

ORDINANCE NO. 2020-01

**AN ORDINANCE OF THE CITY OF EAGLE PASS OF THE
CODE OF ORDINANCES BY ADDING NEW SECTIONS 7.3
AND 7.4, APPENDIX A (ZONING ORDINANCE) FOR NEW
ZONING DESIGNATIONS; FINDING THAT THE
MEETING AT WHICH THIS ORDINANCE IS PASSED IS
OPEN TO THE PUBLIC AS REQUIRED BY LAW;
PROVIDING A SEVERABILITY CAUSE; AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, Appendix A, Section 7 of the City of Eagle Pass, Texas ("City") Code of Ordinances contains the zoning districts and regulations governing the City of Eagle Pass, Texas; and

WHEREAS, the City of Eagle Pass has determined a greater choice of zoning designations allow for increased diversity in types of homes; and

WHEREAS, increased population projections show the need for more housing in the coming years

WHEREAS, there is public support for flexibility in residential lot sizes and uses; and

WHEREAS, giving residents more lot size choices ease their ability to become homeowners; and

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

SECTION 1. That Appendix A, Section 7 of the Code of Ordinances of the City of Eagle Pass is hereby amended to read as follows:

Sec. 7.3 - "R-5" Garden Home district.

The following regulations shall apply to the "R-5" Garden Home district:

A. Use regulations: A building or premises shall be used only for the following purposes:

- (1) Any use permitted in the "R-1" One-family dwelling district or the "R-2" Second one-family dwelling district.

B. Height regulations: No building shall exceed two and one-half (2½) stories or thirty-five (35) feet in height.

C. Yard regulations:

(1) Front yard. There shall be a front yard along the front line of the lot. The minimum depth of such front yard shall be ten (10) feet. No structures will be permitted in the front yard setback area.

(2) Side yards. There shall be a minimum separation between buildings of ten (10) feet for public safety purposes. Only one (1) side yard setback will be required in order to maximize lot usage.

(3) Rear yard. The depth of the rear yard shall be a minimum of ten (10) feet.

(4) Depth of lot. The lot shall have a minimum depth of one hundred (100) feet.

D. Intensity of use: Except as hereinafter provided, all dwellings hereafter erected, enlarged, relocated or reconstructed, shall be located on lots containing the following areas:

(1) A lot on which there is erected a single-family dwelling shall contain an area of not less than four thousand and five hundred (4,500) square feet and an average width of not less than forty-five (45) feet.

E. Parking regulations: Off-street parking shall be provided on a basis of two (2) concrete surfaced off-street parking spaces per dwelling. Other standards contained in section 12.1, Parking Requirements shall also apply.

F. Additional use, height, and area regulations:

(1) Additional use, height, and area regulations and exceptions are found in section 12 herein.

Sec. 7.4 - "R-6" Third one-family dwelling district.

The following regulations shall apply to the "R-6" Third one-family dwelling district:

A. Use regulations: A building or premises shall be used only for the following purposes:

(1) Any use permitted in the "R-1" One-family dwelling district or the "R-2" Second one-family dwelling district.

B. Height regulations: No building shall exceed two and one-half (2½) stories or thirty-five (35) feet in height.

C. Yard regulations:

(1) Front yard. There shall be a front yard along the front line of the lot. The minimum depth of such front yard shall be fifteen (15) feet. No structures will be permitted in the front yard setback area.

(2) Side yards. There shall be a side yard on each side of a building and shall not be less than five (5) feet in width. Where there is a corner lot, side yard shall not be less than ten (10) feet from the side of the building to the property line running adjacent to any street.

(3) Rear yard. The depth of the rear yard shall be a minimum of fifteen (15) feet.

(4) Depth of lot. The lot shall have a minimum depth of one hundred (100) feet.

D. Intensity of use: Except as hereinafter provided, all dwellings hereafter erected, enlarged, relocated or reconstructed, shall be located on lots containing the following areas:

(1) A lot on which there is erected a single-family dwelling shall contain an area of not less than five thousand (5,500) square feet and an average width of not less than fifty-five (55) feet.

E. Parking regulations: Off-street parking shall be provided on a basis of two (2) concrete surfaced off-street parking

spaces per dwelling. Other standards contained in section 12.1, Parking Requirements shall also apply.

F. Additional use, height, and area regulations:

(1) Additional use, height, and area regulations and exceptions are found in section 12 herein.

SECTION 2. If any section, part, or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then, in that event, it is expressly provided, and it is the intention of the City Council in passing this Ordinance that its parts shall be severable, and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION 3. This Ordinance shall be in full force and effect from and after its final passage and publication thereof, in accordance with the City Chapter of the City of Eagle Pass.

READ, PASSED, AND APPROVED ON FIRST READING on this day 12th Day of November, 2019.

ATTEST:

Ramsey English Cantu
Mayor

Imelda B. Rodriguez
City Secretary

AYES: English-Cantu, Davis, Villalpando, Ramon, Sifuentes
NAYS: None
ABSTAINED: None
ABSENT: None

READ, PASSED, AND APPROVED ON SECOND READING, this 3rd Day of December, A.D., 2019.

ATTEST:

William W. Davis
Mayor Pro-Tem

Imelda B. Rodriguez
City Secretary

AYES: Davis, Villapando, Ramon, Sifuentes
NAYS: None
ABSTAINED: None
ABSENT: English-Cantu

READ, PASSED, AND APPROVED ON THIRD AND FINAL READING this 7th Day of January, A.D., 2020.

ATTEST:

Ramsey English Cantu
Mayor

Imelda B. Rodriguez
City Secretary

AYES: English-Cantú, Villalpando, Ramon, Sifuentes
NAYS: None
ABSTAINED: None
ABSENT: Davis

APPROVED AS TO FORM AND LEGALITY:

Langley & Banack, Inc.
City Attorney