

ORDINANCE 2024-14

AN ORDINANCE AMENDING ORDINANCE NUMBER 2018-02, THE CITY OF WESLACO ZONING ORDINANCE; CODIFIED AS CHAPTER 150, OF THE WESLACO CODE OF ORDINANCES, ADOPTING NEW REGULATIONS; AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO TEXAS THAT:

SECTION I.

Ordinance Number 2018-02 passed and approved on February 6, 2018, as the “Zoning Ordinance” and Codified as Chapter 150, of the Weslaco Code of Ordinances is hereby amended.

SECTION II.

After second and final reading of this Ordinance the Zoning ordinance will be adopted and codified as Chapter 150 of the Weslaco Code of Ordinances and said Chapter shall read as follows:

CHAPTER 150- ZONING ORDINANCE

Section 150-3. - Districts.

(a) For the purpose of regulating and restricting the height and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, and other vacant spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residents, or other purposes, the city is hereby divided into districts, of which there shall be fifteen classes in number, and which shall be known as:

- 1) R-1 One-family dwelling district.
- 2) RT-1 Townhomes/Condominium district
- 3) R-2 Duplex, Triplex and Fourplex district.
- 4) R-2-AC Apartment complex district
- 5) R-3 Rural district.
- 6) R-4 Residential one family / narrow lot district
- 7) M-1 Mobile home subdivision district.
- 8) B-1 Neighborhood business district.
- 9) B-2 Secondary highway business district.
- 10) B-3 Central business district.
- 11) B-4 Neighborhood office district.
- 12) I Industrial district.
- 13) Overlay design district.
- 14) Airport hazard zoning district.
- 15) Public zoning district

Section 150-4.1. – RT-1 Townhomes/Condominium district.

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

- a. Townhomes and townhouse regimes
- b. Condominiums and condominium regimes

(2) Height regulations. No building shall exceed 2½ stories or 35 feet in height.

(3) Yard regulations.

- a. Front yard. The minimum depth of such front yard shall be ten feet.
- b. Side yards. The minimum depth of such side yard shall be zero, with minimum building separation of ten feet.
- c. Rear yard. The minimum depth of such rear yard shall be zero.

(4) Intensity of use.

- a. Except as hereinafter provided, all dwellings erected, enlarged, relocated, or reconstructed within the RT-1 district shall be located on lots containing the following areas:
 - 1. A lot on which there is erected a townhouse dwelling shall not contain an area of not less than 2,000 square feet.
 - 2. A lot on which there is erected a condominium dwelling shall not contain an area of not less than 2.5 acres.
- b. The minimum width of entire lot a townhouse dwelling shall be 20 feet and that the minimum width of a lot located on a cul-de-sac shall be measured at the chord length not the radius.

(5) Lot coverage. RT-1 district are exempt from this requirement; however, lots must meet drainage and landscaping regulations under the subdivision ordinance.

(6) Parking. Off-street parking shall be provided consistent with the requirements under Chapter 134 Article VI.

(7) Additional use, height and area regulations. Additional use, height, and area regulations shall be as provided in section 150-12.

Section 150-5. - R-2 Duplex, Triplex and Fourplex district.

The following regulations shall apply to the R-2 duplex, triplex and fourplex district:

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

- a. Any use permitted in the R-1 one-family dwelling district.
- b. Two-family, duplex dwellings, triplex and fourplex.
- d. Boarding, lodging, and rooming houses.
- e. Hospitals (except tubercular, liquor, narcotic, insane, feeble-minded, or animal hospitals)
- f. Private clubs, fraternities, sororities, and lodges, excepting those the chief activity of which is a service customarily carried on as a business.
- g. Institution of a religious, educational or philanthropic nature.
- h. An apartment house with a minimum of four family units may contain a self-service coin operated laundry so long as the use of said laundry is restricted by the apartment

house owner or owners to use by the occupants of said apartment house and is operated as a part of the apartment house and under the supervision of the owner or manager of the apartment house.

(2) Height regulations. No building shall exceed 2½ stories or 35 feet in height.

(3) Yard regulations.

a. Front yard. There shall be a front yard along the front line of the lot. The minimum depth of such front yard shall be 20 feet. The minimum depth of the front yard shall be 15 feet measured at the chord length not the radius, for that part of the front lot line located on the cul-de-sac; except that the minimum front setback for garages located on lots located on a cul-de-sac shall be 20 feet.

b. Side yards. There shall be a side yard on each side of a building of not less five feet.

c. Rear yard. The depth of the rear yard shall not be less than 15 feet. Entrances to a garage or enclosed carport shall be a minimum of 20 feet from streets or alleys.

(4) Intensity of use.

a. Except as hereinafter provided, all dwellings erected, enlarged, relocated, or reconstructed within the R-2 district shall be located on lots containing the following areas:

1. A lot on which there is erected a single-family/two-family dwelling shall contain an area of not less than 6,000 square feet.

2. A lot on which there is erected an apartment house or multiple-family dwelling shall contain an area of not less than 1,800 square feet per dwelling unit.

b. The minimum width of a lot in the R-2 district shall be 50 feet and that the minimum width of a lot located on a cul-de-sac shall be measured at the chord length not the radius.

(5) Lot coverage. In no case shall more than 65 percent of the total lot area be covered by the combined area of the principal building and all accessory buildings/use or any other impervious surface such as asphalt or concrete.

(6) Parking. Off-street parking shall be provided consistent with the requirements of Chapter 134 , Article VI.

(7) Additional use, height and area regulations. Additional use, height, and area regulations shall be as provided in section 150-12.

Section 150-5.1. – R-2-AC Apartment Complex district.

The following regulations shall apply to the R-2-AC apartment complex district:

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

a. Any use permitted in the R-2 duplex, triplex and fourplex district.

b. Apartment houses or multiple-family dwellings.

c. An apartment house with a minimum of four family units may contain a self-service coin operated laundry so long as the use of said laundry is restricted by the apartment house owner or owners to use by the occupants of said apartment house and is operated

as a part of the apartment house and under the supervision of the owner or manager of the apartment house.

(2) Height regulations. No building shall exceed three stories or 45 feet in height.

(3) Yard regulations.

- a. Front yard. There shall be a front yard along the front line of the lot. The minimum depth of such front yard shall be 20 feet.
- b. Side yards. There shall be a side yard on each side of a building of not less five feet.
- c. Rear yard. The depth of the rear yard shall not be less than 15 feet.

(4) Intensity of use.

a. Except as hereinafter provided, all dwellings erected, enlarged, relocated, or reconstructed within the R-2-AC district shall be located on lots containing the following areas:

1. A lot on which there is erected a five plex development shall contain an area of not less than 9,000 square feet.
2. A lot on which there is erected an apartment complex shall contain an area of not less than 1,800 square feet per dwelling unit.

b. The minimum width of the entire lot for a five plex in the R-2-AC district shall be 75 feet.

(5) Lot coverage. In no case shall more than 65 percent of the total lot area be covered by the combined area of the principal building and all accessory buildings/use or any other impervious surface such as asphalt or concrete.

(6) Parking. Off-street parking shall be provided consistent with the requirements of Chapter 134 , Article VI.

(7) Additional use, height and area regulations. Additional use, height, and area regulations shall be as provided in section 150-12.

Section 150-11.3 - Public Zoning district.

The following regulations shall apply to the public zoning district:

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

- a) Institutional uses such as office buildings or facilities for city, county, state, and federal government for administrative and/or emergency response purposes.
- b) Schools and associated office buildings including sentry structures.
- c) Recreational amenities owned by public entities, including, but not limited to, public parks, football stadiums, gymnasiums, swimming pools, skate parks, pavilions, tennis courts, soccer fields, and similar uses and structures.
- d) An accessory use customarily related to a principle use authorized in this district.
- e) Paved or unpaved institutional parking lots which may include accompanying retention/detention ponds.

(3) Conditional uses regulations:

- a) Telephone, radio, television and/or other communication towers.
- b) Any civic sponsored recreational amusement and/or event such as a circus, carnival, or similar activity that isn't normally associated with the use of the site-specific property.
- c) Prisons, jailhouses, or similar structures used for similar purposes, including halfway houses for juvenile offenders.
- d) Public hospitals and/or health care facilities intended for mental health and mental retardation purposes.

(4) Height regulations. No building shall exceed three stories or 45 feet in height.

(5) Yard regulations.

- a) Front yard. There shall be a front yard along the front line of the lot.
 - i. Corridors identified on the Hidalgo County Thoroughfare Map: The minimum depth of a front yard one foot back from property line for each two feet in building height, not to exceed one-half of the width of the abutting dedicated right-of-way or in line with the majority setback of existing structures along the same block, whichever is greater.
 - ii. All other corridors: the minimum lot depth shall be 20 feet.
- b) Side yards. There shall be a side yard of not less than five feet, except that on a corner lot, the side yard on a street side shall be ten feet.
- c) Rear yard. The rear yard setback shall be ten feet.

(6) Intensity of use. There are no minimum lot area or lot width requirements.

(7) Parking regulations. Off-street parking shall be provided consistent with the requirements of Chapter 134, Article VI.

(8) Additional use, height, and area regulations. Additional use, height, and area regulations and exceptions shall be as provided in section 150-12.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 16th day of April 2024.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 7th day of May 2024.

CITY OF WESLACO

Adrian Gonzalez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**