

CITY OF LAREDO ORDINANCE No. ~~93-~~229

AN ORDINANCE ESTABLISHING CHAPTER 24 OF THE CODE OF ORDINANCES AND THE ZONING ORDINANCE HANDBOOK AS THE LAREDO LAND DEVELOPMENT CODE; ESTABLISHING ARTICLE V PERFORMANCE STANDARDS; ESTABLISHING SECTION 24-79 FENCING AND SCREENING; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE

WHEREAS, Chapter 24 of the Code of Ordinances and the Zoning Ordinance Handbook regulate the development of property in the City of Laredo, Texas; and

WHEREAS, the City Council proposes to update and codify ordinances regulating land development and land use; and

WHEREAS, Article V PERFORMANCE STANDARDS relates to Section 24-77 Zoning District Dimensional Standards, Section 24-78 Off-Street Parking & Loading, Section 24-79 Fencing And Screening, Section 24-80 (Reserved For Future Expansion), Section 24-81 Development Standards, Section 24-82 Signs & Outdoor Advertising, and Section 24-83 Landscaping Requirements; and

WHEREAS, Section 24-79 Fencing and Screening provides a concise format which is clear and consistent with land use regulations; and

WHEREAS, fencing and screening mitigates the adverse effects of urbanization and conflicts in adjacent land uses;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO:

Section 1. Chapter 24 of the Code of Ordinances and the Zoning Ordinance Handbook are established as the *Laredo Land Development Code*.

Section 2. Article V PERFORMANCE STANDARDS shall include Section 24-77 Zoning District Dimensional Standards, Section 24-78 Off-Street Parking & Loading, Section 24-79 Fencing And Screening, Section 24-80 (Reserved For Future Expansion), Section 24-81 Development Standards, Section 24-82 Signs & Outdoor Advertising, and Section 24-83 Landscaping Requirements.

Section 3. Section 24-79 Fencing and Screening is herein amended to read as follows:

"Section 24.79 Fencing and Screening.

Section 24.79.1. Fencing and Screening between Zoning Districts Required

1. All non-residential uses which abut or adjoin any residential property or zoning district, or which abut or adjoin a school, park, or church, shall provide an opaque fence or wall of not less than seven feet in height along all side or rear property lines which abut or adjoin such property. No screening fence shall be required for non-residential property adjoining vacant land in a non-residential zone.

Section 24.79.1.1. R-1MH Single Family Manufactured Housing District

1. The perimeter of the manufactured housing subdivision shall be buffered from all R-1, R-1A, RS and nonresidential subdivisions by an opaque masonry fence or wall of not less than eight seven feet in height.
2. No fencing or permanent wall or structure may be located within the front yard set back.

Section 24-73 subsection II (5) B-3 Community Business District.

~~Businesses which adjoin a Residential District, park, school, or church shall be screened from such adjoining use by a solid wall or opaque fence which has a minimum height of six (6) feet.~~

Section 24.79.1.3. Additional requirements for Commercial and Industrial Districts.

(1) All outside operations and storage unless shall be screened from adjacent, more restrictive zoning districts with an opaque fence of ~~six (6)~~ seven (7) feet or higher. (As amended 2/26/90, Ord. #90-0-36)

Section 24-74(g) M-1 Light Industrial

~~Uses abutting or backing on a residential district shall provide on that adjacent property line a dense hedge, tree row, or other suitable landscape device which visually screens the industrial area from the residential area. Prior to the issuance of an occupancy permit, the builder shall provide evidence that the landscaping shall be accomplished, and the permit shall be made contingent upon the landscaping. Failure to complete these requirements shall be cause for the property owner or builder to be subject to the provisions in Section 24-80 (e).~~

Section 24-74(h) M-2 Heavy Industrial District

~~Uses abutting or backing on a residential district shall provide on that adjacent property line a dense hedge, tree row, or other suitable landscape device which visually screens the industrial area from the residential area. Prior to the issuance of an occupancy permit, the builder shall provide evidence that the landscaping shall be accomplished, and the permit shall be made contingent upon the landscaping. Failure to complete these requirements shall be cause for the property owner or builder to be subject to the provisions in Section 24-80 (e).~~

Section 24-74(e)(2) MXD Mixed Use District

~~Fencing/Landscaping Requirements: The rear and sides of all developments shall be fenced or landscaped as follows:~~

~~(a) All property fences shall meet the applicable requirements as out-lined in the section of this ordinance regulating "Junk and Used Appliance Yards," Section 24-78 (2) (c) (1-5) (7-8).~~

~~(b) All landscaping shall include a minimum twenty (20) foot open space strip with grass, shrubs, and trees planted and maintained in good condition. Shrubs and trees shall be mature and planted in a manner to screen nearby residential properties (which shall be either existing residential structures, or vacant land zoned as an R-District).~~

~~(c) The building front does not require fencing or landscaping; however, it cannot be used for employee parking or loading space, but may be used for customer parking.~~

~~(d) Any requirements of the M-1 District that supplement or conflict with these requirements shall govern if more strict.~~

(2) No junk or used appliance yard may be established within 1,000 feet of any Interstate or Federal Aid Primary Highways unless screened by means of an opaque fence or wall in such a manner as to effectively block all view of the junk or used appliance yard.

Section 24.79.2 Other requirements

(1) All screening fences required under this section shall be constructed of brick, stone, masonry, cement, stucco, cinder block or pressure treated weather resistant lumber, and shall be structurally reinforced to resist wind damage. They shall be constructed in such a manner as to provide visual screening.

(2) Plywood, sheet metal, and corrugated steel fencing is prohibited.

(3) All fences shall test plumb and square at the time of installation.

(4) All fences shall be maintained by the property owner free of accumulations of trash, advertising, and graffiti.

(5) No fence exceeding four feet (4'-0") in height shall be located within the front yard building setback along any collector, arterial or thoroughfare, nor less than eight feet (8'-0") from the back of curb to provide for pedestrian circulation.

(6) Fences located along side and rear lots lines adjoining public streets shall not be located within the visibility triangle on any corner lot, and shall be set back from the curb line not less than eight feet to provide for pedestrian circulation.

(7) No fence exceeding seven feet in height or masonry wall exceeding thirty inches (30") in height shall be constructed without the issuance of a building permit.

**Section 6.-- Effective Date**

This ordinance shall be effective following the date of its publication pursuant to Section 2.09 of the City Charter.

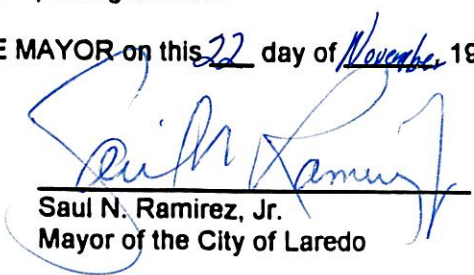
**Section 7. -- Severability**

If any provision, section, subsection, sentence, clause, or phrase of this ordinance, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

**Section 8. -- Open Meetings**

The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Article 6252-17, Texas Revised Civil Statutes Annotated; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

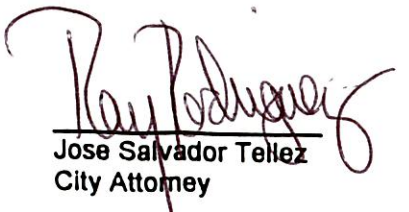
PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR on this 22 day of November 1993.

  
Saul N. Ramirez, Jr.  
Mayor of the City of Laredo

ATTEST:

APPROVED AS TO FORM:

  
Gustavo Guevara, Jr.  
City Secretary

  
Jose Salvador Tellez  
City Attorney

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PUBLISHED DATE: 11-28-1993