

ORDINANCE NUMBER 24-07

AN ORDINANCE AMENDING SECTION 46-303, USE REGULATIONS, OF DIVISION 6, B-2 SECONDARY BUSINESS DISTRICT, OF ARTICLE V, DISTRICTS AND DISTRICT REGULATIONS OF CHAPTER 46, ZONING, OF THE CODE OF ORDINANCES BY REMOVING TRAILER CAMP OR MOBILE HOME PARK FROM THE ALLOWABLE USES OF B-2 SECONDARY BUSINESS DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION.

WHEREAS, the City Council of the City of Lytle, Texas finds it to be in the best interest of the health, safety, and welfare of the citizens to amend the Zoning Regulations of the City in the manner provided for herein; and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on the proposed amendments to the City's Zoning Ordinance; and

WHEREAS, the City Council has considered the report of the Commission; and

WHEREAS, the City Council now deems it appropriate to adopt the amendments and to approve certain changes as an amendment to the City's Zoning Ordinance as provided herein.

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

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. Section 46-303, Use Regulations, of the City's Zoning Ordinance is hereby amended by removing the strikethrough language below:

"Sec. 46-303. Use regulations.

In a B-2 Secondary Business District, no land shall be used, and no building shall be used, erected or converted to any other use than:

- (1) Any use permitted in a B-1 district.
- (2) Automobile salesroom and accompanying service facilities.
- (3) Automobile repair garage.

- (4) Bakery.
- (5) Billboards and poster boards.
- (6) Dancehall and skating rink.
- (7) Frozen food locker plant.
- (8) Laundry and cleaning.
- (9) Hotel and motel.
- ~~(10) Trailer camp or mobile home park.~~

(10) Any retail business not included in the B-1 Neighborhood Business District, provided that such use is not noxious or offensive by reason of vibrations, smoke, odor, dust, gas, or noise.

(11) Accessory buildings and uses customarily incident to the above. No accessory use shall be constructed to permit the keeping of articles or material in the open or on the outside of the building."

Section 3. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Lytle, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 4. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

PASSED, APPROVED, AND ADOPTED this 6th day of March, 2024.



Ruben Gonzalez, Mayor
City of Lytle, Texas

ATTEST:



Paola L. Rios, City Secretary
City of Lytle, Texas

