



Maya Sanchez
Mayor

Leticia Miranda
Aldersperson Place 1

David Cantu
Aldersperson Place 2

Miguel Najera Jr.
Aldersperson Place 3

Rebecca Martinez-Juarez
Aldersperson Place 4

George Almanzar
Aldersperson Place 5

ORDINANCE NO. 1603.05

AN ORDINANCE ADOPTING A FEE SCHEDULE FOR ZONING APPLICATIONS; AND PROVIDING FOR AN EFFECTIVE DATE

RECITALS

WHEREAS, the City Council ("City Council") of the City of San Elizario ("City") seeks to impose reasonable and necessary fees related to zoning activities in order to recoup at least a portion of the city's administrative costs related to its regulatory programs; and

WHEREAS, the City Zoning Ordinance, Sections 4-2(a), 4-4(c)(1), and 4-5(c) provides for the imposition of a fee for an application for a zoning change (rezoning or regulation), conditional use permit - special exceptions, or a variance; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Chapter 102 of the Texas Local Government Code, the City has the specific authority to adopt a budget and provide for revenue and expenditures; and

WHEREAS, the City Council finds that the fees imposed by this Ordinance to be reasonable and necessary.

NOW, THEREFORE, BE IT ORDAINED by the City Council of San Elizario:

ARTICLE I. FINDINGS OF FACT

The foregoing recitals are adopted as facts and incorporated fully herein.

ARTICLE II. ADOPTION AND ENACTMENT

The City Council hereby adopts and enacts the "Fee Schedule: Zoning", contained in Attachment A, attached hereto and incorporated fully herein for all intents and purposes.

ARTICLE III. REPEALER AND SEVERABILITY

REPEALER: All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

SEVERABILITY: Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

ARTICLE IV. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage.

PASSED AND APPROVED this, the 25th day of October 2016, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of San Elizario, Texas.

CITY OF SAN ELIZARIO, TEXAS



Maya Sanchez, Mayor

**City of San Elizario
FEE SCHEDULE: ZONING**

<u>Zoning</u>	<u>Fee (\$)</u>
A. Zoning Change Request - Classification (Rezoning)	750
B. Zoning Change Request - Regulation	375
C. Variance Request	
(1) Commercial	500
(2) Residential	300
D. Conditional Use - Special Exception Permit Request	500
E. Cost for public notices and newspaper publication, if required	150
F. Consultant Costs for Zoning Application	Deposit up to \$5,000
<p>A deposit may be required to cover associated costs for outside professional services provided to the City by engineers, attorneys, surveyors, inspectors and others related to review of an application. Required consultant costs will be billed at cost plus 20% to cover the city's additional administrative costs. Unused deposit account balances shall be refunded to the Applicant.</p>	