

ORDINANCE 2024 – 07 – 03

AN ORDINANCE OF THE CITY OF COMMERCE, AMENDING APPENDIX A “ZONING”, PART II “USES”, SECTION 10 “USE OF LAND AND BUILDINGS”, PART 10-213 “MOTOR VEHICLES AND RELATED USES”, FOR (A)(90) “AUTO LAUNDRY”; AND ADDING A “C” IN TABLE TO REQUIRE A “CONDITIONAL USE PERMIT” FOR USE OF “AUTO LAUNDRY” IN THE APARTMENT DWELLING DISTRICT (A-2); REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Commerce, Texas, is a Home Rule Municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City Council has determined it appropriate and in the best interest of the citizens of Commerce to adopt this ordinance amending Appendix A “Zoning” of the Code of Ordinances of the City to allow for “Auto Laundry” use in regions zoned “A-2” for Apartment Dwelling Districts;

WHEREAS, The three existing car wash businesses are located within a block of residential districts in the city at the following locations/zones:

- 1406 Live Oak St. (Corridor District) – Approximately: 175’ to A-2, 75’ to R-7 single-family district.
- 1811 Park St. (General Business District)- Approximately: 41’ to A-2 Apartment Dwelling district.
- 2553 Mangum St. (General Business District) Approximately: 307’ R-7, 526’ R-10, 370’ A-2.

WEREAS, the addition of a conditional use for auto laundry in the A-2 Apartment Dwelling District is a reasonable option for this use based on the existing auto laundry businesses being within a reasonable distance of residential and apartment districts

WHEREAS, adding the option of “conditional use” to the use table in the Apartment-Dwelling district will protect the adjacent property owners.

WHEREAS, the City Council of the City of Commerce finds and determines that the adoption of this Ordinance is necessary to protect the public health, safety and welfare of the residents of the City of Commerce and the City Council now adopts the appropriate administrative and regulatory amendments rules and procedures as outlined below;

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

Section 1. Amendment. Article II of Chapter 50 of the Code of Ordinances for the City of Commerce is hereby amended to read as follows:

Section 10. – Use of Land and Buildings, Subsection 10-200 Schedule of Uses

*	Designates use permitted in district indicated
[]	Designates use prohibited in district indicated
C	Indicates use may be approved as conditional use permit; see section 10-400
L	Indicates use permitted under specific limitations and conditions; see section 10-500

		A-2	NS	GB	CA	HC	I	PD	CD
	Type Use	Apartment Dwelling District	Neighborhood Service District	General Business District	Central Area District	Heavy Commercial District	Industrial District	Planned Development District	Corridor District
	10-223 Motor Vehicles & Related Uses								
a	Auto Laundry	C		C	*	*	*	*	C

Section 2. All ordinances and parts of ordinances in force in the City of Commerce which conflict with the terms and provisions of this ordinance are hereby repealed insofar as they conflict with this ordinance, but all other portions of said ordinances shall remain in full force and effect.

Section 3. If any section, subsection, word, sentence, or phrase of this ordinance is declared to be invalid it shall not affect the validity of this ordinance.

Section 4. Any person violating the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding TWO THOUSAND AND NO/100 (\$2,00.00) DOLLARS.

Section 5. This Ordinance shall take effect and be in force from and after its passage and approval in accordance with the Charter of the City of Commerce.

PASSED AND APPROVED on the FIRST READING this the 18th day of June, 2024.

PASSED AND APPROVED on the SECOND READING this the 16th day of July, 2024.

ATTEST:

CITY OF COMMERCE, TEXAS


Molly Jacobsen, City Secretary


Teddy Reel, Mayor

(seal)

APPROVED AS TO FORM:


Charles Anderson, City Attorney