

**ORDINANCE NO. 2024-O-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF LAREDO, TEXAS, IMPOSING A MORATORIUM ON APPLICATIONS AND PLANS FOR DEVELOPMENT FOR PERMITS, PLATS, VERFICIATIONS, REZONINGS AND SITE PLANS FOR CAR WASHES WITHIN THE CORPORATE CITY LIMITS OF LAREDO, TEXAS; ADOPTING WRITTEN FINDINGS JUSTIFYING THE MORATORIUM; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council is committed to protecting the health, safety, and welfare of the citizens of the City by imposing this moratorium on new car wash businesses as it seeks to review all water conservation options; and

**WHEREAS**, the Texas Local Government Code, Subchapter E, “Moratorium on Property Development in Certain Circumstances” of Chapter 212, “Municipal Regulation of Subdivisions and Property Development,” authorizes a municipality to adopt a moratorium on property development after proper notice and two public hearings; and

**WHEREAS**, required notices have been properly provided and public hearings were held on the following dates: City Planning and Zoning Commission on June 20, 2024 and City Council meeting on June 24, 2024; and

**WHEREAS**, the City of Laredo is currently experiencing severe drought conditions; and

**WHEREAS**, the water levels at key water sources for the City are at historically low levels; and;

**WHEREAS**, the City is making a concerted effort to encourage water conservation and car washes can use up to 200,000 gallons of water per month; and

**WHEREAS**, it is in the best interest of the public health, safety, and welfare to impose a temporary moratorium on non-essential water use, specifically car washing businesses, to preserve water for essential needs; and

**WHEREAS**, based upon the evidence, the City Council concludes that it is appropriate and necessary to impose a moratorium on applications and plans for development permits, plats, verifications, rezonings and site plans for Car Wash Business Developments within the corporate city limits of Laredo.

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

**Section 1.** The above premises are hereby found to be true and correct legislative and factual findings of the City Council and they are hereby approved and incorporated into the body of this

resolution as if copied in their entirety.

**Section 2.** A moratorium is hereby adopted and imposed on applications and plans for development, permits, plats, verifications, rezonings, and site plans for Car Wash Businesses within the corporate city limits of Laredo, said moratorium to allow the review of all relevant statutes, ordinances, and regulations of the State of Texas and City of Laredo to consider appropriate amendments, if any, to the existing regulations for Car Wash Business developments, and whether to adopt any new ordinances or regulations to regulate such uses. No new, expanded or modified Car Wash Business development are to be allowed within the corporate city limits of Laredo until said review is completed and ordinances of the City of Laredo are amended as necessary, or until this moratorium, including extensions, if any, shall have expired, whichever occurs first.

**Section 3.** After the effective date of, and extending for the duration of this moratorium (including any extensions hereto), no City employee, officer, official, agency, department, board or commission of the City shall accept for filing any application or plan for development for permits, plats, verifications, rezonings or site plans for new, expanded or modified Car Wash Business Developments within the corporate city limits of Laredo. Any City employee, officer, official, agency, department, board or commission of the City in receipt of any such application or plan for development shall forward the same to the Director of Planning and Zoning (“The Director”), who shall review the application or plan for development to determine whether the application or plan for development is subject to this moratorium. Receipt of an application or plan for development for the limited purpose of such review shall not constitute filing or acceptance of the application or plan for development. In the event the Director determines that an application or plan for development is subject to the moratorium, the Director shall take no further action on the application or plan for development.

**Section 4.** The provisions of this ordinance do not apply to any new, expanded or modified development or use that is being constructed or is to be constructed or to any new completed applications or plans for development for permit, plat, verification, rezoning, or site plan for any new, expanded, or modified Car Wash Business that were filed prior June 21, 2024, such date being the fifth business day after the date on which the City published notice of public hearings to consider this ordinance.

**Section 5.** The provisions of this ordinance do not apply to applications for roof, electrical, plumbing, and mechanical permits for existing Car Wash Businesses if the permits are required solely for property maintenance.

**Section 6.** This ordinance shall expire one-hundred twenty (120) days after its adoption unless extended as allowed by applicable law.

**Section 7.** For purposes of this moratorium, the terms set forth herein shall have the same meanings assigned by Chapter 212 of the Texas Local Government Code.

**Section 8.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section 5.** This Ordinance shall become effective immediately upon passage.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS**  
**\_\_\_\_\_ DAY OF \_\_\_\_\_ 2024.**

\_\_\_\_\_  
**DR. VICTOR D. TREVINO**  
**MAYOR**

**ATTESTED:**

\_\_\_\_\_  
**JOSE A. VALDEZ, JR.**  
**CITY SECRETARY**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**DOANH "ZONE" T. NGUYEN**  
**CITY ATTORNEY**