

**ORDINANCE NO. 2018-00?**

**AN ORDINANCE OF THE CITY COUNCIL OF CASTROVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, SPECIFICALLY AMENDING ARTICLE IV “SPECIAL USE REGULATIONS”, SECTION 6 “SPECIAL MANUFACTURED HOME REGULATIONS” TO REVISE REGULATIONS PERTAINING TO OVERSIZED VEHICLES AND RECREATIONAL VEHICLES; PROVIDING FOR SEVERABILITY; PROVIDING A CUMULATIVE CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Castroville is authorized to regulate zoning pursuant to Texas Local Government Code Chapter 211; and

**WHEREAS**, pursuant to such statutory authority the City Council has adopted the Comprehensive Zoning Ordinance, which is published by the City as a separate document from the Code of Ordinances published by the Municode Corporation, and

**WHEREAS**, City Council deems it appropriate to amend the Comprehensive Zoning Ordinance, specifically to amend Article IV. *Special Use Regulations*, Section 6. *Special Manufactured Home Regulations* to revise regulations pertaining to oversized vehicles and recreational vehicles; and

**WHEREAS**, on the 11<sup>th</sup> day of April, 2018, the Planning and Zoning Commission conducted a properly advertised public hearing to receive citizen comments and testimony; and

**WHEREAS**, on the \_\_\_<sup>th</sup> day of \_\_\_\_\_, 2018, the Planning and Zoning Commission made a recommendation to approve the amendment to the Comprehensive Zoning Ordinance; and

**WHEREAS**, on the \_\_\_<sup>th</sup> day of \_\_\_, 2018, the City Council conducted a properly advertised public hearing to receive citizen comments and testimony regarding the proposed amendment.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTROVILLE, TEXAS, THAT:

**Section one.** Recitals adopted. City Council finds the above stated recitals to be true and correct and said recitals are adopted herein for all purposes.

**Section two.** Amendment to Article IV. Article IV, *Special Use Regulations*, Section 6, *Special Manufactured Home Regulations*, is hereby amended by inclusion of the substantive language as attached in **Exhibit “A”**, hereto, which is incorporated by reference herein for all purposes.

**Section three.** Directive to the City Secretary. The City Secretary is hereby directed and authorized to revise and republish the Comprehensive Zoning Ordinance to include the substantive language of **Exhibit “A”**, attached hereto.

**Section four.** Cumulative and Conflicts. This Ordinance shall be cumulative of all provisions of ordinances of the City of Castroville, Texas, except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of

such ordinances are hereby repealed. Any and all previous versions of this Ordinance to the extent that they are in conflict herewith are repealed.

**Section five.** Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section six.** Effective Date. This Ordinance shall become effective immediately upon its passage, approval and publication as provided by law.

**PASSED AND APPROVED THIS \_\_\_ DAY OF \_\_\_, 2018.**

\_\_\_\_\_  
**TIMOTHY KELLEY, MAYOR**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**DEBRA HOWE, CITY SECRETARY**

\_\_\_\_\_  
**DNRBH&Z PC**

## Exhibit "A"

*NOTE: All text with ~~strikethrough~~ represents a deletion from the existing code. All underlined text represents an addition to the code.*

### ARTICLE IV

#### SPECIAL USE REGULATIONS

##### Section 6. Special Manufactured Home, Oversized Vehicle, and Recreational Vehicle Regulations.

- 3) No person shall place or occupy any ~~mobile manufactured home or recreational vehicle~~ on any lot or tract of ground not within an approved mobile home park, subdivision, condominium in accordance with the Code of Ordinances of the City of Castroville. ~~or recreational vehicle park, except the parking of only one unoccupied recreational vehicle in an authorized accessory private garage, building, or rear yard in any district is permitted provided no living quarters shall be maintained, or any business practiced in said recreational vehicle while such vehicle is so parked or stored. Use of such vehicle as permitted under this paragraph, shall be limited to off premises recreation or travel.~~
- 4) In approved mobile home parks, mobile homes shall be placed on lots of at least 3,200 square feet.
- 5) No person shall park, place or occupy any oversized vehicle or recreational vehicle on any residential property except in accordance with the following regulations:
  - a. For the purposes of this sub-section, an oversized vehicle shall be defined as any vehicle, trailer, or boat designed to be used to transport passengers or property which by itself or together with other structure(s) or vehicle(s) attached to it has a length greater than twenty-four (24) feet from bumper to bumper or bumper to tongue.
  - b. For the purposes of this sub-section, a recreational vehicle shall be defined as motor homes, travel trailers, folding tent trailers, fifth-wheel trailers, hybrid trailers, teardrop trailers, truck campers, campers removed from a truck or pickup, popup campers, animal trailers, boat trailers with or without boats, other recreational trailers and utility trailers, boats, all-terrain vehicles, golf carts, or other similar motorized recreational vehicles. Any recreational vehicle which exceeds twenty-four (24) feet from bumper to bumper or bumper to tongue shall be considered an oversized vehicle for the purposes of this sub-section.
  - c. Oversized vehicle or recreational vehicle parking on any residential property shall be limited to the following:
    - i. Front Yards: No more than 10 percent of the front yard area (land area between the front lot line and the front building edge) may be used for oversized vehicle or recreational vehicle parking.

- ii. Street Side Yards (Corner Lots): No more than 10 percent of the street side yard area (land area between the side street lot line and the side street building edge and between the front and rear yards) may be used for oversized vehicle or recreational vehicle parking.
  - iii. Rear Yards: No more than 20 percent of the rear yard area (land area between the rear lot line and the rear building edge) may be used for oversized vehicle or recreational vehicle parking.
  - iv. Interior Side Yards: No more than 20 percent of the interior side yard area (land area between the interior side lot line and the side building edge and between the front and rear yards) may be used for oversized vehicle or recreational vehicle parking.
- d. Notwithstanding the regulations above, there shall be no maximum percentage for oversized vehicle or recreational vehicle parking which is wholly enclosed in an approved enclosed accessory structure. An open sided building, such as a carport, shall not be considered an enclosed accessory structure for the purposes of this section.
  - e. No living quarters shall be maintained, nor any business practiced in any oversized vehicle or recreational vehicle while such vehicle is parked or stored on a residential property.
  - f. Use of oversized vehicles or recreational vehicles shall be limited to off-premises uses such as off-premises recreation, travel, business, or other such off-premises uses.
  - g. Any oversized vehicle or recreational vehicle which is parked on a residential property must only be parked on an improved surface which is improved in accordance with Comprehensive Zoning Ordinance, Article V.
  - h. The parking of any oversized or recreational vehicle must maintain unobstructed vision clearance for traffic safety between two and one-half (2 ½) feet and eight (8) feet in height within 10ft of all street intersections or driveway intersections (where the driveway meets the street). Also, parking of any oversized or recreational vehicle may not block any public right-of-way or public sidewalk.
  - i. Notwithstanding the regulations above, an oversized vehicle or recreational vehicle may be temporarily parked in any location on a residential lot for trip preparation, loading and unloading, or occasional services (i.e. landscaping, lawn care, construction, home maintenance, or similar services) for a timeframe not to exceed seventy-two (72) hours.
  - j. Nothing in this section shall prohibit oversized vehicles or recreational vehicles from being occupied or parked in an approved recreational vehicle park.