

CITY OF GONZALES
PLANNING AND ZONING COMMISSION
GONZALES MUNICIPAL BUILDING 820 ST. JOSEPH STREET
VIA TELEPHONE CONFERENCE
AGENDA –MAY 18, 2020 5:30 P.M

NOTICE is hereby given that, pursuant to Section 551.045 of the Texas Government Code and the March 16, 2020 order by the Governor of the State of Texas, the Planning and Zoning Commission will hold a meeting on Monday, May 18, 2020 at 5:30 p.m., via teleconference in accordance with Governor Abbott's order.

This meeting notice, agenda and agenda packet are posted online at www.gonzales.texas.gov.

On March 16, 2020, Governor Abbott suspended several provisions of the Texas Open Meetings Act for the duration of his statewide declaration of disaster, including the new requirement (added by H.B. 2840 last legislative session) that the public has a right to speak on agenda items. This DOES NOT apply to statutorily-mandated public hearings, such as zoning and similar hearings.

This meeting will be closed to in person attendance by the public. A temporary suspension of certain provisions of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

The public toll-free dial in number to participate in the telephone conference is hosted through FreeConferenceCall.com.

Toll-free call in number: **1-844-854-2222**

When asked for an access code enter **348787#**

It is not necessary to announce yourself when you join the teleconference.

A recording of the telephone conference will be made, and will be available to the public in accordance with the Open Meetings Act upon written request.

CALL TO ORDER

Call the meeting to order and certify quorum is present.

- Item # 1. Consider Nomination of Officers:
 - a. Chairperson
 - b. Vice Chairperson
- Item #2. Consider Approval of April 8, 2019 Planning & Zoning Commission Meeting Minutes
- Item #3. Conduct a public hearing and consider a recommendation to the City Council regarding a request to rezone two tracts of land that are partially zoned C-2 Heavy Commercial and R-1 Single Family Residential to zone both tracts as C-2 Heavy Commercial in their entirety.

Note: Individuals will be able to speak during the public hearing via teleconference. Please email citysecretary@gonzales.texas.gov to participate.

PROPERTY OWNER: Jajal Jagdish

LEGAL DESCRIPTION: N/2, Lots 8-9, Kings Second Addition

PARCEL: 12997

PROPERTY OWNER: Jajal Jagdish

LEGAL DESCRIPTION: Lot 7, and S/2 Lots 8-9, Kings Second Addition

PARCEL: 12992

- Item #4. Conduct a public hearing and consider a recommendation to the City Council regarding proposed amendments to the City of Gonzales Zoning Regulations to amend the following Sections: Section 14.202 Definitions by amending the definitions for manufactured homes, mobile homes and modular homes; Section 14.308 Mobile Home District (M-H) to amend the general requirements and parking requirements; and Section 14.503 Cessation of Nonconforming Use to include manufactured homes in the provisions.

Note: Individuals will be able to speak during the public hearing via teleconference. Please email citysecretary@gonzales.texas.gov to participate.

ADJOURN

CERTIFIED as posted by 5:30 p.m. on May 14, 2020. I further certify that the following News Media were properly notified of the above stated meeting: Gonzales Inquirer.



Kristi Gilbert, Interim City Secretary

CITY OF GONZALES
PLANNING AND ZONING COMMISSION MEETING
April 8, 2019
MEETING MINUTES

On the 8th day of April, 2019 at 5:15 p.m., the Planning and Zoning Commission convened in the Council Chambers at the Gonzales Municipal Building, 820 Saint Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Tim Gescheidle-Chairman, Paul Frenzel-Co-Chairman, Roland Martinez, & Charles Patterson

Members absent: Paul Neuse and James Hamilton

Others Present: Kristina Vega – Zoning Administrator

Chairman Tim Gescheidle called the meeting to order at 5:15 pm

Item #1: Chairman Tim Gescheidle asked for a motion to approve the minutes from the August 7, 2018 Planning & Zoning Commission Meeting. Commission member Paul Frenzel made a motion to approve the minutes as presented of the Planning & Zoning Commission. Commission member Charles Patterson seconded the motion. Chairman Gescheidle asked for a roll call vote. Commission member Paul Frenzel, Roland Martinez, Charles Patterson and Chairman Gescheidle all voted “aye”.

Chairman Gescheidle read the Public Hearing will be opened for each item and each item will be read aloud, a staff report will be given, then public hearing comments will be heard from the public regarding each item listed, the Commission will then discuss and consider the agenda item and may ask additional question of staff. The Commission will deliberate and make a recommendation to the City Council for each item.

Item #2: Chairman Gescheidle read and asked for a staff report regarding the item: Open Public Hearing, discussion and vote for the below listed property requesting a partial Replat for a previously approved Replat of a portion of the 1835 Village Phase I Subdivision:

PROPERTY OWNER: Avalonpark Gonzales Development, LLC
LEGAL DESCRIPTION: Lot 21 Block C 1835 Village Phase I Subdivision
PROPERTY ADDRESS: 1715 Cannon Street

Zoning Administrator, Kristina Vega stated this item is a replat of a replat. We have already platted it multiple times. This time they are wanting to make the very last lot a little larger in the subdivision. We notified 11 property owners, there were a total of 20 something properties. We received one letter back but it was no objection.

Chairman Gescheidle then closed the Public Hearing.

Chairman Tim Gescheidle asked for a motion. Commissioner Roland Martinez made a motion accept the request for replat for the mentioned property. Commissioner Paul Frenzel seconded the motion. Chairman Gescheidle asked for a roll call vote. Commission member Paul Frenzel, Roland Martinez, Charles Patterson and Chairman Gescheidle all voted “aye”.

Item #6: Chairman Tim Gescheidle asked for a motion to adjourn. Commissioner Roland Martinez made a motion to adjourn. Commissioner Paul Frenzel seconded the motion. Chairman Gescheidle asked for a roll call vote. Commission member Paul Frenzel, Roland Martinez, Charles Patterson and Chairman Gescheidle all voted “aye”.

The meeting adjourned at 5:20 p.m.

City Secretary

APPROVED:

Chairman

PLANNING & ZONING AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Conduct a public hearing and consider a recommendation to the City Council regarding a request to rezone two tracts of land that are partially zoned C-2 Heavy Commercial and R-1 Single Family Residential to zone both tracts as C-2 Heavy Commercial in their entirety.

DATE: May 18, 2020

BACKGROUND:

On February 20, 2020 the City of Gonzales received two applications for a zoning change (Case 2020-01a and 2020-01b) for two tracts of land located 2007 St. Joseph Street, the current location of Apache Inn. The front portion of each parcel is currently zoned C-2 Heavy Commercial and the back portion of each parcel is zoned R-1 Single Family Residential. The parcels are described as follows:

PROPERTY OWNER: Jajal Jagdish

LEGAL DESCRIPTION: N/2, Lots 8-9, Kings Second Addition

PARCEL: 12997

PROPERTY OWNER: Jajal Jagdish

LEGAL DESCRIPTION: Lot 7, and S/2 Lots 8-9

PARCEL: 12992

Initially a public hearing before the Planning and Zoning Commission was scheduled for March 23, 2020 with notices published in the newspaper and mailed to property owners within 200' of the subject properties. As a result of COVID-19 restrictions, that public hearing had to be canceled and was rescheduled for May 18, 2020 with a public hearing notice published in the newspaper on April 30, 2020 and notices to property owners mailed out on April 29, 2020. Six property owners were notified regarding the zoning change for Parcel ID 12997 and 14 property owners were notified regarding Parcel ID 12992. Two property owners filed letters of objection to the change for Parcel 12992 and one filed a letter of no objection.

The application is consistent with the 2013 City of Gonzales Comprehensive Plan that identifies the tracts as commercial. It is also compatible with the surrounding properties and is consistent with the current use of the property.

ATTACHMENTS:

Application
Public Hearing Notice to Property Owners and Exhibit
Objection/No Objection letters
Proposed Ordinance

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of the zoning change.

Development Application

Planning

☐ Specific Use

☐

Special Exceptions

☒

Rezoning

☐ Variance

☐ PDD Application

☐

PDD Amendment

Other

Project Name:

Address: Apache Inn
2007 St. Joseph, Gonzales, TX 78629 No. of lots: _____ Acreage: _____
Legal Description: 7, S/2 Kings 2nd 8-9 All Apache Inn, GOAD parcel # 12992

Subdivision Name: _____

Block: _____

Lot: _____

Current Zoning: Split Zone C-2 & R1 Proposed Zoning (if applicable): Make All C-2

OWNER AND AUTHORIZATION

Owner Name: Jagdish Tajal & Asha Tajal

Address: P.O. Box 828

City, State, Zip: La Grange, TX 78945 Fax: _____

Phone: (512) 825-1770 Email: jajal-jagdish@yahoo.com

Agent Name: _____

Address: _____

City, State, Zip: _____ Fax: _____

Phone: _____ Email: _____

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature Owner: J. M. Tajal Date: 2/20/20

FOR OFFICE USE ONLY

Received: K Vega

Fee: \$ 300 (total)

Receipt

00955 2140

Case No.: 2020-01(a)

Reviewed By:

K Vega

RECEIVED
FEB 20 2020
BY: _____

Development Application

RECOMMENDATIONS

The Planning & Zoning Commission (P&Z) and the City Council look to staff to make a recommendation for the approval or disapproval of this application. We will make every effort to notify you of our recommendation at least one (1) week in advance of the scheduled meeting of the P&Z Commission. In the case of a rezoning, and when the public interest requires it, we may recommend a rezoning to a Planned Development District (PDD) or a classification other than the classification requested. We will notify you of our decision to propose a PDD as soon as possible after the application is filed to give you time to prepare a site plan.

PUBLIC NOTIFICATION

The public is entitled to examine this application and participate in the decision-making process. In most cases, we are required to notify all property owners within two hundred feet (200') of the boundaries of your property. To ensure the fullest possible consideration, we may also notify neighborhood groups, organizations or individuals that have a special interest in a particular issue. Except for matters that the staff have expressly agreed not to disclose (and provided the law allows us to hold the matter in confidence), then all information that we deem relevant to the review and processing of this application may become public knowledge.

PLEASE READ BEFORE SIGNING

The undersigned has read the above application and hereby certifies that the information contained therein is complete, true and correct; and does hereby request that said application be submitted to the Planning & Zoning Commission at the earliest available meeting.

I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of this application. I also understand that the City must notify affected property owners of this application. In the event that I fail to submit in a timely manner any information that the City deems necessary to transmit this application to the Planning & Zoning Commission or City Council, then in lieu of dismissal I hereby request that this application be temporarily withdrawn from further consideration until such information is submitted. I have been informed of the tentative date and time that the Planning & Zoning Commission and City Council will hear this application, and I understand that hearings may be continued from time to time at the discretion of the Commission or Council to allow for full consideration or when the public interest requires a continuation.

SIGNED: _____

J. M. Tajal

DATE: _____

2/20/20

VL960PG0791

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

232074GENERAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
 COUNTY OF GONZALES §

THAT MOHAMMAD JAVED KHAN and wife, SHAHEEN ARA QURESHI, hereinafter called "Grantor", for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration cash in hand paid by JAGDISH JAJAL and wife, ASHA JAJAL, whose current address is P.O. Box 828, LaGrange, Texas 78945, hereinafter called "Grantee", the receipt of which is hereby acknowledged, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does GRANT, BARGAIN, SELL and CONVEY unto the Grantee, the following-described tract or parcel of land, to-wit:

Being all that certain lot or parcel of land, lying and being situated in Gonzales County, Texas, and being a part of Lots Nos. 7, 8 and 9 and all of Lot No. 10, in King's Second Addition to the Town of Gonzales, Gonzales County, Texas, and certain other personal property and fixtures, and being more fully described by metes and bounds on Exhibit "A", attached hereto.

There is included in this conveyance and Grantor hereby assigns to Grantee all of Grantor's interest in any insurance policies covering the above-described property and any sums held by Grantee as deposits for the future payment of ad valorem taxes, insurance, or maintenance fees.

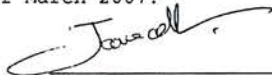
This Deed is made by Grantor and accepted by Grantee in lieu of a foreclosure of the Deed of Trust lien, which Deed of Trust is recorded in Volume 884, Page 0142, Official Records of Gonzales County, Texas; however, this Deed shall not merge with the lien hereinbefore referred to. It is the intention of the Grantor and Grantee that said lien shall continue to be and remain a valid first and subsisting lien on the premises herein described for the amount due thereunder.

VL96060792

TO HAVE AND TO HOLD the above-described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the Grantee, his heirs and assigns forever; and Grantor does hereby bind himself and his heirs and legal representatives to WARRANT AND FOREVER DEFEND all and singular the said premises unto the Grantee herein, his heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

The terms "Grantor" and "Grantee" and the pronouns used herein in referring to Grantor and Grantee shall always mean and include the proper gender and the applicable singular or plural for the party or parties herein named.

EXECUTED this 20 day of March 2007.



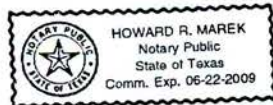
MOHAMMAD JAVED KHAN

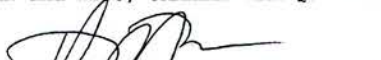


SHAHEEN ARA QURESHI

THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

This instrument is acknowledged before me on this 20 day of March, 2007, by MOHAMMAD JAVED KHAN and wife, SHAHEEN ARA QURESHI.





NOTARY PUBLIC, STATE OF TEXAS

RETURN TO:

Howard R. Marek
MAREK, GRIFFIN & KNAUPP
P.O. Box 2329
Victoria, Texas 77902
jajal, jagdish\deed in lieu of foreclosure

EXHIBIT "A"PART ONE:

Being all that certain lot or parcel of land, lying and being situated in Gonzales County, Texas, and being a part of Lots Nos. 7, 8 and 9, and all of Lot No. 10, in King's Second Addition to the Town of Gonzales, according to the map or plat of said addition as same appears of record in Volume W-2, on page 432, of the Gonzales County Deed Records, and also a portion of the old designated street (which has never been opened and has been abandoned by order of the City Council of the City of Gonzales) and being and consisting of all of that part of Lot No. 7, which lies West of State Highway No. 29, and all of the South one-half of Lot No. 8, aforesaid which lies West of State Highway No. 29, and all of the South half of Lot No. 9 aforesaid, and all of Lot No. 10, together with that portion of the aforesaid abandoned street lying between the South half of Lot No. 8, and the South half of Lot No. 9, and between Lots Nos. 7 and 10, and more particularly described by mates and bounds as follows, to-wit:

BEGINNING at a stake set on the west or southwest line of State Highway No. 29, for the East or Southeast corner of a tract or parcel of land heretofore conveyed by Ross Boothe to C. W. Allen, Jr.;

THENCE with the south line of said lot conveyed by Boothe to Allen South 70 deg. West at 233.5 feet, the southwest corner of the aforesaid Allen lot, and continuing the same course to the west line of Lot No. 9, in King's Second Addition aforesaid;

THENCE with the West line of Lots Nos. 9 and 10, aforesaid South 20 deg. East 150 feet to stake set for the Southwest corner of Lot No. 10 in King's Second Addition and the southwest corner of the tract or parcel of land hereby intended to be conveyed;

THENCE with the south line of Lots Nos. 10 and 7, aforesaid North 70 deg. East to the intersection of the west line of State Highway No. 29, with the south line of Lot No. 7 aforesaid;

THENCE with the line of said highway to the place of beginning;

And being the same lots or parcel of land described in that certain deed from H. T. Haile and wife, Juanita Haile, to H. E. Fletcher dated June 10, 1976, recorded in Vol. 419, pages 404-407, Gonzales County Deed Records, and also in deed from H. E. Fletcher to Rashmikant T. Brahmabhatt and wife, Sharmishtha R. Brahmabhatt, dated April 29, 1977, recorded in Volume 432, pages 674-677, Gonzales County Deed Records.

PART TWO:

All machinery and fixtures, replacements thereof and additions thereto, inclusive of all heating and cooling appliances; all personal property and equipment, replacements thereof and additions thereto, inclusive of all furniture and furnishings; all partitions, dynamos, permanently affixed window screens and shades; drapes, rugs and other floor coverings, awnings, motors, boilers, furnaces, pipes, plumbing, sprinkler systems, fire extinguishing apparatus and systems, water tanks and electric machinery and the like and future replacements, betterments, substitutions and additions thereto; all located in and about the improvements situated upon the hereinabove described land and used in the operation and management of the land and premises, regardless of the manner in which the same are or are not attached to the land.

VL 960760794

FILED this 26 day of MAR., 2007
at 11:00A M
LEE RIEDEL
COUNTY CLERK, GONZALES COUNTY, TEXAS
By Natalie Macias Deputy

STATE OF TEXAS COUNTY OF GONZALES
I hereby certify that this instrument
was filed on the date and time stamped
hereon by me and was duly recorded in
the Official Records of Gonzales County,
Texas in volume and page as stamped
hereon by me.

MAR 27 2007



Lee Riedel
County Clerk, Gonzales County, Texas

Development Application

Planning

☐ Specific Use

☐

Special Exceptions

☒

Rezoning

☐ Variance

☐ PDD Application

☐

PDD Amendment

Other

Project Name:

Address:

N Hwy 183

No. of lots:

Acreage:

Legal Description:

N/2 8-9 Kings 2nd, GCAD parcel # 12997

Subdivision Name:

Block:

Lot:

Current Zoning:

Split zone e-2 & R-1

Proposed Zoning (if applicable):

Make all C-2

OWNER AND AUTHORIZATION

Owner Name:

Jagdish Tajal

Address:

P.O. Box 828

City, State, Zip:

La Grange, TX 78945

Fax:

Phone:

(512) 825-1770

Email:

jajal-jagdish@yahoo.com

Agent Name:

Address:

City, State, Zip:

Fax:

Phone:

Email:

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature Owner:

J.M. Tajal

Date:

2/20/20

FOR OFFICE USE ONLY

Received:

K Vega

Fee: \$

300.- (total)

Receipt

00955266

Case No:

2020-00100

Reviewed By:

K Vega

RECEIVED
FEB 20 2020
BY:

Development Application

RECOMMENDATIONS

The Planning & Zoning Commission (P&Z) and the City Council look to staff to make a recommendation for the approval or disapproval of this application. We will make every effort to notify you of our recommendation at least one (1) week in advance of the scheduled meeting of the P&Z Commission. In the case of a rezoning, and when the public interest requires it, we may recommend a rezoning to a Planned Development District (PDD) or a classification other than the classification requested. We will notify you of our decision to propose a PDD as soon as possible after the application is filed to give you time to prepare a site plan.

PUBLIC NOTIFICATION

The public is entitled to examine this application and participate in the decision-making process. In most cases, we are required to notify all property owners within two hundred feet (200') of the boundaries of your property. To ensure the fullest possible consideration, we may also notify neighborhood groups, organizations or individuals that have a special interest in a particular issue. Except for matters that the staff have expressly agreed not to disclose (and provided the law allows us to hold the matter in confidence), then all information that we deem relevant to the review and processing of this application may become public knowledge.

PLEASE READ BEFORE SIGNING

The undersigned has read the above application and hereby certifies that the information contained therein is complete, true and correct; and does hereby request that said application be submitted to the Planning & Zoning Commission at the earliest available meeting.

I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of this application. I also understand that the City must notify affected property owners of this application. In the event that I fail to submit in a timely manner any information that the City deems necessary to transmit this application to the Planning & Zoning Commission or City Council, then in lieu of dismissal I hereby request that this application be temporarily withdrawn from further consideration until such information is submitted. I have been informed of the tentative date and time that the Planning & Zoning Commission and City Council will hear this application, and I understand that hearings may be continued from time to time at the discretion of the Commission or Council to allow for full consideration or when the public interest requires a continuation.

SIGNED: _____

J. M. Tajal

DATE: 2/20/20

2012259

VOL 1103 PAGE 627

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262143

General Warranty Deed

Date: October 9, 2012

Grantor: Herminia Martinez Camarillo, a single person

Grantor's Mailing Address:

9011 Rock Way Dr
Austin, Texas 78736-7731
Travis County, Texas

Grantee: Jagdish Jajal, a married person

Grantee's Mailing Address:

PO Box 828
LaGrange, Texas 78945
Fayette County, Texas

Consideration: Ten and No/100 Dollars, and other good and valuable consideration.

Property (including any improvements): Being 0.25 acres of land, more or less, lying and being situated in Gonzales County, Texas, within the Corporate Limits of the City of Gonzales, being part OF LOTS NOS. Eight (8) and Nine (9), and a portion of the street lying between said lots, in KINGS SECOND ADDITION of the City of Gonzales, according to the map or plat of said addition, as the same appears of record in Volume W-2, Page 432, of the Deed Records of Gonzales County, Texas. And being the same lots described in that certain deed dated January 19, 1983, executed by Apollonia Camarillo, to Eusebio Camarillo and wife, Herminia Martinez Camarillo, recorded in Volume 536, page 225, of the Official Records of Gonzales County, Texas.

Reservations from Conveyance: NONE

Exceptions to Conveyance and Warranty:

This conveyance is expressly made subject to the following matters:

Any visible and apparent roadway or easement over or across the Property the existence of which does not appear of record;

Any portion of the Property which falls within the boundaries of any road or roadways; and

Taxes for the year 2012 are prorated to the date of closing and Grantee assumes and agrees to pay said taxes, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

As a material part of the Consideration for this deed, Grantor and Grantee agree that Grantee is taking the Property in its present condition.

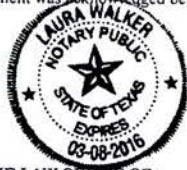
When the context requires, singular nouns and pronouns include the plural.

Herminia Martinez Camarillo
Herminia Martinez Camarillo

STATE OF TEXAS)

COUNTY OF GONZALES)

This instrument was acknowledged before me on October 9, 2012, by Herminia Martinez Camarillo.



[Signature]

Notary Public, State of Texas
My commission expires: _____

PREPARED IN THE LAW OFFICE OF:
SUE C. ORTMAN
403 St. George Street
Gonzales, TX 78629
(830) 672-9535

EXHIBIT "A"

Field Notes For a 0.25 of an Acre Tract or Parcel of Land Situated in The King's Second Addition to The Town of Gonzales Being of Record in Volume W-2, Page 432 of The Gonzales County Deed Records and Being Out of and a Part of Lot No. Eight (8) and Lot No. Nine (9) and Part of an Abandoned Street Between Said Lot No. Eight (8) and Nine (9) of Said King's Second Addition and Being a Resurvey of all That Certain Tract as Described in a Warranty Deed from Apollonia Camarillo to Eusebio Camarillo and wife, Herminia Martinez Camarillo Being of Record in Volume 536, Page 225 of the Gonzales County Deed Records Herein After Called Parent Tract, Said 0.25 of an Acre is Herein Described by Metes and Bounds as Follows To-Wit:

Beginning at a 5/8" Steel Rod Set (All Steel Rods Set are With Plastic Caps Stamped Pirkle 4227) at the Common Intersection of the North Line of Said Lot No. Eight (8) and Intersection of the West Line of (Old Highway No. 29 Being of Record in Volume 158, Page 1 of The Gonzales County Deed Records and Cancelled by Minute Order 53543 Dated September 26, 1963) Middle Buster Road for the Northeast Corner of This Tract Herein Described from Which a 5/8" Iron Rod Found at the Southeast Corner of the Remainder of Jack L. Finch and wife, Jane U. Finch, Called 9.56 Acres Being of Record in Volume 758, Page 88 of The Gonzales County Official Records Bears North 58° - 16' - 57" West 1.50 Feet and the Calculated Northwest Line of Lot No. Thirteen (13) Range No. One (1) East of Water Street in the Original Outer Town of Gonzales (Not of Record) Being the Northwest Line of G. H. King, Said Lot No. Thirteen (13) Being of Record in Volume T-2, Page 316 of The Gonzales County Deed Records Bears North 20° West 4.66 Feet (Said 4.66 Feet Being a Calculated Strip of Land Along the Northwest Line of Said Lot No. Thirteen Not Included in Said King's Second Addition).

Thence: With a Curve to the Right Arc Length 61.41 Feet, Radius of Said Curve Being 553.12 Feet Cord Bears South 55° - 27' - 08" East 61.38 Feet a 5/8" Iron Rod Set for a Common Northeast Corner of Jazdish Jajal and wife, Asha Jajal Tract as Recorded in Volume 960, Page 791 of The Gonzales County Official Records and Southeast Corner of Said Parent Tract and This Tract Herein Described.

Thence: Entering Occupied Lot No. Eight (8) With the Common North Line of Said Jajal Tract South 70° West at 66.48 Feet Crosses the East Line of Walnut Street Abandoned as Recorded in Volume 570, Page 238 of The Gonzales County Deed Records at 96.48 Feet Crosses the West Line of Said Walnut Street and at a Total Distance of 235.60 Feet a 5/8" Steel Rod Set at the Southwest Corner of Said Parent Tract and This Tract Herein Described for a Common Southeast Corner of the Remainder of Ross Boothe Part of Said Lot No. Nine (9) Being of Record in Volume 214, Page 40 of The Gonzales County Deed Records from Which a 5/8" Steel Rod Set for References at the Northwest Corner of Said Jajal Tract and Southwest Corner of Said Boothe Tract Bears South 70° West 26.15 Feet Being in the East Line of Hickston Street (Closed).

Thence: With the Common East Line of Said Boothe Tract North 20° West at 50.00 Feet a 5/8" Steel Rod Set in the North Line of Said Lot No. Nine (9) for the Common Northeast Corner of Said Boothe Tract and Northwest Corner of Said Parent Tract and This Tract Herein Described from Which a 5/8" Steel Rod Set for References for a Common Northeast Corner of Hickston Street (Closed) and Northwest Corner of Boothe Tract and Northwest Corner of Said Lot No. Nine (9) Bears South 70° West 26.15 Feet.

Thence: With the Common North Line of Said Parent Tract and Said Lot No. Nine (9) North 70° East at 139.12 Feet Crosses the Northeast Corner of Said Lot No. Nine (9) and Northwest Corner of Said Abandoned Walnut Street and Continuing Same Bearing at 169.12 Feet Crosses the Northeast Corner of Said Walnut Street and Northwest Corner of Said Lot No. Eight (8) and Continuing Same Bearing at a Total Distance of 200 Feet (Same as Record Parent Tract) to the Point of Beginning as Surveyed Under the Direct Supervision of Stephen O. Pirkle, Jr., Registered Professional Land Surveyor in the State of Texas No. 4227, as Shown on Gonzales First Shot Surveying, L.L.C. Plat No. S12 - 086 Dated September 19, 2012.

FIELD OF RECORD

AT 12:15 o'clock P.M.

OCT 09 2012

LEE RIGBY

COUNTY CLERK, GONZALES COUNTY, TEXAS

BY *[Signature]* DEPUTY

STATE OF TEXAS, COUNTY OF GONZALES

I hereby certify that this instrument was filed on the 9th day of October 2012 at 12:15 P.M. and was duly recorded in the official Records of Gonzales County, Texas in Volume and page as stamped herein.

OCT 10 2012

[Signature]

County Clerk, Gonzales County, Texas

Development Application

ZONING IMPACT ANALYSIS

Please answer these questions in order to assist Staff with the processing of your Zoning request.

- 1 Does the proposed zoning map amendment implement the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan map, as amended?

yes

- 2 Are the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses appropriate in the immediate area of the land to be reclassified?

yes - It has been already Utilized as commercial Use as motel + Apt. Use.
Requesting to ~~be~~^{become} entire parcel of property as commercial.

- 3 Is the proposed change in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area?

yes - I am not requesting any changes which will affect changes in utilities.

- 4 Are there other factors which will substantially affect the public health, safety, morals, or general welfare?

NO

Zoning Case 2020-01(a)

Request to rezone back portion of 2007 St. Joseph Street from R-1 to C-2 to create a single zoning of C-2 for the entire parcel 12992.

Legend

- 2007 St Joseph St
- Currently Zoned C-2
- Request for Rezone from R-1 to C-2



Zoning Case 2020-01(b)

Request to rezone back portion of Parcel ID 12997 (immediately NW of 2007 St. Joseph Street from R-1 to C-2 to create a single zoning of C-2 for the entire parcel 12997.

Legend

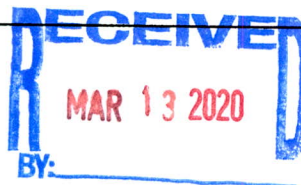
- 2007 St Joseph St
- Currently Zoned C-2
- Request for Rezone from R-1 to C-2



CITY OF GONZALES



COME AND TAKE IT



820 St. Joseph Street
P.O. Drawer 547
Gonzales, Texas 78629
Phone (830) 672-2815
www.gonzales.texas.gov

March 9, 2020

Jonell Wise
119 Ambrose Dr
Pflugerville, TX 78660

NOTICE IS HEREBY GIVEN THAT: Your property located at 2000 Benton has been identified as a property owner within 200 feet of an area being considered for a rezoning.

The below listed properties are partially zoned as C-2 Heavy Commercial and partially zoned R-1 Single Family Residential District. The property owner has requested the same zoning designation of C-2 Heavy Commercial for the entirety of the tracts listed below. Note: Exhibit included in this mailing.

PROPERTY OWNER: Jajal Jagdish

LEGAL DESCRIPTION: N/2, Lots 8-9, Kings Second Addition

PARCEL: 12997

PROPERTY OWNER: Jajal Jagdish

LEGAL DESCRIPTION: Lot 7, and S/2 Lots 8-9

PARCEL: 12992

The Planning & Zoning Commission will hold a **Public Hearing March 23, 2020 at the Gonzales City Hall, 820 St. Joseph St. at 5:30 p.m.**, to allow for public comment on the application to rezone the listed properties. After consideration and recommendation by Planning & Zoning Commission and the Public Hearing, the applications for rezoning will be presented to **City Council for a Public Hearing and possible approval on April 9, 2020 at 6:00 p.m. at the Gonzales City Hall, 820 St. Joseph St.**

Any property owner having any objections or comments to this change may so state his/her objections or comments in writing and return this form to the City of Gonzales, P.O. Box 547, Gonzales, Texas 78629 or citysecretary@gonzales.texas.com by the **March 19, 2020**. A property owner may appear before the commission and verbally state any objections or comments at 820 St. Joseph, Gonzales, Texas 78629 at the date and time of the meeting stated below. For additional information, contact the City Secretary's office at (830)-672-2815.

PLEASE CHECK ONE OF THE FOLLOWING AND RETURN:

☐ **NO OBJECTION**

☒ **OBJECTIONS AND COMMENTS**

First Public Hearing - Planning and Zoning Commission - March 23, 2020, 5:30 PM Gonzales Municipal Building, 820 St. Joseph Street

Second Public Hearing - City Council - April 9, 2020, 6:00 P.M. Location - Gonzales Municipal Building, 820 St. Joseph Street

If the rezoning ~~is~~ not beneficial to me and my heirs, I object to this rezoning. I object to my property being used for heavy commercial use of any kind!!

Jonell Wise-Fields 3-10-2020
Signature Date

In God We Trust

CITY OF GONZALES



COME AND TAKE IT

March 9, 2020

Mildred Wright, et al
5501 Chadwyck Dr
Austin, TX 78702

820 St. Joseph Street
P.O. Drawer 547
Gonzales, Texas 78629
Phone (830) 672-2815
www.gonzales.texas.gov



NOTICE IS HEREBY GIVEN THAT: Your property located at 202 Carroll has been identified as a property owner within 200 feet of an area being considered for a rezoning.

The below listed properties are partially zoned as C-2 Heavy Commercial and partially zoned R-1 Single Family Residential District. The property owner has requested the same zoning designation of C-2 Heavy Commercial for the entirety of the tracts listed below. Note: Exhibit included in this mailing.

PROPERTY OWNER: Jajal Jagdish

LEGAL DESCRIPTION: N/2, Lots 8-9, Kings Second Addition

PARCEL: 12997

PROPERTY OWNER: Jajal Jagdish

LEGAL DESCRIPTION: Lot 7, and S/2 Lots 8-9

PARCEL: 12992

The Planning & Zoning Commission will hold a **Public Hearing March 23, 2020 at the Gonzales City Hall, 820 St. Joseph St. at 5:30 p.m.**, to allow for public comment on the application to rezone the listed properties. After consideration and recommendation by Planning & Zoning Commission and the Public Hearing, the applications for rezoning will be presented to **City Council for a Public Hearing and possible approval on April 9, 2020 at 6:00 p.m. at the Gonzales City Hall, 820 St. Joseph St.**

Any property owner having any objections or comments to this change may so state his/her objections or comments in writing and return this form to the City of Gonzales, P.O. Box 547, Gonzales, Texas 78629 or citysecretary@gonzales.texas.com by the **March 19, 2020**. A property owner may appear before the commission and verbally state any objections or comments at 820 St. Joseph, Gonzales, Texas 78629 at the date and time of the meeting stated below. For additional information, contact the City Secretary's office at (830)-672-2815.

PLEASE CHECK ONE OF THE FOLLOWING AND RETURN:

☐ **NO OBJECTION**

☒ **OBJECTIONS AND COMMENTS**

First Public Hearing - Planning and Zoning Commission – March 23, 2020, 5:30 PM Gonzales Municipal Building, 820 St. Joseph Street

Second Public Hearing – City Council – April 9, 2020, 6:00 P.M. Location - Gonzales Municipal Building, 820 St. Joseph Street

*DON'T WANT ANY HEAVY COMM. OVER RUNNING A
RESIDENTIAL PROPERTY*

[Signature]
Signature

3/18/20
Date

In God We Trust

CITY OF GONZALES



COME AND TAKE IT

820 St. Joseph Street
P.O. Drawer 547
Gonzales, Texas 78629
Phone (830) 672-2815
www.gonzales.texas.gov

April 29, 2020

Shirley & Floyd Taylor
PO Box 1514
Gonzales, TX 78629

NOTICE IS HEREBY GIVEN THAT: Your property located at 1921 St. Joseph has been identified as a property owner within 200 feet of an area being considered for a rezoning.

The below listed properties are partially zoned as C-2 Heavy Commercial and partially zoned R-1 Single Family Residential District. The property owner has requested the same zoning designation of C-2 Heavy Commercial for the entirety of the tracts listed below. Note: Exhibit included in this mailing.

PROPERTY OWNER: Jajal Jagdish

LEGAL DESCRIPTION: N/2, Lots 8-9, Kings Second Addition

PARCEL: 12997

PROPERTY OWNER: Jajal Jagdish

LEGAL DESCRIPTION: Lot 7, and S/2 Lots 8-9

PARCEL: 12992

The Planning & Zoning Commission will hold a **Public Hearing May 18, 2020 at 5:30 p.m., via teleconference** to allow for public comment on the application to rezone the listed properties. After consideration and recommendation by Planning & Zoning Commission and the Public Hearing, the applications for rezoning will be presented to **City Council for a Public Hearing and possible approval on June 11, 2020 at 6:00 p.m. via teleconference.** The public toll-free dial in number to participate in the telephone conference is hosted through FreeConferenceCall.com.

Toll-free call in number: **1-844-854-2222.**

When asked for an access code enter **348787#**

It is not necessary to announce yourself when you join the teleconference.

Any property owner having any objections or comments to this change may so state his/her objections or comments in writing and return this form to the City of Gonzales, P.O. Box 547, Gonzales, Texas 78629 or citysecretary@gonzales.texas.com by the **May 14, 2020**. A property owner may appear before the commission via teleconference and verbally state any objections or comments during the public hearing, via the public toll-free dial in number. For additional information, contact the City Secretary's office at (830)-672-2815.

SEE REVERSE FOR COMMENT FORM

In God We Trust

COMMENT FORM:

PROPERTY OWNER: Jajal Jagdish

LEGAL DESCRIPTION: N/2, Lots 8-9, Kings Second Addition

PARCEL: 12997

PROPERTY OWNER: Jajal Jagdish

LEGAL DESCRIPTION: Lot 7, and S/2 Lots 8-9

PARCEL: 12992

PLEASE CHECK ONE OF THE FOLLOWING AND RETURN (IF YOU HAVE ALREADY SUBMITTED YOUR COMMENTS FOR THE PREVIOUSLY SCHEDULED MARCH 23, 2020 MEETING THAT WAS CANCELLED, IT IS NOT NECESSARY TO SUBMIT NEW COMMENTS UNLESS YOUR OPINION HAS CHANGED):

✓ NO OBJECTION _____ OBJECTIONS AND COMMENTS

First Public Hearing - Planning and Zoning Commission – May 18, 2020, 5:30 PM

Second Public Hearing – City Council – June 11, 2020, 6:00 P.M.

Shirley Taylor 5/3/2020
Signature Date

In God We Trust

ORDINANCE NO. 2020-

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AMENDING THE OFFICIAL ZONING MAP BY ZONING THE NORTH HALF OF LOTS 8 AND 9 OF THE KINGS SECOND ADDITION AND LOT 7 AND THE SOUTH HALF OF LOTS 8 AND 9 OF THE KINGS SECOND ADDITION, GONZALES, TEXAS FROM R-1 SINGLE FAMILY RESIDENTIAL TO C-2 HEAVY COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; REPEALING ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Gonzales, Texas as previously created and appointed a Planning and Zoning Commission as authorized by the Texas Local Government Code; and,

WHEREAS, the Texas Local Government Code authorizes a municipality to adopt zoning districts after compliance with statutory notice provisions; and,

WHEREAS, an application to rezone from R-1 Single Family Residential to C-2 Heavy Commercial District to M-1 Industrial District was received on December 20, 2011. The Planning and Zoning Commission took action to recommend _____ at a meeting on May 18, 2020. The item was considered and _____ by the City Council on June 11, 2020; and,

WHEREAS, on May 18, 2020, the Planning and Zoning Commission conducted a public hearing on the potential rezoning application and after considering the testimony and evidence, hereby makes a recommendation of _____ of the rezoning application; and,

WHEREAS, on June 11, 2020 the City Council conducted a public hearing and after considering the testimony, evidence and recommendation by the Planning and Zoning Commission, determined it to be in the public interest to amend the City's Comprehensive Zoning Ordinance and Zoning Map, which in its best judgment promotes the health, safety, morals, and general welfare and protect the use and enjoyment of property throughout the City.

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

Section 1. The properties described as the north half of Lots 8 and 9 of the Kings Second addition and Lot 7 and the south half of Lots 8 and 9 of the Kings Second Addition, Gonzales, Texas as shown and more particularly described in the attached exhibit A, is hereby zoned from R-1 Single Family Residential to C-2 Heavy Commercial District.

Section 2. The Official Zoning Map of the City of Gonzales, Texas shall be revised to reflect the above amendment.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 4. All ordinances and codes, or parts thereof, which 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 resolved herein.

Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 9. This Ordinance shall be cumulative of all other ordinances of the City of Gonzales, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Gonzales except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 11th DAY of JUNE 2020.

By: _____
Connie Kacir, Mayor

ATTEST:

Kristi Gilbert, Interim City Secretary

EXHIBIT A

The below listed properties are rezoned from

- a. **PROPERTY OWNER:** Jajal Jagdish
LEGAL DESCRIPTION: N/2, Lots 8-9, Kings Second Addition
PARCEL: 12997
- b. **PROPERTY OWNER:** Jajal Jagdish
LEGAL DESCRIPTION: Lot 7, and S/2 Lots 8-9
PARCEL: 12992

PLANNING & ZONING AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Conduct a public hearing and consider a recommendation to the City Council regarding proposed amendments to the City of Gonzales Zoning Regulations to amend the following Sections: Section 14.202 Definitions by amending the definitions for manufactured homes, mobile homes and modular homes; Section 14.308 Mobile Home District (M-H) to amend the general requirements and parking requirements; and Section 14.503 Cessation of Nonconforming Use to include manufactured homes in the provisions.

DATE: May 18, 2020

BACKGROUND:

Chapter 211 of the Texas Local Government Code provides for the adoption and amendment of zoning regulations or zoning district boundaries.

The governing body of a municipality wishing to exercise the authority relating to zoning regulations and zoning district boundaries shall establish procedures for adopting and enforcing the regulations and boundaries. A regulation or boundary is not effective until after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard. Before the 15th day before the date of the hearing, notice of the time and place of the hearing must be published in an official newspaper or a newspaper of general circulation in the municipality. On April 30, 2020 city staff published in the Gonzales Inquirer notice that the Planning & Zoning Commission would hold a Public Hearing on May 18, 2020 at 5:30 p.m. to consider the proposed amendment to the Zoning Ordinance and would make recommendation to the Council on the amendment. Within the same notification the Public Hearing to be held on June 11, 2020 at 6:00 p.m. was published for the City Council to discuss and consider the Planning & Zoning Commission's recommendation regarding the proposed amendment. On April 29, 2020 notices were also mailed to property owners within the M-H Mobile Home District.

City staff is requesting an amendment to the current zoning regulation to amend the definitions of manufactured homes and mobile homes to comply with the statutory definitions in Chapter 1201 of the Texas Occupations Code.

ATTACHMENTS:

Proposed Ordinance Amending the Zoning Regulations

ORDINANCE NO. 2020-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GONZALES AMENDING CHAPTER 14 ZONING OF THE CITY OF GONZALES CODE OF ORDINANCES AMENDING SECTION 14.202 DEFINITIONS TO AMEND THE DEFINITIONS FOR MANUFACTURED HOME AND MOBILE HOME AND DELETE THE DEFINITION FOR MODULAR HOME; AMENDING SECTION 14.308 MOBILE HOME DISTRICT (M-H) BY REPLACING REFERENCES TO MOBILE HOMES WITH MANUFACTURED HOME; AND BY AMENDING SECTION 14.503 CESSATION OF NONCONFORMING USE BY ADDING MANUFACTURED HOMES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; REPEALING ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Gonzales, Texas (the “City”), previously adopted regulations regarding the zoning regulations for the City of Gonzales; and,

WHEREAS, Chapter 211 of the Local Government Code regulate the Zoning procedures in the State of Texas; and,

WHEREAS, any changes to amend zoning regulations and zoning districts are not effective until after a public hearing on the matter to give parties of interest and citizens an opportunity to be heard; and,

WHEREAS, on April 30, 2020 city staff published notice in the Gonzales Inquirer that the Planning & Zoning Commission would hold a public hearing on May 18, 2020 at 5:30 p.m. and the City Council would hold a public hearing on June 11, 2020 at 6:00 p.m.; and,

WHEREAS, on May 18, 2018 the Planning & Zoning Commission held a Public Hearing to discuss the requested amendments to Chapter 14 of the Code of Ordinances; and,

WHEREAS, the Planning & Zoning Commission after the hearing and discussion recommended to City Council to amend Chapter 14, Zoning, Section 14.02 Definitions, Section 14.308 Mobile Home District (M-H) and Section 14.503 Cessation of Nonconforming Use; and,

WHEREAS, the City Council of the City has held a public hearing and evaluated the recommendation of the Planning & Zoning Commission and deems it necessary to amend the City’s Code of Ordinances by amending Chapter 14 Zoning of the City of Gonzales Code of Ordinances amending Chapter 14, Zoning, Section 14.02 Definitions, Section 14.308 Mobile Home District (M-H) and Section 14.503 Cessation of Nonconforming Use; and,

WHEREAS, the City Council finds that amending the City’s Code of Ordinances as described herein will further promote the public health, safety, and general welfare of the City.

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

I. CODE AMENDMENT

The City of Gonzales Code of Ordinances Chapter 14, Zoning, Section 14.02 Definitions, Section 14.308 Mobile Home District (M-H) and Section 14.503 Cessation of Nonconforming Use are hereby amended as set forth in the attached Exhibit A, which is fully incorporated herein by reference.

II. REPEALER

All ordinances, or part thereof, which 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 resolved herein for the period of time stated.

III. SEVERABILITY

It is hereby declared to be the intention of the City Council of the City 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 or 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.

IV. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted 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, Chapter 551 of the Texas Government Code, as amended.

V. EFFECTIVE DATE

This ordinance shall become effective immediately upon its passage and any publication required by law.

PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 11th DAY of JUNE 2020.

CITY OF GONZALES, TEXAS

By: _____
Connie Kacir, Mayor

ATTEST:

Kristi Gilbert, Interim City Secretary

DRAFT

EXHIBIT A

AMEND CHAPTER 14 ZONING OF THE CITY OF GONZALES CODE OF ORDINANCES AMENDING SECTION 14.202 DEFINITIONS TO AMEND THE DEFINITIONS FOR MANUFACTURED HOME AND MOBILE HOME AND DELETE THE DEFINITION FOR MODULAR HOME:

AMEND PORTIONS:

Sec. 14.202 Definitions

Manufactured Home. ~~A structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more sections,, which in traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems. The term does not include a recreational vehicle as defined by 24 C.F.R. Section 3282(g) .A residential structure constructed wholly or in modules at a location other than the building site, then transported in one or more sections to the site, and installed on a permanent foundation. This term includes only those structures which bear a decal of the Manufactured Housing Division, Texas Department of Labor and Standards, and which fully comply with the Southern Standard Building Code in construction, installed systems and placement. This includes modular homes.~~

Mobile Home. ~~A structure that was constructed before June 15, 1976, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning and electrical systems. Mobile homes are prohibited within the city. Any vehicle or similar portable structure mounted or designed for mounting on wheels, used or intended for use for dwelling purposes, including structural additions, except parked and unoccupied camping type trailers. Any such vehicle or structure shall be deemed to be a mobile home whether or not the wheels have been removed therefrom and whether or not resting upon a temporary or permanent foundation.~~

Modular Home. ~~See manufactured home.~~

AMEND CHAPTER 14 ZONING OF THE CITY OF GONZALES CODE OF ORDINANCES AMENDING SECTION 14.308 MOBILE HOME DISTRICT (M-H) BY REPLACING REFERENCES TO MOBILE HOMES WITH MANUFACTURED HOME:

AMEND PORTIONS:

Sec. 14.308 Mobile Home District (M-H)

- (a) Purpose. This district includes mobile home parks.
- (b) General Requirements.
 - (1) Any ~~mobile home/modular~~ manufactured home located within the corporate limits of the City of Gonzales, shall be located in an approved mobile home park. Any mobile home park constructed after the adoption of this section, and for any extension or addition to an existing mobile home park in the city shall be in compliance with this section and [Chapter 3, Article 3.700](#).
 - (2) Any ~~mobile home/modular~~ manufactured home located within a floodplain must meet the Federal Emergency Management Association (FEMA) regulations.
- (c) Area Requirements. Mobile home parks shall be a minimum of three (3) acres in size. Refer to [Section 14.309](#) for additional space requirements.
- (d) Parking Requirements. One (1) parking space for each ~~mobile~~ manufactured home unit plus one (1) for each two (2) employees shall be provided.

AMEND CHAPTER 14 ZONING OF THE CITY OF GONZALES CODE OF ORDINANCES AMENDING SECTION 14.503 CESSATION OF NONCONFORMING USE BY ADDING MANUFACTURED HOMES:

AMEND PORTIONS:

Sec. 14.503 Cessation of Nonconforming Use

When nonconforming buildings, structures, or areas have ceased to be used for any nonconforming use for more than six (6) full calendar months, with the exception of mobile/manufactured homes, whether with intent to abandon such use or not, nonconforming use shall not thereafter be made of such structures, buildings, or areas. Such time limit with respect to mobile/manufactured homes shall be thirty (30) days after removal or cessation of occupancy by utility disconnection of the existing mobile/manufactured home thereon.