

ORDINANCE NO. 426

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LYTLE; REPEALING CONFLICTING PROVISIONS; AND, PROVIDING FOR A SEVERABILITY CLAUSE.

WHEREAS: The CITY OF LYTLE is a duly incorporated city under the general laws of the State of Texas; and,

WHEREAS: The legislative body of a duly incorporated city under the general laws of the State of Texas is authorized, for the purpose of promoting health, safety, morals, and for the protection and preservation of places and areas of historical, cultural, or architectural importance and significance, or the general welfare of the community, to regulate and restrict the height, number of stories, and size of buildings, and other structures, the percentage of lot that may be occupied, the size of the yards, courts, and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence, or other purpose; and, in the case of designated places and areas of historic, cultural, or architectural importance and significance, to regulate and restrict the construction, alteration, reconstruction, or razing of buildings and other structures by Texas Local Government Code Section 211.001 et seq.; and,

WHEREAS: The legislative body of a duly incorporated city under the general laws of the State of Texas is authorized from time to time to amend, supplement, change, modify, or repeal zoning ordinances by Texas Local Government Code Section 211.002; and,

WHEREAS: The CITY OF LYTLE has followed the procedure prescribed by statute to amend its zoning ordinance; and,

WHEREAS: The city council of the CITY OF LYTLE has found that changed circumstances made the zoning changes reflected in this ordinance reasonable and necessary; and,

WHEREAS: The amendments to the CITY OF LYTLE's zoning ordinance made herein would serve to promote the health, safety, morals and general welfare of the citizens of the CITY OF LYTLE;

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

Section 1. Amendment. The zoning ordinance of the CITY OF LYTLE is hereby amended so that the following described properties are rezoned to the zoning classification indicated:

- A. Land under Atascosa County Appraisal District Account No. 26406 in the name of Joseph P. Gerlich, Trustee.  
Zone B-3.
- B. Land under Atascosa County Appraisal District Account No. 26407 in the name of Kathie L. Witter.  
Zone B-3.

- C. Land under Atascosa County Appraisal District Account No. 26408 in the name of Marshall D. Witter.  
Zone B-3.
- D. Land under Atascosa County Appraisal District Account No. 26409 in the name of George Alexander et al.  
Zone B-3.
- E. Land under Atascosa County Appraisal District Account No. 14444 in the name of Ayala Investment Properties, LLC.  
Zone B-3.
- F. Land under Atascosa County Appraisal District Account No. 189329 in the name of Ayala Investment Properties, LLC.  
Zone B-3.
- G. Land under Atascosa County Appraisal District Account No. 14443 in the name of Victor M. Vazquez.  
Zone B-3.
- H. Land under Atascosa County Appraisal District Account No. 14381 in the name of Joseph M. Calk, et al.  
Zone B-3.
- I. Land under Atascosa County Appraisal District Account No. 201303 in the name of Mary Beth Abrahamson, et al.  
Zone B-3.
- J. Land under Atascosa County Appraisal District Account No. 14445 in the name of Frederick F. Sharon, et al.  
Zone B-3.
- K. Land under Atascosa County Appraisal District Account No. 164089 in the name of H. E. Butt Grocery Co.  
Zone B-3.
- L. Land under Atascosa County Appraisal District Account No. 164086 in the name of H. E. Butt Store Property Co. No. 1.  
Zone B-3.
- M. Land under Atascosa County Appraisal District Account No. 164161 in the name of H. E. B. Grocery Co., LP.  
Zone B-3.

Section 2. Legislative Intent. Although a portion of the above described property was already Zoned B-3, it is the intent of the Lytle City Council that the property above described on the Northwest side of F.M. 2790, aka McDonald Street, from the intersection of F.M. 2790 to its intersection of the South bound frontage road of I.H. 35 shall be zoned B-3.

Section 3. Zoning Map. It is the intention of the City Council of the CITY OF LYTLE that the Zoning Map of the City of Lytle be corrected to show the zoning amendments herein made.

Section 4. Repeal. Any existing ordinance or portion of an existing ordinance that is in conflict with the terms of this ordinance is hereby repealed.

Section 5. Code of Ordinances. It is the intention of the City Council of the CITY OF LYTLE that this ordinance shall become a part of the Code of Ordinances of the CITY OF LYTLE and may be renumbered and codified therein accordingly.

Section 6. Effective Date. This ordinance shall take effect immediately upon its passage, approval and official publication as provided by law.

Section 7. Severability. If any section, provision, subdivision, clause or part of this ordinance shall be adjudged or held unconstitutional or invalid, it shall not affect the validity of this ordinance as a whole or any other part or provision contained herein.

PASSED, APPROVED AND ADOPTED at the regular called meeting held on the 10th day of February, 2020.

  
MARK L. BOWEN, MAYOR

ATTEST:

  
JOSIE CAMPA, CITY SECRETARY