

ORDINANCE NO. 23-06

**AN ORDINANCE AMENDING CHAPTER 36, ARTICLE III
“SUBDIVISION STANDARDS” OF THE CITY CODE TO ESTABLISH
PARKING REQUIREMENTS FOR CERTAIN LOTS LOCATED IN AN R-
1 SINGLE-FAMILY DWELLING ZONING DISTRICT; PROVIDING FOR
THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING A
SEVERABILITY CLAUSE; SETTING AN EFFECTIVE DATE; AND
PROVIDING FOR CODIFICATION OF ORDINANCE.**

WHEREAS, Chapter 212 of the Texas Local Government allows city to establish subdivision regulations for the purpose promoting the public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance; and

WHEREAS, the city council has adopted Chapter 36 establishing the Subdivision Code for the city; and

WHEREAS, the city council finds that it is in the interest of public health, safety and welfare to establish regulations for onsite parking for single-family residential subdivisions located within the city limits.

NOW, THEREFORE BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF LYTLE, THAT:

SECTION 1. AMENDMENTS. Chapter 36, Article III, “Subdivision Standards” is appended to include the following:

Parking. Subdivisions located in an R-1 Single-Family Residential Dwelling zoning district must include at least two automobile parking spaces and maintained on the lot for each dwelling unit. Such parking spaces must be (i) located within the boundaries of the lot; (ii) within the permissible developable areas of the lot, and (iii) so arranged as to permit satisfactory egress and ingress of an automobile and pedestrians. A driveway or parking pad may be used to satisfy the parking requirement provided such parking does not block the sidewalk and does not create a hazard on the adjacent streets.

- a. **Exceptions.** The provisions of this chapter do not apply to:
 - i. amended plats described by Texas Local Government Code Section 212.016;
 - ii. minor plats or replats involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities; or
 - iii. a replat under Texas Local Government Code Section 212.0145 that does not require the creation of any new street or the extension of municipal facilities.

SECTION 2. REMAINDER UNCHANGED. The remainder of Chapter 36, Article III of the City Code shall remain unchanged by this Amendment.

SECTION 3. INCORPORATION OF RECITALS. The City Council finds the recitals in the preamble of this Ordinance are true and correct and incorporates them as findings of fact.

SECTION 4. REPEALER. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and that in lieu of each clause or provision of this Ordinance that is invalid, illegal, or unenforceable there be added by the Mayor as necessary with the approval of the City Attorney as to form, and as a part of the Ordinance a clause or provision as similar in terms to such invalid, illegal or unenforceable clause or provision as may be possible, legal, valid and enforceable.

SECTION 6. EFFECTIVE DATE. This ordinance shall become effective upon the adoption of this ordinance.

SECTION 7. CODE OF ORDINANCES. It is the intention of the City Council of the City of Lytle that this ordinance shall become a part of the Code of Ordinances of the City of Lytle and may be renumbered and codified therein accordingly.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LYTLE, TEXAS, THIS 8TH DAY OF MAY 2023.



Ruben Gonzalez
Mayor

ATTEST:



Paola L. Rios
City Secretary

