



## A G E N D A

PLANNING & ZONING COMMISSION SPECIAL MEETING  
MONDAY, MARCH 16, 2020, AT 5:30 P. M.  
CITY MANAGER'S CONFERENCE ROOM, CITY HALL BUILDING  
100 SOUTH MONROE STREET, EAGLE PASS, MAVERICK COUNTY, TEXAS

### ESTABLISHMENT OF QUORUM

### CITIZENS COMMUNICATIONS

### SELECTION OF CHAIRPERSON

### SELECTION OF VICE-CHAIRPERSON

### MINUTES

1. Approval of the minutes of the February 27, 2020 meeting.

### OTHER BUSINESS

2. Consideration and possible action on amending *Section 8(a)(17a)* and *Section 9.1(a)(35a)* in *City of Eagle Pass Code of Ordinances Appendix A*, and adding sub section *A(13)* to *Section 10 I (Industrial District)* in order to remove the used car lots from the B-1 (Neighborhood Business District) and the B-3 (General Business District).
3. Consideration and possible action on amending *Section 5(c)(3)*, *Section 6(c)(3)*, *Section 7(c)(3)*, *Section 7.1(c)(3)* and *Section 7.2(c)(3)* in *City of Eagle Pass Code of Ordinances Appendix A*, in regulating the rear yard building setback reduction from 25 feet to 10 feet.

### ADJOURNMENT

NOTE: The Commission reserves the right to consider business out of the posted agenda order and reserves the right to adjourn into executive session to discuss an item(s) not listed as an executive session on the posted agenda but which qualifies to be discussed in closed session pursuant to Texas Government Code Chapter 551.

### CERTIFICATION

I, THE UNDERSIGNED PLANNING DIRECTOR, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 100 S. Monroe Street, Eagle Pass, Texas on March 12, 2020 at 3:50 p.m.

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Placido C. Madera  
Planning Director

**Item #1**

THE STATE OF TEXAS )(
COUNTY OF MAVERICK )(
CITY OF EAGLE PASS )(

The Planning and Zoning Commission of the City of Eagle Pass held a Special Meeting on Thursday, February 27, 2020 at 5:30 p.m. in the Council Chambers at City Hall, 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with state code.

ESTABLISHMENT OF QUORUM

Present: Chairperson Enrique Montalvo, Commission Members, Rolando Jasso, Doris Salinas-Sanchez, and Rudy Villalpando.

Absent: Commission Member Mario Escobar, and Ex-Officio, Mayor Luis E. Sifuentes and City Manager George Antuna.

Staff present: Planning Director, Placido Madera; Assistant Planning Director, Mariebelle Rodriguez; Assistant City Secretary, Erika A. Resma.

With a quorum being present, Chairperson Montalvo called the meeting to order and the Planning & Zoning Commission considered the items as follows.

CITIZENS COMMUNICATIONS

Chairperson Montalvo asked whether anyone in the audience wished to address the Commission on any item which did not appear on the agenda, reminding them at the same time, that although the Commission would be unable to take formal action on such items, they would be glad to take it under advisement. No one responded.

OATH OF OFFICE OF NEWLY APPOINTED MEMBER

Newly appointed member Rolando Jasso had taken oath prior to meeting, administered by Assistant City Secretary, Erika A. Resma.

MINUTES

- 1. Approval of the minutes of the January 9, 2020 meeting and the January 23, 2020 meeting.

Motion: To approve minutes as presented.
Moved: Villalpando
Second: Salinas-Sanchez
Ayes: 4
Nays: 0
Absent: Escobar

PUBLIC HEARING(S)

2. Public hearing for the establishment of permanent zoning on the proposed area of annexation, being approximately 129.066 acres of land lying and situated in Maverick County, Texas known as the proposed, Good Neighbor Subdivision; closing of public hearing and possible action.

Chairperson Montalvo opened the public hearing at 5:31 p.m. and invited the public to express their comments.

Planning Director, Placido Madera informed the Commission on the request of the voluntary annexation and establishment of the permanent zoning of the approximately 129.066- acre tract proposed as part of Good Neighbor Subdivision as B-3 General Business District.

There were no comments from the public. Therefore, Chairperson Montalvo closed the public hearing at 5:34 p.m.

#### **ADJOURNMENT**

Motion: To adjourn meeting at 5:35 p.m.  
Move: Jasso  
Second: Villalpando  
Ayes: 4  
Nays: 0  
Absent: Escobar

ATTEST:

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Enrique Montalvo  
Chairperson

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Erika Resma  
Assistant City Secretary

**Item #2**

**Sec. 8. - "B-1" Neighborhood business district.**

The following regulations shall apply to the "B-1" Neighborhood business districts:

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

~~(17a) Used car lot.~~

**Sec. 9.1. - "B-3" General business district.**

The following regulations shall apply to the "B-3" General business districts:

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

~~(35a) Used car lot.~~

## **Sec. 10. - "I" Industrial district.**

The following regulations shall apply to the "I" Industrial district:

A.

*Use regulations:* Any building or premises may be used for any purpose not in conflict with the Charter (or any ordinance in force there under) of the City of Eagle Pass, Texas, provided that no building or occupancy permit shall be issued for any of the following uses until and unless the location of such use shall have been approved by the City Council of the City of Eagle Pass, Texas, following a recommendation by the planning and zoning commission.

Add:

(13) Used car lot



**ORDINANCE NO. 2020-**

**AN ORDINANCE AMENDING APPENDIX A (ZONING ORDINANCE) OF THE CITY OF EAGLE PASS, TEXAS TO DELETE SECTIONS 8 (17a) AND 9.1 (35a) FOR USED CAR LOTS; ADDING NEW SUBSECTION (13) TO SECTION 10 TO ALLOW FOR USED CAR LOTS; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS:**

**SECTION 1.** That Appendix A (Zoning Ordinance), Sections 8 “B-1” Neighborhood Business District (17a), and 9.1 “B-3” General Business District” (35a) of the City’s Code of Ordinances is hereby removed in its entirety only.

**SECTION 2.** That Appendix A (Zoning Ordinance), Section 10 “I” Industrial District (13) is of the City’s Code of Ordinances is hereby amended to add the following:

Sec. 10. “I” Industrial district

(13) Used car lot

**SECTION 3.** Severability. If any phrase, clause, sentence, paragraph or section of this Ordinance is declared unconstitutional or unlawful by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the phrases, clauses, sentences, paragraphs, and sections would have been enacted by the city council without the incorporation in this Ordinance of any such unconstitutional or unlawful phrase, clause, sentence, paragraph, or section.

**SECTION 4.** This Ordinance shall be in full force and effect from and after its final passage and publication thereof, in accordance with the City Charter of the City of Eagle Pass.

**READ, PASSED, AND APPROVED ON FIRST READING on this 17<sup>th</sup> Day of March, A.D., 2020.**

ATTEST:

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Luis E. Sifuentes  
Mayor

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Imelda B. Rodriguez  
City Secretary

AYES:  
NAYS:  
ABSTAINED:  
ABSENT:

**READ, PASSED, AND APPROVED ON SECOND READING, this 31<sup>st</sup> Day of March, A.D., 2020.**

ATTEST:

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Luis E. Sifuentes  
Mayor

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Imelda B. Rodriguez  
City Secretary

AYES:  
NAYS:  
ABSTAINED:  
ABSENT:

**READ, PASSED, AND APPROVED ON THIRD AND FINAL READING this 7<sup>th</sup> Day of April, A.D., 2020.**

ATTEST:

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Luis E. Sifuentes  
Mayor

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Imelda B. Rodriguez  
City Secretary

AYES:  
NAYS:  
ABSTAINED:  
ABSENT:

APPROVED AS TO FORM AND LEGALITY:

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Langley & Banack, Inc.  
City Attorney

**Item #3**

APPENDIX A - ZONING ORDINANCE

Sec. 5. - "R-1" First one-family dwelling district.

C. Area regulations:

(3) Rear yard. The depth of the rear yard shall be at least ~~twenty-five (25)~~ ten (10) feet in depth.

Sec. 6. - "R-2" Second one-family dwelling districts.

C. Yard regulations:

(3) Rear yard. The depth of the rear yard shall not be less than ~~twenty-five (25)~~ ten (10) feet.

Sec. 7. - "R-3" Duplex district.

C. Yard regulations:

(3) Rear yard. The depth of the rear yard shall not be less than ~~twenty-five (25)~~ ten (10) feet.

Sec. 7.1 - "R-3(A)" Apartment district.

C. Yard regulations:

(3) Rear yard. The depth of the rear yard shall not be less than ~~twenty-five (25)~~ ten (10) feet.

Sec. 7.2 - "R-4" Townhouse residence district.

C. Yard regulations:

(3) Rear yard. The depth of the rear yard shall not be less than ~~twelve (12)~~ ten (10) feet.

**ORDINANCE NO. 2020-**

**AN ORDINANCE AMENDING APPENDIX A (ZONING ORDINANCE) OF THE CITY OF EAGLE PASS, TEXAS TO AMEND SECTIONS 5 (c) (3) AND 6 (c) (3) AND 7 (c) (3) AND 7.1(c) (3) AND 7.2 (c) (3) REGULATING THE REAR YARD BUILDING SETBACK REDUCTION FROM 25 FEET TO 10 FEET; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS:**

**SECTION 1.** That Appendix A (Zoning Ordinance), Sections 5 (c) (3), 6 (c) (3) and 7 (c) (3) of the City's Code of Ordinances is hereby amended to read as follows:

Sec. 5. "R-1" First one-family dwelling district

C. Area regulations:

(3) Rear yard. The depth of the rear yard shall be at least ten (10) feet in depth.

Sec. 6. "R-2" Second one-family dwelling district

C. Area regulations:

(3) Rear yard. The depth of the rear yard shall be at least ten (10) feet in depth.

Sec. 7. "R-3" Duplex district

C. Area regulations:

(3) Rear yard. The depth of the rear yard shall be at least ten (10) feet in depth.

Sec. 7.1. "R-3(A)" Apartment district

C. Area regulations:

(3) Rear yard. The depth of the rear yard shall be at least ten (10) feet in depth.

Sec. 7.2. "R-4" Townhouse residence district

C. Area regulations:

(3) Rear yard. The depth of the rear yard shall be at least ten (10) feet in depth.

**SECTION 2.** Severability. If any phrase, clause, sentence, paragraph or section of this Ordinance is declared unconstitutional or unlawful by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the phrases, clauses, sentences, paragraphs, and sections would have been enacted by the city council without the incorporation in this Ordinance of any such unconstitutional or unlawful phase, clause, sentence, paragraph, or section.

**SECTION 3.** This Ordinance shall be in full force and effect from and after its final passage and publication thereof, in accordance with the City Charter of the City of Eagle Pass.

**READ, PASSED, AND APPROVED ON FIRST READING on this 17<sup>th</sup> Day of March, A.D., 2020.**

ATTEST:

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Luis E. Sifuentes  
Mayor

\_\_\_\_\_  
Imelda B. Rodriguez  
City Secretary

AYES:  
NAYS:  
ABSTAINED:  
ABSENT:

**READ, PASSED, AND APPROVED ON SECOND READING, this 31<sup>st</sup> Day of March, A.D., 2020.**

ATTEST:

\_\_\_\_\_  
Luis E. Sifuentes  
Mayor

\_\_\_\_\_  
Imelda B. Rodriguez  
City Secretary

AYES:  
NAYS:  
ABSTAINED:  
ABSENT:

**READ, PASSED, AND APPROVED ON THIRD AND FINAL READING this 7<sup>th</sup> Day of April, A.D., 2020.**

ATTEST:

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Luis E. Sifuentes  
Mayor

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Imelda B. Rodriguez  
City Secretary

AYES:  
NAYS:  
ABSTAINED:  
ABSENT:

APPROVED AS TO FORM AND LEGALITY:

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Langley & Banack, Inc.  
City Attorney