

CITY OF SAN ELIZARIO, TX

ORDINANCE NO. 2315.23A.01

CHANGE OF ZONING

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE CITY OF SAN ELIZARIO, TEXAS; REZONING THE PROPERTY MUNICIPALLY KNOWN AND NUMBERED AS 12520 GLORIETA RD. CONTAINING APPROXIMATELY .40 ACRES AND LEGALLY DESCRIBED AS TRACT 43, BLOCK 29 OF THE SAN ELIZARIO GRANT FROM SF, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO C-2, COMMERCIAL, AND AUTHORIZING THE NOTATION OF THE CHANGE ON THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; AND PROPER NOTICE AND HEARING.

WHEREAS, an application was made to change a designated zone for a parcel of property as identified herein within the municipal limits of the City of San Elizario;

WHEREAS, said application was forwarded to and considered by the City of San Elizario Planning and Zoning Commission;

WHEREAS, the Planning and Zoning Commission has complied with all state and local laws affecting the changing of zones and held a public hearing to obtain public comments;

WHEREAS, the Planning and Zoning Commission has recommended that the zoning on the parcel of property be rezoned to C-2, Commercial;

WHEREAS, the City Council of the City of San Elizario ("City Council") seeks to promote safe, orderly, and consistent use and development of real property;

WHEREAS, the notice required by the Texas Local Government Code has been published in the official newspaper and given to adjacent property owners;

WHEREAS, public hearings have been held by the City Council as required by law;

WHEREAS, all written and oral protests (if any) submitted against the proposed zoning change have been reviewed and considered;

WHEREAS, the City Council in its decision for rezoning finds that such rezoning is in the public interest of the City of San Elizario, Texas;

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation 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;

WHEREAS, pursuant to Texas Local Government Code Chapter 211, the City is authorized to promulgate and enforce zoning regulations; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace and order of the City of San Elizario to adopt this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ELIZARIO, TEXAS. THAT:

I. REZONING

The zoning be changed from SF (Single-Family Residential District) to C-2 (Commercial 2 District), within the meaning of the, as amended, the Zoning Ordinance contained in Article 2 of the San Elizario Municipal Code for the property municipally known as 12520 Glorietta Rd and legally described as Tract 43 in Block 29 of the San Elizario Grant in El Paso County Texas containing approximately .40 acres.

II. ZONING MAP

The zoning map for the City of San Elizario shall be modified to include the zoning changes directed by this ordinance.

III. FINDINGS OF FACT

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

IV. REPEALER

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

V. SEVERABILITY

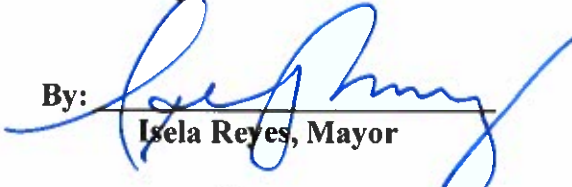
Should any of the clauses, sentences, paragraphs, sections or parts of this ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

VI. PROPER NOTICE AND MEETING

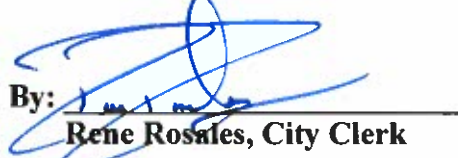
It is officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52, Texas Local Government Code.

PASSED AND APPROVED this the 17th day of October, 2023, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of San Elizario, Texas.

City of San Elizario

By: 
Isela Reyes, Mayor

ATTEST:

By: 
Rene Rosales, City Clerk

APPROVED AS TO FORM:


Sylvia Borunda Firth

First Reading: 9/20/23
Second Reading: 10/17/23