types and dimensions permitted within the R-3 zoning district for church, public park, public recreational facility school, library, art gallery, or cultural facility.
 - Electronic Message Display signs and CEVMS shall be prohibited.
- 16. The property owner must comply with all City Noise Ordinances provisions of the City of Laredo Code of Ordinances.
- 17. The operating characteristics of the use shall not create a nuisance and the impacts of the use on surrounding properties shall be minimized with respect to noise, odors, vibrations, glare, and any other similar conditions.
 - All equipment and activities must be operated/conducted in a manner that minimizes noise impacts to surrounding residential uses to the maximum extent practicable.
- 18. The proposed use shall not exceed the "Occupant Load" as set forth in the Certificate of Occupancy.
- 19. 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.
- 20. The proposed use shall undergo an annual Fire Inspection.
- 21. 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.
- 22. Owner shall comply with Building, Health, Safety, Fire, Environmental, and all applicable codes and regulations as required.

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.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE _____ DAY OF _____, 2026.

DR. VICTOR D. TREVINO
MAYOR

ATTEST:

MARIO I. MALDONADO, JR.
CITY SECRETARY

APPROVED AS TO FORM:

DOANH “ZONE” T. NGUYEN
CITY ATTORNEY