

CITY OF LOWRY CROSSING, TEXAS

ORDINANCE NO. 154

AN ORDINANCE OF THE CITY OF LOWRY CROSSING, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NO. 110, AS AMENDED, BY AMENDING THE REGULATIONS APPLICABLE TO HORSES IN CERTAIN RESIDENTIAL DISTRICTS BY CLARIFYING THAT EQUINE OTHERWISE PROHIBITED BY LAW ARE NOT PERMITTED IN SUCH DISTRICTS; AMENDING THE REGULATIONS APPLICABLE TO DRIVEWAYS IN THE AGRICULTURAL AND RESIDENTIAL DISTRICTS BY PROVIDING THAT THE FIRST 18 FEET OF A SECONDARY DRIVEWAY THAT CONNECTS TO A PUBLIC ROADWAY MUST BE CONSTRUCTED OF WEATHER IMPERVIOUS SURFACE MATERIAL; PROVIDING A REPEALER CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF \$2,000 FOR EACH OFFENSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the Governing Body of the City of Lowry Crossing, Texas, in accordance with the laws of the State of Texas and the ordinances of the City, have given the required notices and have held the required public hearings regarding the amendments described herein; and

WHEREAS, the Governing Body finds that it is in the public interest to amend the Comprehensive Zoning Ordinance No. 110 as described herein; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOWRY CROSSING, TEXAS:

Section 1. That the Comprehensive Zoning Ordinance of the City of Lowry Crossing, Texas, is amended by amending the Accessory Uses that are allowed in connection with the primary use of a "Single Family Dwelling" in the "RE" Single-Family Residential Estate District by amending Subparagraph d of Paragraph (9) of Subsection 9-2, Use Regulations, of Section 9, "RE" Single-Family Residential Estate District, of Ordinance No. 110, as amended, to read as follows:

- d. Upon compliance with all other ordinances and laws, one horse or, except as otherwise prohibited by law, equine (horse related animal) may be kept on the first acre on which the primary residence is located. For each additional adjoining half-acre, one additional such animal may be kept. In connection therewith, private "stable or loafing shed" uses may be conducted in a Minor Accessory building located in the rear yard that meet the requirements of a Minor Accessory Building under this section.

Section 2. That the Comprehensive Zoning Ordinance of the City of Lowry Crossing, Texas, is amended by amending the Accessory Uses that are allowed in connection with the primary use of a "Single Family Dwelling" in the "R-1" Single-Family Residential District by amending Subparagraph d of Paragraph (9) of Subsection 10-2, Use Regulations, of Section 10, "R-1" Single-Family Residential District, of Ordinance No. 110, as amended, to read as follows:

- d. Upon compliance with all other ordinances and laws, one horse or, except as otherwise prohibited by law, equine (horse related animal) may be kept on the first acre on which the primary residence is located. For each additional adjoining half-acre, one additional such animal may be kept. In connection therewith, private "stable or loafing shed" uses may be conducted in a Minor Accessory building located in the rear yard that meet the requirements of a Minor Accessory Building under this section.

Section 3. That the Comprehensive Zoning Ordinance of the City of Lowry Crossing, Texas, is amended by amending Subsection 8-7, Driveways to Accessory Buildings, of Section 8, "A" Agricultural District, of Ordinance No. 110, as amended, to read as follows:

- 8-7. Secondary Driveways: Secondary driveways may be constructed of traffic grade material other than concrete, and shall be maintained and contained. The first 18 feet of such drive, however, must be constructed of a weather impervious surface material should it connect with a public roadway.

Section 4. That the Comprehensive Zoning Ordinance of the City of Lowry Crossing, Texas, is amended by amending Subsection 9-8, Driveways to Major Accessory Buildings, of Section 9, "RE" Single-Family Residential Estate District, of Ordinance No. 110, as amended, to read as follows:

- 9-8. Secondary Driveways: Secondary driveways may be constructed of traffic grade material other than concrete, and shall be maintained and contained. The first 18 feet of such drive, however, must be constructed of a weather impervious surface material should it connect with a public roadway.

Section 5. That the Comprehensive Zoning Ordinance of the City of Lowry Crossing, Texas, is amended by amending Subsection 10-8, Driveways to Major Accessory Buildings, of Section 10, "R-1" Single-Family Residential District, of Ordinance No. 110, as amended, to read as follows:

- 10-8. Secondary Driveways: Secondary driveways may be constructed of traffic grade material other than concrete, and shall be maintained and contained. The first 18 feet of such drive, however, must be constructed of a weather impervious surface material should it connect with a public roadway.

Section 6. That the Comprehensive Zoning Ordinance of the City of Lowry Crossing, Texas, is amended by amending Subsection 11-8, Driveways to Major Accessory Buildings, of Section 11, the "2F" Two-Family Residential District, of Ordinance No. 110, as amended, to read as follows:

11-8. Secondary Driveways: Secondary driveways may be constructed of traffic grade material other than concrete, and shall be maintained and contained. The first 18 feet of such drive, however, must be constructed of a weather impervious surface material should it connect with a public roadway.

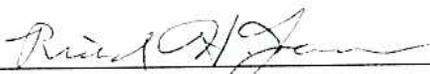
Section 7. That all provisions of the Comprehensive Zoning Ordinance of the City of Lowry Crossing, Texas, in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect save and except as amended by this ordinance.

Section 8. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction be subject to a fine not to exceed \$2,000.00 for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 9. That the sections, paragraphs, sentences, phrases, clauses and words of this ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this ordinance or application thereof to any person, firm or corporation, or to any circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the City Council hereby declares that it would have adopted such remaining portions of this ordinance despite such invalidity.

Section 10. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law in such cases provides, and it is accordingly so ordained.

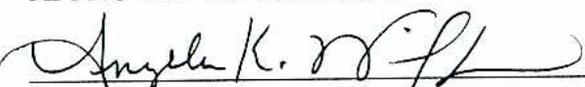
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LOWRY CROSSING, TEXAS, this 12th day of February, 2002.


Richard Jondron, Mayor
City of Lowry Crossing, Texas

ATTEST:


Patricia Francen, City Secretary

APPROVED AS TO FORM:


Angela K. Washington, City Attorney