

## ORDINANCE 2012-13

### **AN ORDINANCE OF THE CITY OF LA FERIA, TEXAS AMENDING CHAPTER 14, EXHIBIT A, OF THE LA FERIA CODE OF ORDINANCES (THE ZONING ORDINANCE) TO MODIFY THE REQUIREMENTS RELATED TO OFF-STREET PARKING IN THE R-1, R-2, R-3, and D RESIDENTIAL ZONING DISTRICTS AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of La FERIA, a home-rule city, may adopt and enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants; and

**WHEREAS**, the City Commission of the City of La FERIA adopted Ordinance 2008-03, the Zoning Ordinance of the City of La FERIA, which Zoning Ordinance has been codified as Chapter 14, Exhibit A, of the City of La FERIA Code of Ordinances; and

**WHEREAS**, Section 26 of Zoning Ordinance establishes procedures for amending zoning regulations, restrictions and boundaries; and

**WHEREAS**, after proper public notification, public hearings were held by the La FERIA Planning and Zoning Commission and the La FERIA City Commission on the changes effectuated by this ordinance; and

**WHEREAS**, the amended Analysis of Impediments to Fair Housing and Fair Housing Action Plan adopted by the City of La FERIA on December 20, 2011, identified the requirement contained in the Zoning Ordinance that each single family residence provide two, paved, off-street parking spaces, covered by a carport or enclosed within a garage, as a possible impediment to fair housing because it increases the minimum cost of construction of a residence; and,

**WHEREAS**, the City of La FERIA wishes to reduce the costs of constructing houses in the City while still assuring quality development that meets the needs of the residents and community; and,

**WHEREAS**, the City of La FERIA wishes to allow additional flexibility to meet the need for off-street parking to serve residential lots and the design of residential floor plans; and,

**WHEREAS**, the La FERIA City Commission has considered all public comments received and the recommendation of the Planning and Zoning Commission and the City Planning Staff and is of the opinion and finds that such amendment to the zoning ordinance will promote the best and most orderly development of residential property in

the City of La Feria, and will not be detrimental to the public health, safety, or general welfare of the City of La Feria.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LA FERIA, TEXAS THAT:**

1. City of La Feria Ordinances, Chapter 14, Section 6(E) (*R-1 District*) is hereby amended as follows (new text shown like this; deleted text shown ~~like this~~)

Off-street parking requirements shall be in accordance with ~~the parking schedule found in~~ Section 22 hereof (two off-street, paved parking spaces per single family residence).

Such off-street parking shall be enclosed by a garage or covered by a carport.

The twenty-five foot (25') minimum building set-back from the rear lot line rear generally applicable in the R-1 district shall not apply to carports or garages accessed from a rear alley. The minimum rear building set-back for a side-loading garage or car port accessed from a rear alley shall be seven-and-a-half feet (7.5'). The minimum rear set-back for a rear-loading garage or car port accessed from a rear alley shall be twenty-feet (20'), unless two, additional off-street, paved parking spaces are provided elsewhere on the property, in which case the rear set-back may be 7.5'.

2. City of La Feria Ordinances, Chapter 14, Section 7(E) (*R-2 District*) is hereby amended as follows (new text shown like this; deleted text shown ~~like this~~):

Off-street parking requirements shall be in accordance with ~~the parking schedule found in~~ Section 22 hereof (two off-street, paved parking spaces per single family residence). ~~Such off-street parking shall be enclosed by a garage or covered by a carport.~~ At least one of the two off-street parking spaces shall be covered by a carport or enclosed by a garage.

The twenty-five foot (25') minimum building set-back from the rear lot line generally applicable in the R-2 district shall not apply to carports or garages accessed from a rear alley. The minimum rear set-back for such garage or carport shall be six feet (6.0'), if side-loaded and twenty feet (20') if rear-loaded.

3. City of La Feria Ordinances, Chapter 14, Section 8(E) (*R-3 District*) is hereby amended as follows (new text shown like this; deleted text shown ~~like this~~):

Off-street parking requirements shall be in accordance with the parking schedule found in Section 22 hereof (two off-street, paved parking spaces per single family residence). Such off-street parking shall be enclosed by a garage or covered by a carport. At least one of the two off-street parking spaces shall be covered by a carport or enclosed by a garage.

The minimum building set-back of twenty feet (20') from the rear lot line generally applicable in the R-3 District shall not apply to side-loaded carports or garages accessed from a rear alley. The rear set-back for such garage or carport shall be six feet (6.0').

4. City of La Feria Ordinances, Chapter 14, Section 9(E) (*Duplex District*) is hereby amended as follows (new text shown like this; deleted text shown ~~like this~~):

Off-street parking requirements shall be in accordance with the parking schedule found in Section 22 hereof (two off-street, paved parking spaces per dwelling unit). Such off-street parking shall be enclosed by a garage or covered by a carport. At least one of the two off-street parking spaces shall be covered by a carport or enclosed by a garage.

The minimum building set-back of twenty feet (20') from the rear lot line shall not apply to side-loaded carports or garages that are accessed from a rear alley. The rear set-back for such garage or carport shall be six feet (6.0').

5. All provisions of the ordinances of the City of La Feria in conflict with the provisions of this ordinance are hereby repealed.
6. This ordinance shall become effective immediately.


**PASSED AND APPROVED THIS THE 9<sup>th</sup> DAY OF OCTOBER, 2012**

**APPROVED:**

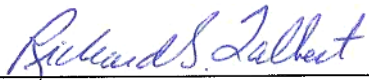


**Steve Brewer, Mayor**

**ATTEST:**

  
\_\_\_\_\_  
**Olga Oberwetter, City Secretary**

**APPROVED AS TO FORM:**

  
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**Richard S. Talbert, City Attorney**