

Chapter 56 – ZONING OUTLINE

Article I — General Provisions

Sections 56-1 through 56-21

1. **Short Title — Sec. 56-1** pg.1
 - Establishes the name: *City of Port Lavaca Zoning Ordinance*.
2. **Jurisdiction — Sec. 56-2** pg.1
 - Applies to all land within the regular municipal boundaries of Port Lavaca.
3. **Purpose — Sec. 56-3** pg.1
 - Promotes public health, safety, and welfare.
 - Guides appropriate land development.
 - Protects neighborhood character.
 - Prevents incompatible land uses.
 - Supports property values and predictable development.
 - Establishes fair administration and enforcement.
 - Protects scenic and environmental qualities.
4. **Definitions — Sec. 56-4** pg.1-7
 - Defines key zoning terms such as:
 - Accessory buildings and uses
 - ADUs
 - Buildings and building lines
 - Dwelling types
 - Family
 - Home occupations
 - Lots and lot lines
 - Manufactured/mobile homes
 - Recreational vehicles
 - Setbacks and yards
 - Signs
 - Structures
 - Zoning districts and maps.
5. **Minimum Standards and Conflicts — Sec. 56-5** pg.7
 - Ordinance standards are minimum requirements.
 - More restrictive applicable requirements generally control.
6. **Official Zoning Map — Sec. 56-6** pg.8
 - Establishes and controls the official zoning map.
 - Addresses map amendments, certification, and replacement.

7. **Compliance With Regulations— Sec. 56-7** pg.8
 - Land and buildings must be used only for purposes permitted in their zoning district.
 8. **Effective Date — Sec. 56-8** pg.8
 9. **Severability — Sec. 56-9** pg.9
 10. **Transitional Provisions — Sec. 56-10** pg.9
 - Addresses previously approved plats, expired plats, and previously approved uses.
 11. **Reserved Sections — Secs. 56-11–56-21**
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Article II — Zoning Districts and Uses

Sections 56-22 through 56-37

1. Zoning Districts — Sec. 56-22 pg.11

The ordinance establishes zoning districts including:

- **RU** — Rural
- **R1** — Rural Residential
- **R2** — General Residential
- **R3** — Multi-Family Residential
- **GC** — General Commercial
- **NC** — Neighborhood Commercial
- **DC** — Downtown Core
- **WF** — Waterfront
- **BP** — Business Park
- **I** — Industrial

2. Minimum Standards — Sec. 56-23 pg.11

- Requires uses and buildings to comply with zoning standards.
- Addresses required yards, parking spaces, and lot areas.

3. Permitted Land Uses — Sec. 56-24 pg.11

- Establishes permitted uses by zoning district.
- **R1/R2/R3:** primarily residential uses, with additional uses permitted by district.
- **R2:** permits duplexes.
- **R3:** permits triplexes, tiny homes, apartments, condominiums, townhouses, and other group dwellings.
- **Commercial districts:** generally allow legal businesses subject to restrictions.
- **Industrial:** permits manufacturing, outdoor storage and uses requiring more truck traffic.

4. Conditional Development Standards — Sec. 56-25 pg.13-15

- Establishes accessory-building location and yard requirements.
- Regulates home occupations.
- Establishes kennel/veterinary standards.
- Regulates flammable, toxic, and hazardous materials.

5. Nonconforming Uses — Sec. 56-26 pg.15-16

- Defines lawful nonconforming uses.
- Addresses abandonment, expansion, reconstruction, damage, and continuation.
- Provides special rules for certain existing commercial/industrial uses.

6. Reserved Sections — Secs. 56-27–56-37

Article III — Administrative and Enforcement

Sections 56-38 through 56-86

Division 1 — Generally

1. Administrative Officer — Sec. 56-38 pg.16-17

- City Manager appoints the Administrative Officer.
- Officer reviews permits and zoning matters.
- Makes recommendations on conditional use permits, planned developments, subdivisions, amendments, and rezoning.
- Investigates and addresses violations.

2. Complaints — Sec. 56-39 pg.17

- Allows written complaints regarding alleged zoning violations.
- Requires investigation and appropriate action.

3. Violations and Penalties — Sec. 56-40 pg.17

- Violations are classified as Class C misdemeanors.
- Owners, tenants, contractors, architects, agents, and others involved may be subject to penalties.

Division 2 — Specific Conditional Use Permits

Sec. 56-52 — Conditional Use Permits pg.17-18

Allows certain uses to be considered through City Council approval after public hearing and Planning and Zoning Commission recommendation.

Examples include:

- Airports/heliports
- Cemeteries
- Drive-in theaters
- Hospitals and nursing facilities
- Correctional and rehabilitation facilities
- Veterinarians, animal hospitals, and kennels
- Religious/philanthropic institutions
- Manufactured-home and RV parks
- Bed and breakfasts
- Congregate living facilities.

Division 3 — Zoning Board of Adjustments

1. Establishment and Membership — Sec. 56-63 pg.18-19

- Five-member board appointed by City Council.
- Two-year terms.
- Provides for alternates, vacancies, meetings, and records.

2. Appeals — Sec. 56-64 pg.19

- Allows aggrieved persons and affected city officials/departments to appeal Administrative Officer decisions.

3. Stay of Proceedings — Sec. 56-65 pg.19

- An appeal generally stays further proceedings unless an imminent danger exception applies.

4. Powers and Duties — Sec. 56-66 pg.19-20

The Board may:

- Hear administrative appeals.
- Consider exceptions and temporary use permits.
- Grant variances when statutory conditions and unnecessary hardship requirements are met.

5. Temporary Use Permits — Sec. 56-67 pg.20

- Requires written application and supporting documentation.
- Requires notice and public hearing.

6. Variances — Sec. 56-68 pg.20-21

Requires findings concerning:

- Special conditions affecting the property.
- Deprivation of rights compared with other properties.
- Conditions not created by the applicant.
- No special privilege.
- Compatibility with the ordinance and public welfare.

7. Board Decisions and Voting — Sec. 56-69 pg.21-22

- Establishes the Board's authority on appeals.
- Generally requires four concurring members for specified actions.

Division 5 — Amendments

1. Initiating Amendments — Sec. 56-81 pg.22

- City Council may amend zoning boundaries or ordinance provisions.
- Amendments may also be initiated by the Planning and Zoning Commission or affected property owners.

2. Application Fee — Sec. 56-82 pg.22

3. Required Documentation — Sec. 56-83 pg.22

- Legal description
- Maps
- Site plans
- Drawings
- Supporting data demonstrating consistency with the comprehensive plan and public necessity.

4. Planning and Zoning Commission Hearing — Sec. 56-84 pg.22-23

- Requires public hearing.
- Provides notice to affected property owners.
- Commission makes a recommendation to City Council.
- Provides an appeal process when the Commission recommends denial.

5. City Council Review and Final Decision — Sec. 56-85 pg.23

- Requires public hearing and notice.
- City Council makes the final decision.
- Establishes circumstances requiring a **three-fourth vote**.
- Establishes a one-year limitation on reconsideration after denial.

6. Joint Public Hearings — Sec. 56-86 pg.23-24

- Allows City Council to call a joint public hearing with the Planning and Zoning Commission.