

CITY OF LOWRY CROSSING, TEXAS

ORDINANCE NO. 201

AN ORDINANCE OF THE CITY OF LOWRY CROSSING, TEXAS, AMENDING ORDINANCE NO. 110, AS AMENDED (THE SAME BEING THE LOWRY CROSSING ZONING ORDINANCE) BY AMENDING SECTION 10 ("R-1" SINGLE FAMILY RESIDENTIAL DISTRICT) THEREOF BY AMENDING SUBSECTION (9) RELATING TO ACCESSORY USES, BY PROVIDING THAT MINIATURE HORSES MAY BE KEPT ON THE FIRST ONE-HALF ACRE ON WHICH A PRIMARY RESIDENCE IS LOCATED; PROVIDING A DEFINITION;; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lowry Crossing, Texas ("City") heretofore adopted Ordinance No. 110, the same being the Zoning Ordinance of the City ("Zoning Ordinance"); and

WHEREAS, the City Council is authorized, pursuant to Chapter 211, Tex. Loc. Gov. Code (Vernon), as amended, and Section 28 of the Zoning Ordinance to amend the Zoning Ordinance; and

WHEREAS, public notice of the amendments to the Zoning Ordinance herein made was given and public hearings were held before the Commission and the City Council in accordance with law; and

WHEREAS, after public notice was given and a public hearing was conducted, and after considering the information submitted at the said public hearing and all other relevant information and materials, the Planning and Zoning Commission of the City has submitted its recommendation to the City Council regarding the amendments made herein; and

WHEREAS, after public notice was given and a public hearing was conducted, and after due deliberations and consideration of the recommendation of the Planning and Zoning Commission and any other information and materials received at the public hearing, the City Council has determined that the Zoning Ordinance should be amended as set forth herein.

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

Section 1. Incorporation of Premises. The above and foregoing premises are true and correct and are incorporated into and made a part of this Ordinance.

Section 2. Amendment. Ordinance No. 110 of the City of Lowry Crossing, Texas, the same being the Zoning Ordinance of the City, is hereby amended in the following particulars, and all other sections, words, phrases, sentence, and provisions of Ordinance No. 110 are not amended hereby but are in all things ratified and affirmed:

A. Section 10, "R-1" Single Family Residential District, is amended by amending subsection (9) thereof to read as follows (additions are underlined and italicized; deletions are ~~struck-through~~):

- (9) The following Accessory Uses if such uses are conducted in connection with the primary use of a "Single Family Dwelling:
- a. A "customary home occupation" that does not include visits by customers or the general public. (Ord. 110)
 - b. "Servant quarters" for persons in the employ of the family occupying the principal structure. (Ord. 110)
 - c. Private swimming pool. (Ord. 110)
 - d. Upon compliance with all other ordinances and laws, *(i) one horse, or equine (horse related animal) (but excluding a miniature horse), may be kept on the first acre on which the primary residence is located, and (ii) two miniature horses may be kept on the first one-half acre on which the primary residence is located.* For each additional adjoining half-acre, *(i) one additional horse related animal (but excluding a miniature horse) may be kept, and (ii) two including miniature horses 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 meets the requirements of a Minor Accessory Building under this section. *For purposes hereof, "miniature horse" means a horse related animal that is less than, or will never exceed, forty (40) inches in height.* (Ord. 110)
 - e. "greenhouse" for non-commercial usage conducted in a Minor Accessory Building meeting the requirement of a Minor Accessory Building under this section. (Ord. 110)
 - f. Off-Street Parking Regulations: Off-street parking shall be permitted on the driveway but not otherwise in the front or side yard. Storage type off-street parking for one camper, travel trailer, or recreational vehicle, and/or one pleasure boat and boat trailer may be provided only in the rear yard. The driveway from the street to the garage and any off-street parking area, must be concrete. (Ord. 110)

Section 3. Savings. This Ordinance shall be cumulative of all other ordinances of the City of Lowry Crossing and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance.

Section 4. Severability. 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 or 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 passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

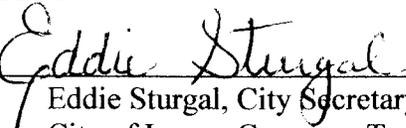
Section 5. Effective Date. That this ordinance shall take effect upon passage and publication.

3RD **DULY ADOPTED** by the City Council of the City of Lowry Crossing, Texas on the APR: 1 day of APR: 1, 2007.



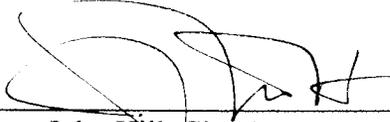
Greg Piatt, Mayor
City of Lowry Crossing, Texas

ATTEST

By: 

Eddie Sturgal, City Secretary
City of Lowry Crossing, Texas

APPROVED AS TO FORM:

By: 

John Hill, City Attorney
City of Lowry Crossing, Texas