



CITY OF EAGLE PASS
AGENDA
ZONING BOARD OF ADJUSTMENTS AND APPEALS
REGULAR MEETING
Council Chambers, City Hall
100 S. Monroe Street, Eagle Pass,
Maverick County, Texas
Wednesday, October 1, 2025 at 5:30 PM

ESTABLISHMENT OF QUORUM

CITIZENS COMMUNICATIONS

PUBLIC HEARINGS

1. Public hearing on the variance request from *Section 12.1(c)3(g)(ii)* of the *Zoning Ordinance* for *Eagle Pass, Texas* submitted by The Investing Solutions Group, LLC. The applicant seeks to reduce the parking spaces from twenty-two (22) to eighteen (18), to obtain a certificate of occupancy for a multifamily development under construction located at 3212 Bob Rogers Drive; closing of public hearing and possible action.

ADJOURNMENT

The Board reserves the right to consider business out of the posted order and the right to adjourn into Executive Session to discuss items which are not listed as Executive Session Items, but which qualify to be discussed in closed session as permitted by the Texas Open Meetings Act, under Chapter 551 of the Texas Government Code.

CERTIFICATION

I, the undersigned community development director, do hereby certify that the agenda mentioned above was posted on the bulletin board located in the lobby at City Hall, 100 South Monroe Street, Eagle Pass, Texas, on September, 25, 2025 at 4:00 p.m.

Placido Madera
Community Development Director



Community Development Department Executive Summary Report to the Eagle Pass Zoning Board of Adjustment and Appeals

Variance Request – 3212 Bob Rogers Drive

I. BACKGROUND

General Information

Applicant and Property Owner: The Investing Solutions Group, LLC

Location: 3212 Bob Rogers Drive

Property ID Number: 60930

Legal Description: College Hills Subdivision Unit 1, Block 3, Lot 3

Parcel Size: 20,413-square feet

Current Use: A multi-family development under construction.

Current Zoning: B-1 (Neighborhood Business District)

Master Plan: No depiction

Request: Approval of a variance request from *Section 12.1(c)3(g)(ii)* of the *Zoning Ordinance for Eagle Pass, Texas* regulating off-street parking. The applicant seeks to reduce the required parking spaces from twenty-two (22) to eighteen (18), to obtain a certificate of occupancy for the multi-family development that is under construction.

II. CURRENT CONDITIONS

Infrastructure: Property is serviced by public utilities/franchises

Vicinity: Property is bordered by commercial developments, including a multi-family development directly to the east.

Access to the site is provided by Bob Rogers Drive via US Hwy 277, also known as East Main Street.

III. PUBLIC NOTICE

Public notification of the request before the Zoning Board of Adjustment and Appeals was completed consistent with the provisions of *Chapter 211* of the *State of Texas Local Government Code Title 7*. Ten (10) notices were mailed to the abutting property owners, with a legal notice published in the Eagle Pass News Gram on September 17, 2025.

Figure 1. Aerial Map

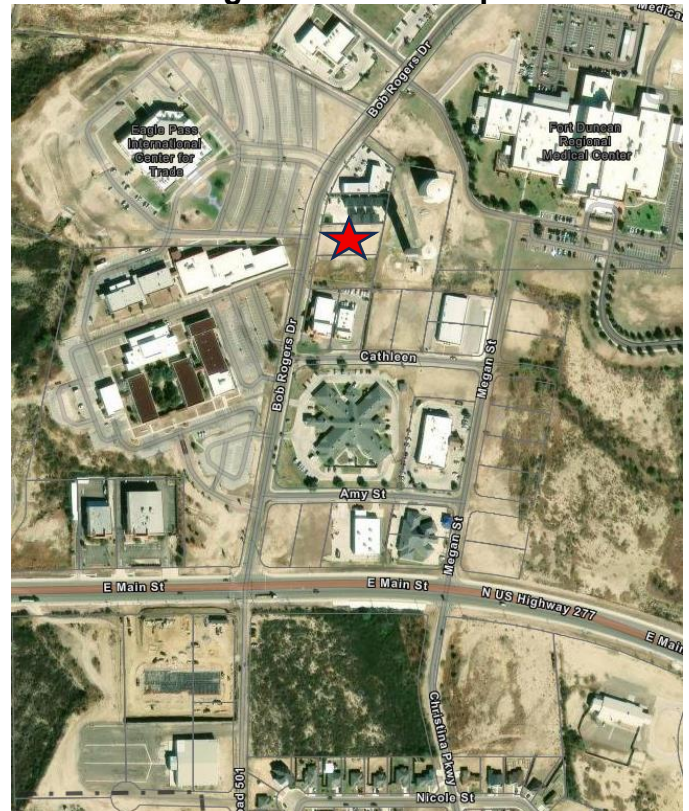


Figure 2. Street View



IV. STAFF ANALYSIS

The ongoing construction complies with all building codes except for the off-street parking requirements set forth in Section 12.1 of the *Zoning Ordinance for Eagle Pass, Texas*. The project consists of eight (8) 3-bedroom apartment units, for which two and one-half (2½) spaces, plus additional five (5) percent of total number of required spaces for visitors.

The regulations are adopted for the purpose of providing an adequate number of improved off-street parking spaces for all land uses in the city. Improved off-street parking and maneuvering spaces in accordance with the minimum requirements set out in the code should be provided at the time any development, building or structure is erected or structurally altered or undergoes a change of use or occupancy. All parking shall be provided on the private property it is designed to serve. No certificate of occupancy shall be issued, no use shall be established or changed, and no structure shall be erected, enlarged or reconstructed unless the off-street parking spaces are provided in the minimum amount and maintained in the manner specified in the code.

Although the reduction of four (4) slots seems insignificant for the proposed use it raises concern as parking for visitors or handicap parking requirements are not met. The applicant was given the option to apply for the variance during the review process but instead chose to enter into a shared parking agreement with the City of Eagle Pass. The project is close to being finalized and a certificate of occupancy cannot be issued without a compliant final inspection.

V. COMMUNITY DEVELOPMENT DEPARTMENT RECOMMENDATION

That the Board **DENY** the request for property located at 322 Bob Rogers Drive as the proposed project does not conform to 12.1(c)3(g)(ii) of the *Zoning Ordinance for Eagle Pass, Texas*.

TRANSMITTED to the parties listed hereafter:

Jesus Casas via e-mail
Eagle Pass City Manager Homero Balderas via e-mail
Eagle Pass Assistant City Manager Ivan Morua via e-mail
Eagle Pass City Secretary Erika Rodriguez via e-mail
Eagle Pass City Attorney Ana Sophia Garcia via e-mail
Community Development Department Report dated September 12, 2025

Attachment 1

Application and related information



**City of Eagle Pass Planning Department
Zoning Board of Adjustment Appeal
to Eagle Pass Zoning Ordinance**

3295 Bob Rogers Drive
Eagle Pass, TX 78852
(830) 773-7781
planning@eaglepasstx.us
eaglepasstx.us

Project	Legal Description: <u>Block 3, College Hills Subd. Lot 3</u> Site Address: <u>3212 Bob Rogers, E. Pass, TX 78852</u> Acres: _____ Square feet: _____ Existing land use: <u>Condominiums</u>
Owner	Name: <u>The Investing Solutions Group, LLC</u> Phone: <u>(830) 968-8297</u> Address: <u>2499 N. Veterans Blvd.</u> E-mail: <u>jesuscasascpa@gmail.com</u> <u>Ste. D</u> City: <u>Eagle Pass</u> State: <u>TX</u> Zip: <u>78852</u>
Applicant If not owner	Name: _____ Phone: _____ Address: _____ E-mail: _____ City: _____ State: _____ Zip: _____ Relationship to owner: _____
Authorization	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated? Yes _____ No <u>X</u> I certify that I am the actual owner of the property described above and this application is being submitted with my consent (included corporate name if applicable). Attach written evidence (i. e. corporate documents) of such authorization. I acknowledge that application and publication fees are non-refundable, and that incomplete applications will not be accepted or processed. If additional information or documentation is pending submittal before a deadline, the item is subject to be removed from the agenda and the applicant is subject to cover re-advertising fees. Signature: <u>[Signature]</u> Date: <u>9/4/2025</u> Print Name: <u>Jesús Casas</u> ☐ Applicant ☐ Authorized Agent

Board Action	Description:
	Board Chairman Signature _____ Date _____
Office	Accepted by _____ Payment received by _____ Date _____
	Zoning Classification _____ Case No. _____

The commission may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the board shall prescribe only conditions that it deems necessary or desirable to the public interest. No such variance shall be granted unless the board finds that the applicant meets the following conditions.

Description of variance request: *According to Zoning Code on project for 3212 Bob Rogers, Eagle Pass, TX 78852, This commercial/residential lands are required to meet 2.5 parking spaces per unit. We are respectfully requesting a variance/adjustment to this code & provide each unit with 2 parking spaces and also provide 2 parking units per visitors on the premises.*

For each question, check yes or no and provide a detailed explanation.

1. Is the financial cost of compliance greater than 50 percent of the appraised value of the structure?

Yes ☐ No ☒ Explain: _____

2. Will compliance result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur?

Yes ☐ No ☐ Explain: *N/A*

3. Will compliance result in the structure not following a requirement of a municipal ordinance, building code, or other requirement?

Yes ☐ No ☐ Explain: *N/A*

4. Will compliance result in the unreasonable encroachment on an adjacent property or easement?

Yes ☐ No ☒ Explain: _____

5. Does the municipality consider the structure to be a nonconforming structure?

Yes ☐ No ☒ Explain: _____

6. Is the variance necessary for the preservation and enjoyment of a substantial property right of the applicant?

Yes ☐ No ☐

Explain: N/A

7. Could the granting of the variance be detrimental to the public health, safety, or welfare, or injurious to other property in the area? Yes ☐ No ☒

Explain: _____

VARIANCE APPLICATION CHECKLIST

APPLICATION COMPLETENESS REQUIREMENTS:

☐

Development Application signed by owner or notarized affidavit

☐

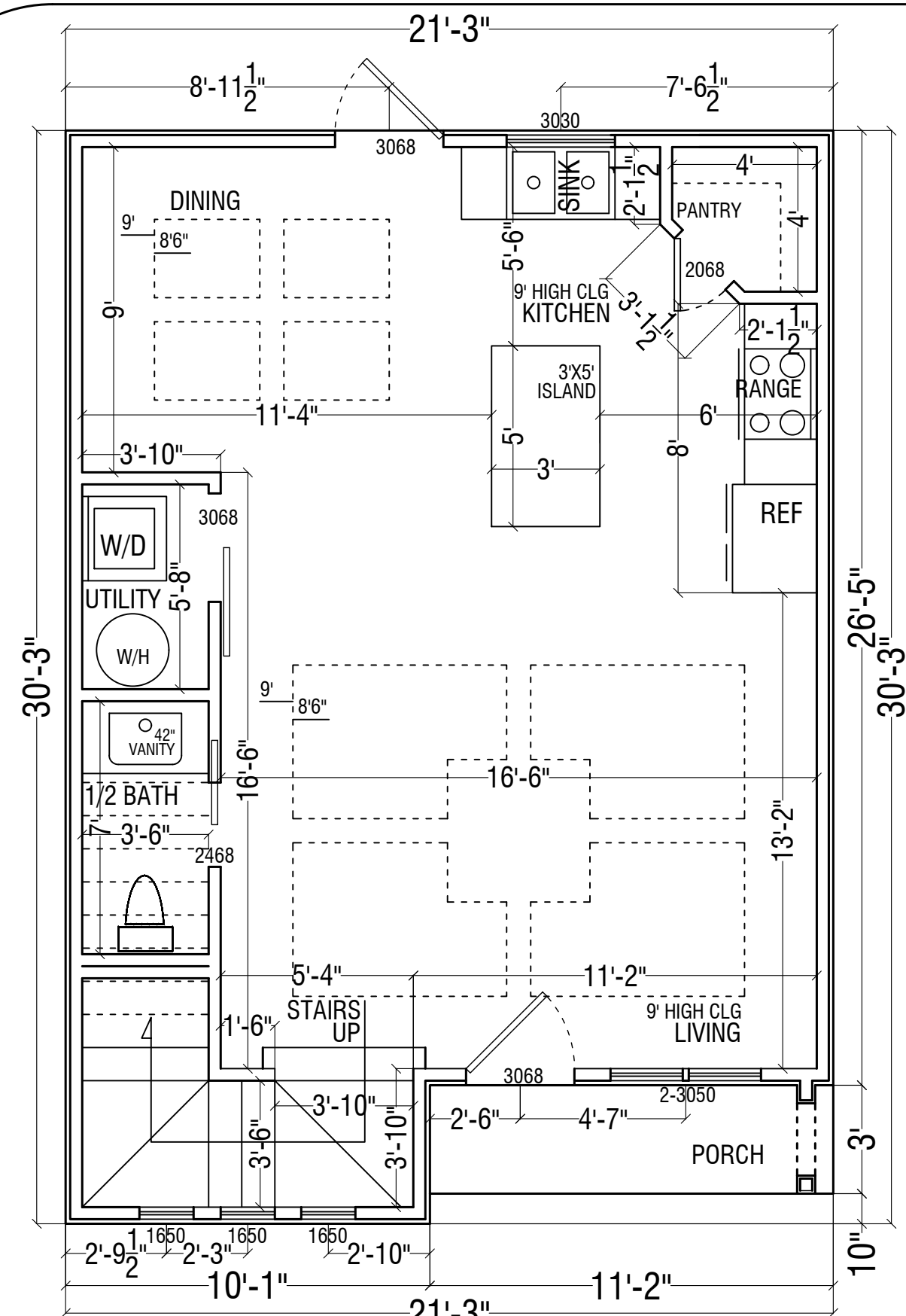
This checklist (signed by applicant/representative)

Applicant	Staff	Not Applicable	TECHNICAL REQUIREMENTS	
			Any application that is missing information will be considered incomplete and will not be processed.	
			1	A scaled site plan of the subject property showing property dimensions, building locations, setback dimensions, and other applicable information.
			2	Application Fee of \$100.00 is due upon submittal. (Money order or check made out to City of Eagle Pass) A Publication Fee will be invoiced and collected before the meeting date. These fees are non-refundable.
			3	Notarized owner authorization letter if application is submitted by individual other than the property owner. Proof of ownership as follows: Estate documents (i. e. Probate, Affidavit of Heirship, Administration), copy of the recorded warranty deed or copy of a purchase contract, copy of lease agreement.
			4	Copy of subdivision restrictions for subject property, as recorded in the Maverick County Court House. If no subdivision restrictions are filed, a copy of the certificate of no restrictions will be required.
			5	Photographs of site, project, and adjacent areas deemed appropriate for justification. Prior construction history, as applicable to the situation.

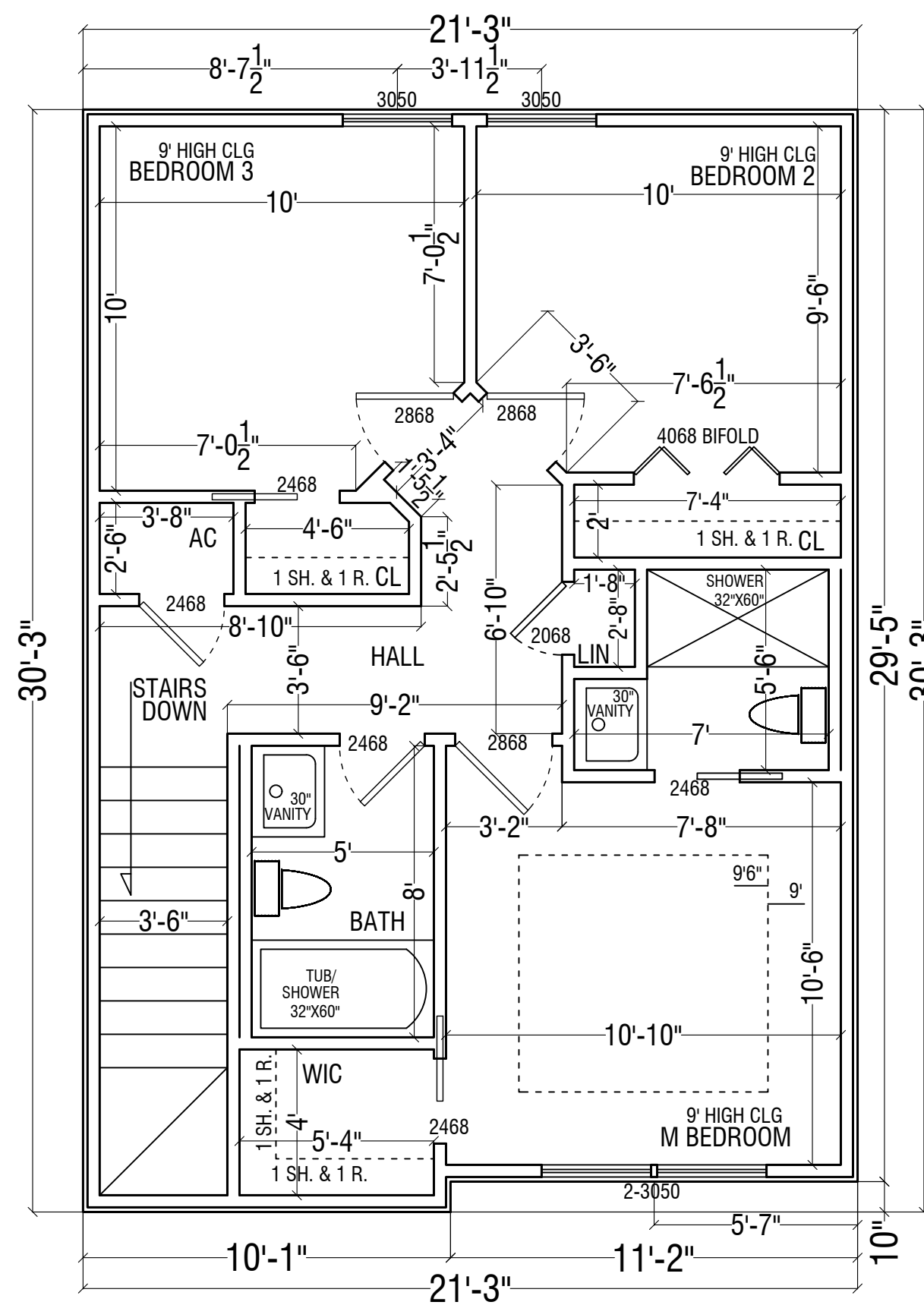
NOTE: By state law public hearing notices shall be published in a newspaper with a second-class postage.

[Signature]
Applicant Acknowledgment

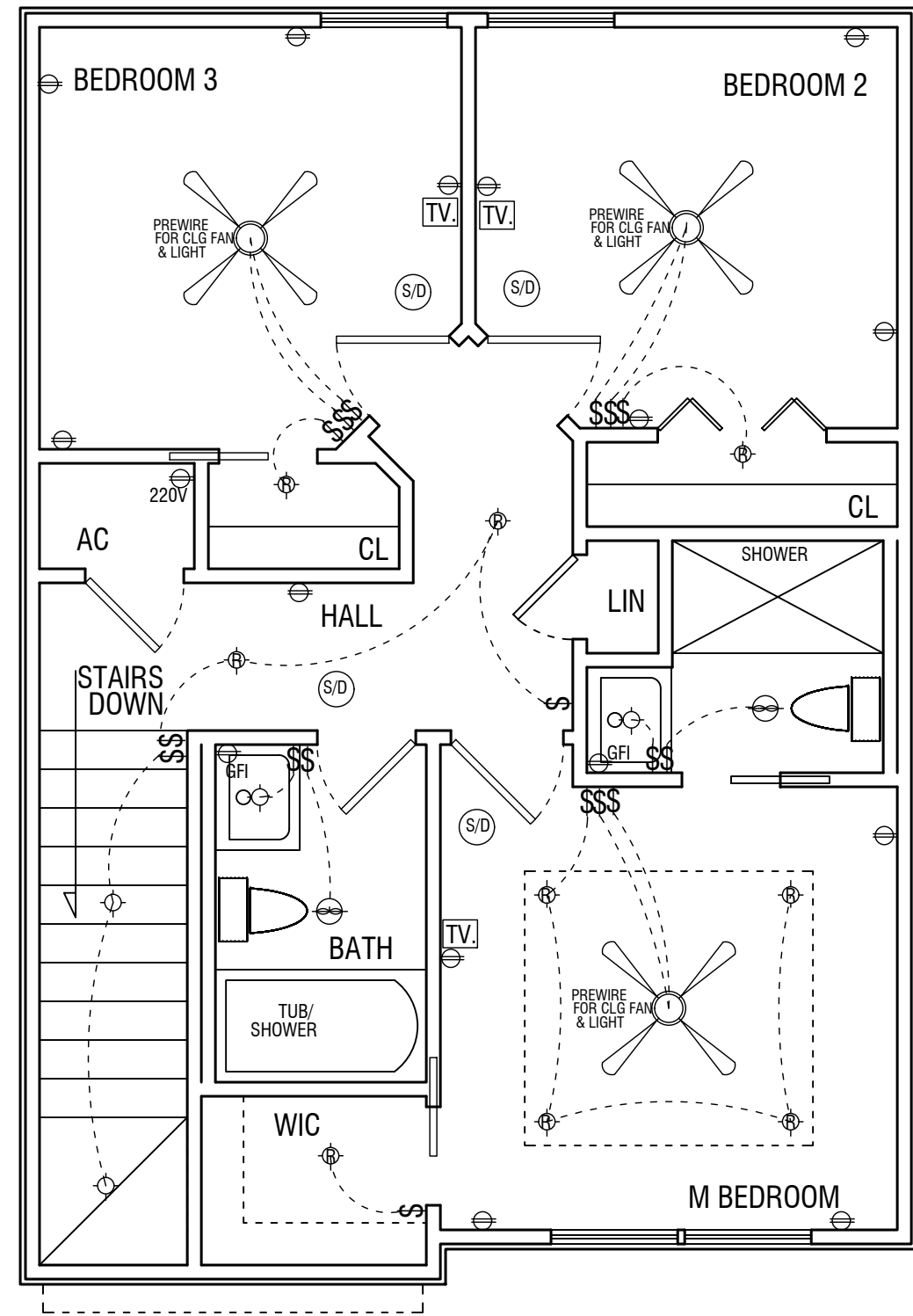
9/4/2025
Date



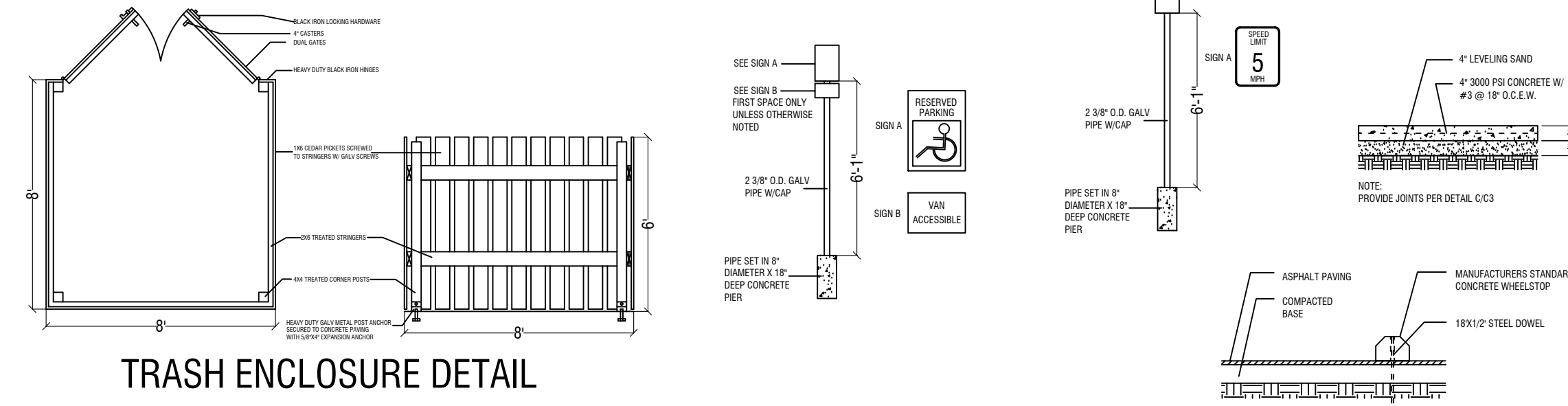
FIRST FLOOR
(TYPE B)



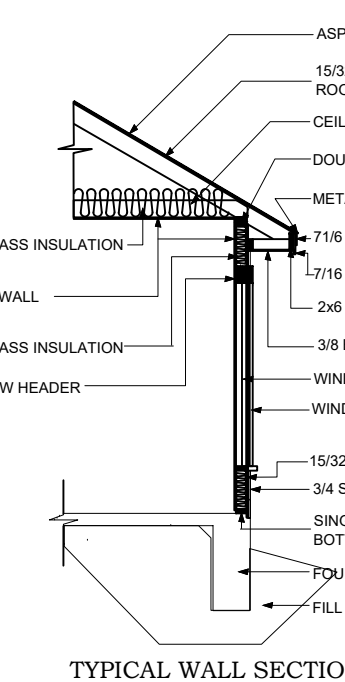
SECOND FLOOR
(TYPE B)



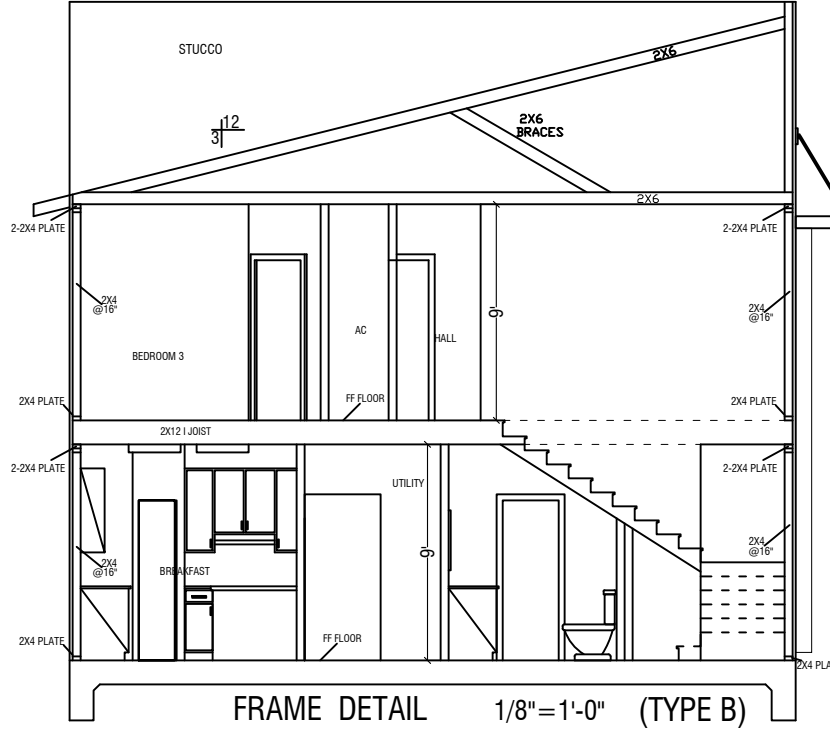
SECOND FLOOR 3/16"=1'-0"
ELECTRICAL PLAN (TYPE B)



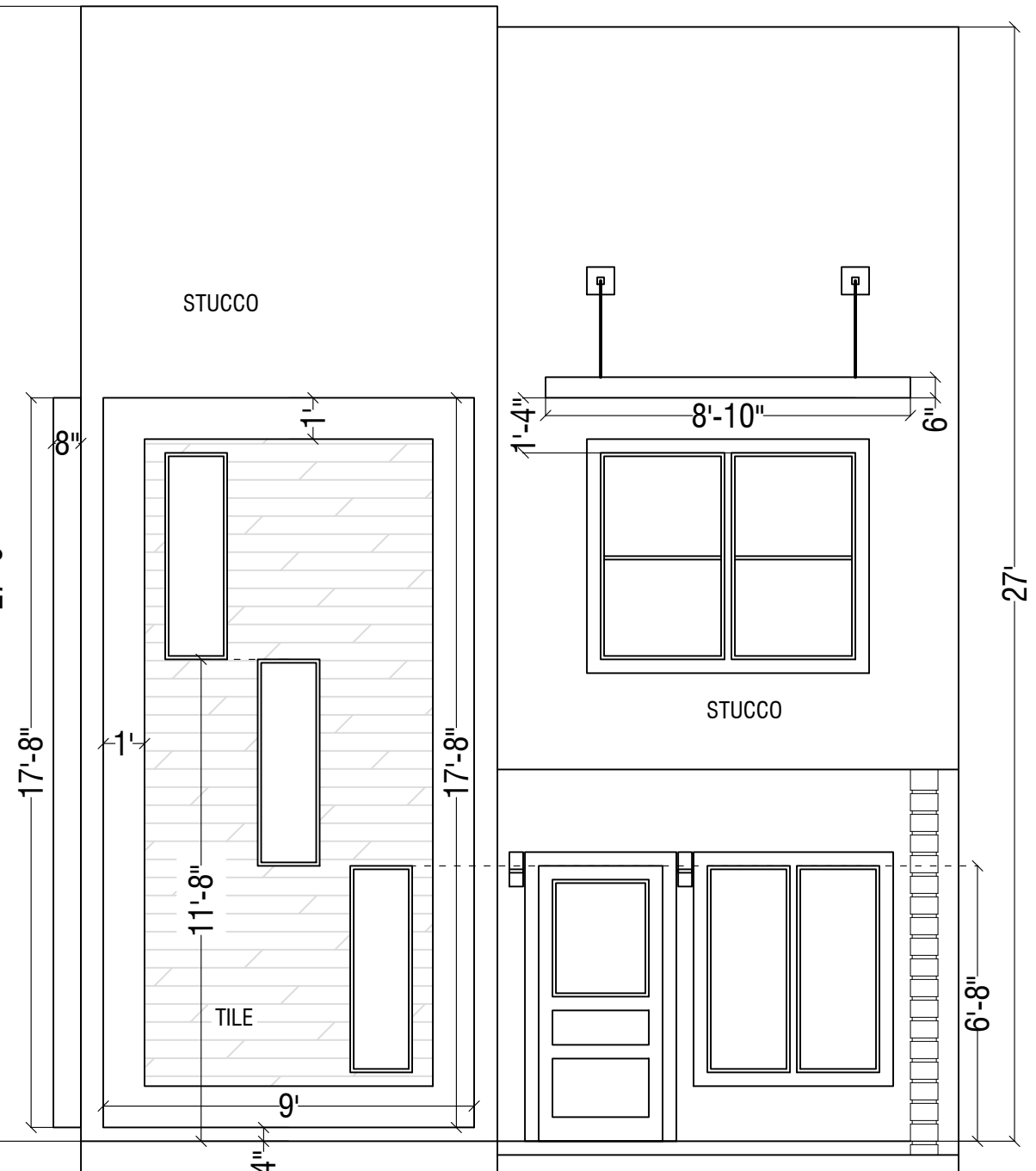
1	1 1/2" O.V. DUPLEX
2	1 1/2" O.V. WATER PROOF
3	1 1/2" O.V. GROUND FAULT
4	SWITCH
5	TV CABLE OUTLET
6	FLOOD/PARKING LIGHT
7	SMOKE DETECTOR
8	RECESSED LIGHT
9	EXHAUST FAN & LIGHT
10	WATER HEATER
11	CHRISTMAS PLUG
12	ELECT PANEL BOX
13	DOOR BELL
14	FIRE EXTINGUISHER 2.5 LBS MIN



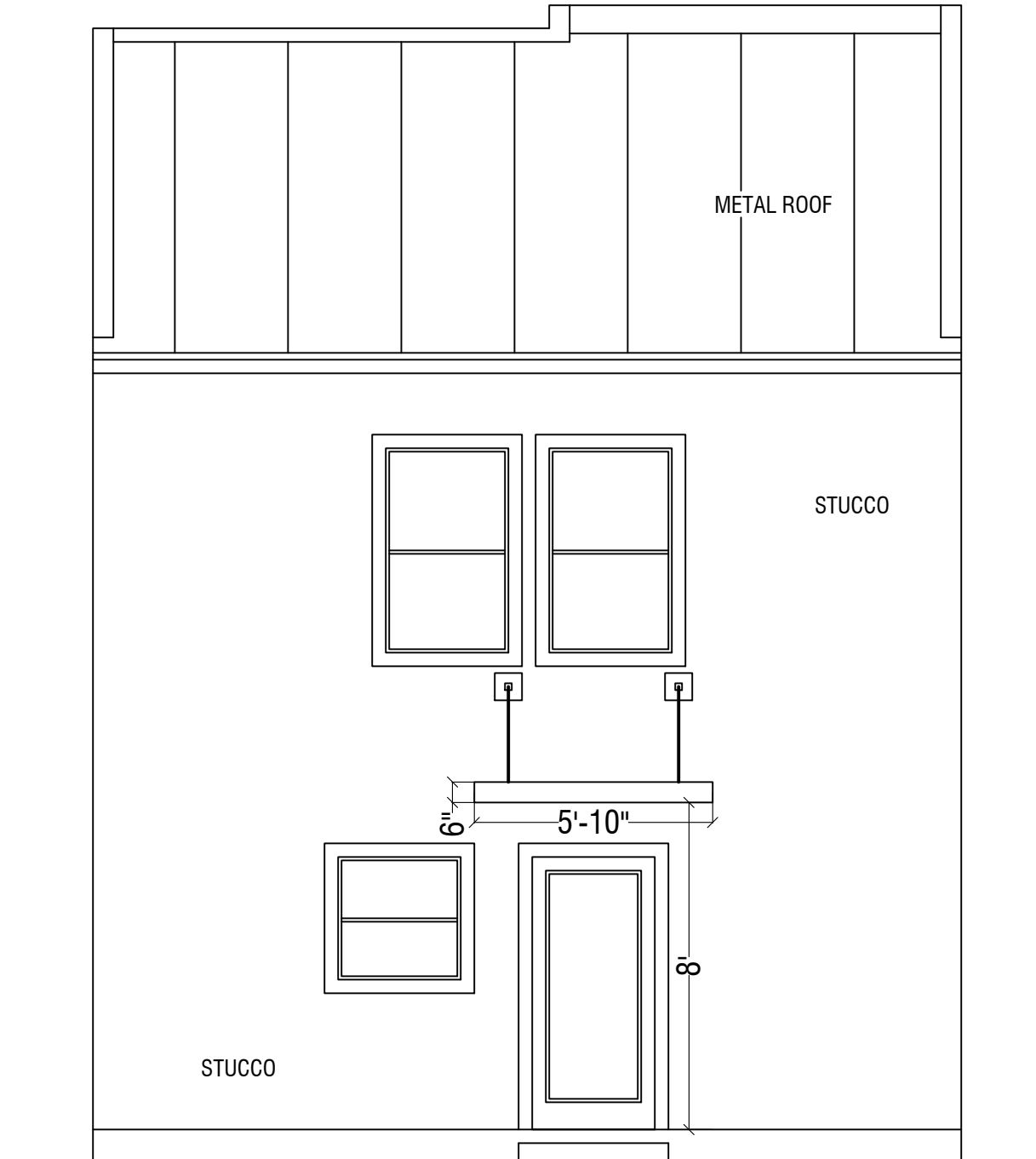
102.07'



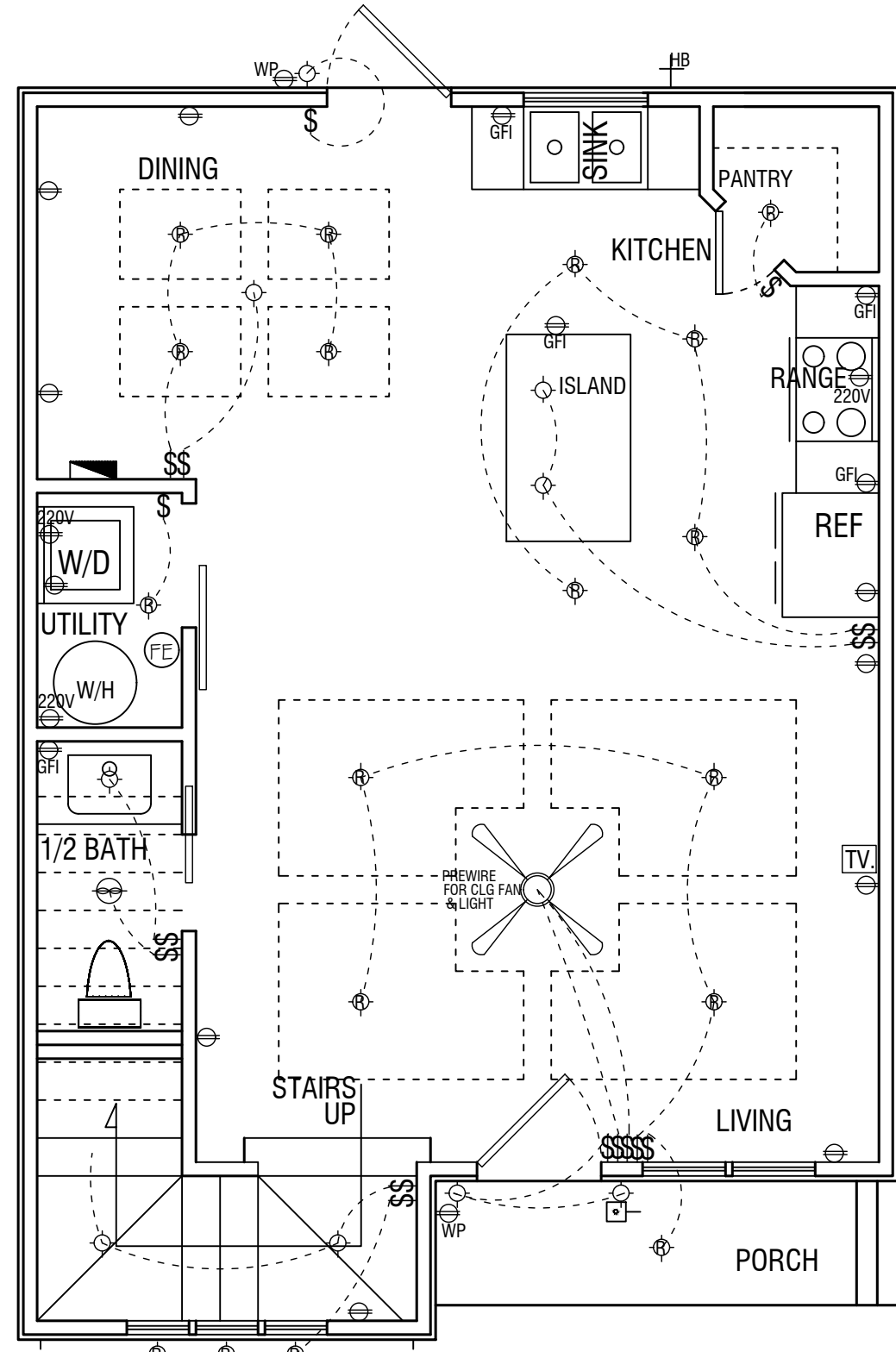
1/8"=1'-0" (TYPE B)



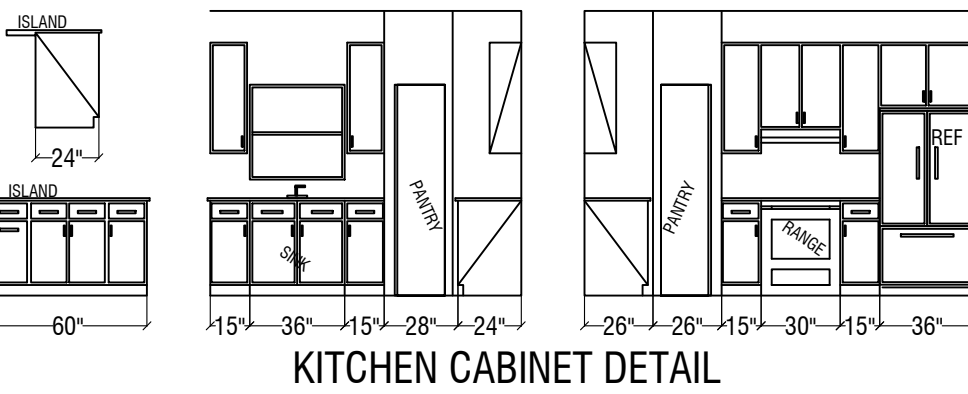
FRONT ELEVATION 3/16"=1'-0" (TYPE B)



REAR ELEVATION 3/16"=1'-0" (TYPE B)



FIRST FLOOR 3/16"=1'-0"
ELECTRICAL PLAN (TYPE B)



KITCHEN CABINET DETAIL



SCALE 1:16
PLOT PLAN
3212 BOB ROGERS DR LOT 3
BLK 3 COLLEGE HILLS SUBD
EAGLE PASS TX APRIL 2024
CONCRETE COVERED AREA 14,846 SQ. FT.
20% REQUIRED LANDSCAPE 2,969 SQ. FT.
ACTUAL LANDSCAPE 4,287 SQ. FT.
FRONT ACTUAL LANDSCAPE 1,120 SQ. FT.
POND AREA 700 SQ. FT.
12 TREES, 24 BUSHES

GENERAL NOTES
NUMERICAL ADDRESS SHALL BE EASILY READ
FROM THE STREET WITH MINIMUM HEIGHT OF 4"

BOB ROGERS DR

TYPE B

FIRST FLOOR	600.00
SECOND FLOOR	634.00
PORCH	34.00
TOTAL EACH APT	1,268.00 SQ. FT.
TOTAL 8 APTS	10,144.00 SQ. FT.



PLAN OF APARTMENT COMPLEX
PROFESSIONAL CONSTRUCTION
3212 BOB ROGERS DR LOT 3
BLK 3 COLLEGE HILLS SUBD
EAGLE PASS TX, APRIL 2024



REQUIRED PARKING SPACES

Duplex, triplex and multi-family dwellings: One and one-half (1.5) spaces for a one-bedroom unit; two (2) spaces for a two-bedroom unit; **two and one-half (2½) spaces for a three-bedroom unit; plus additional five (5) percent of total number of required spaces for visitors.**

- 8 Units
- 3 Bedrooms each

two and one-half (2½) spaces for a three- bedroom unit	(2.5 X 8)= 20 spaces
plus additional five (5) percent of total number of required spaces for visitors.	1 visitors
One (1) to twenty-five (25) parking spaces: One (1) disabled parking space.	1 ADA
TOTAL PARKING SPACES REQUIRED: 22	

Sec. 12.1. Off-street parking requirements.

- (A) *Authority.* The provisions of this section are adopted pursuant to the home rule powers of the city, granted under the Texas Constitution and the Statutes of the State of Texas, Texas Local Government Code Chapter 211 and the City Charter for the City of Eagle Pass.
- (B) *Purpose.* The regulations set forth in this section are adopted for the purpose of providing an adequate number of improved off-street parking spaces for all land uses in the city including, but not limited to, residential, commercial, institutional, and industrial land uses.
- (C) *Parking regulations and requirements.*
1. Definitions. The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them, except where the context clearly indicates a different meaning.
 - (a) *Aisle* shall mean that area within an off-street parking facility designed to accommodate the ingress and egress of vehicles within the facility, excluding parking spaces, landscaping, and pedestrian pathways.
 - (b) *Floor area* shall mean the gross floor area of the building as measured inward from the interior walls, including each floor or story of the structure.
 - (c) *Heavy industry* shall mean those manufacturing-related conducted either inside a structure or within the boundary of a property.
 - (d) *Historic Building Preservation District* shall mean that area delineated on the map identified as Exhibit A in this Code.
 - (e) *Light industrial* shall mean those manufacturing-related activities conducted exclusively within a structure(s).
 - (f) *Loading space* shall mean one (1) loading space area, the width and length of which shall exceed the dimensions of the type of vehicle to normally be parked in the space by a minimum of two (2) feet, and no part of the area shall be closer than six (6) feet from the back edge of the curb of an adjacent public street or driveway.
 - (g) *Maneuvering space* shall mean the space required for maneuvering vehicles into and out of parking spaces in such a manner as to preclude the backing of any vehicle into any street right-of-way. Such maneuvering space shall be no closer than six (6) feet from the back edge of the right-of-way or easement of an adjacent public street or driveway.
 - (h) *Occupant load* shall mean the number of persons for which the means of egress for a building or structure or portion thereof is designed pursuant to the International Building Code.
 - (i) *Off-street parking space* shall mean one (1) off-street parking space is an area, the width and length of which shall exceed the dimensions of the type of vehicle to normally be parked in the space by a minimum of two (2) feet, and no part of the area shall be closer than six (6) feet from the back edge of the right-of-way of an adjacent public street or driveway.
 - (j) *Parking facility* shall mean a public or private property used, wholly or partly, for restricted or paid vehicle parking. The term includes:

-
- i. A restricted space on a portion of an otherwise unrestricted parking facility; and
 - ii. A commercial parking lot, a parking garage, and a parking area serving or adjacent to a business, church, school, home that charges a fee for parking, apartment complex, property governed by a property owners' association, or government-owned property leased to a private person, including:
 - a. A portion of the right-of-way of a public roadway that is leased by a governmental entity to the parking facility owner; and
 - b. The area between the facility's property line abutting a county or municipal public roadway and the center line of the roadway's drainage way or the curb of the roadway, whichever is farther from the facility's property line.
- (k) *Parking space* shall mean an area enclosed or unenclosed, containing not less than one hundred sixty-two (162) square feet and not less than nine (9) feet wide, exclusive of the driveways connecting said space with a street or alley. Said parking space and connecting driveway shall be durably surfaced with asphalt or concrete, as set forth in the City of Eagle Pass Construction Specifications Manual, and so arranged to permit satisfactory ingress and egress of vehicles. Said parking space shall remain in satisfactory condition for the use of the premises.
- (l) *Parking lot/parking area* shall mean an area that is used by anyone for parking. Said area must be durably surfaced with concrete or asphalt, as set forth in the City of Eagle Pass Construction Specifications Manual, and properly marked and lighted as required by section 12.1. Parking Requirements.
2. Parking required. Improved off-street parking and maneuvering spaces in accordance with the minimum requirements set out in this section shall be provided at the time any development, building or structure is erected or structurally altered or undergoes a change of use or occupancy. All parking and maneuvering space shall be provided on the private property it is designed to serve unless otherwise stated in this ordinance.
- (a) Timing of installation. Required parking spaces and drives shall be ready for use and approved by the planning department prior to the issuance of a certificate of occupancy for a building or use.
 - (b) Minimum requirements. Existing parking spaces shall not be reduced below the requirements established in this section.
 - (c) Certificate of occupancy. No certificate of occupancy shall be issued, no use shall be established or changed, and no structure shall be erected, enlarged or reconstructed unless the off-street parking spaces are provided in the minimum amount and maintained in the manner specified in the code.
 - (d) Improved off-street parking facilities are not required within the Historic Building Preservation District. In the event that a residence or business elects to construct improved off-street parking facilities within the district, the facilities shall comply with the provisions of this chapter, except as to the required number of parking spaces set forth herein.

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3. Minimum improved off-street parking requirements. The following building code use and occupancy classifications shall require the respective number of improved off-street parking spaces. For a use and occupancy classification which is not listed in this section, the planning department shall apply the off-street parking standard specified for the listed use and occupancy classification that is deemed most similar to the proposed use, according to fire safety and relative hazard.

- (a) *Assembly group A.* The use of a building or portion thereof for the gathering of persons for purposes such as civic, social, religious, or recreational functions.

Assembly occupancies shall include, but not limited to, restaurants, places of worship, bowling alleys, fitness centers, golf courses, lodge or fraternal organization meeting facilities, martial art schools, museums, libraries, skating rinks, movie theaters, community centers, religious educational rooms accessory to a place of worship, arenas, and funeral homes.

The required number of improved off-street parking spaces per use is as follows:

- i. Church or temple, theater, stadium, gymnasium, or auditoriums: One (1) parking space for every three (3) seats.
- ii. Bowling alley, skating rink: One (1) parking space for every two hundred (200) square feet of gross floor area.
- iii. Mortuary or funeral home: One (1) parking space for every one hundred (100) square feet of gross floor area.
- iv. Restaurant, nightclub, café, dancehall, bingo hall, lodge, exhibition hall, or similar recreation or amusement establishment: One (1) parking space for every one hundred (100) square feet of gross floor area.
- v. Museum, library, or community center: Ten (10) parking spaces, plus one (1) additional space for each three hundred (300) square feet of gross floor area.

- (b) *Business group B.* The use of a building or portion thereof for office, professional or service-type transactions, including the storage of records and accounts.

Business occupancies shall include, but not limited to, financial institutions, dry cleaners, offices, and veterinary clinics. The required number of improved off-street parking spaces per use is as follows:

- i. Professional or personal services: One (1) parking space for every four hundred (400) square feet of gross floor area.

- (c) *Educational group E.* The use of a building or portion thereof by six (6) or more persons at any one (1) time for educational purposes.

The required number of improved off-street parking spaces per use is as follows:

- i. Elementary or middle school: Two (2) spaces for each classroom and administrative office.
- ii. High school or college: Ten (10) parking spaces per classroom and one and one-half (1½) parking spaces for each administrative office.

-
- (d) *Factory group F.* The use of a building or portion thereof for assembling, disassembling, finishing, manufacturing, packaging, repairing, or processing not classified as storage.

Factory occupancies shall include, but not limited to, appliance assembly, baking, textiles, woodworking, engine assembly, brick and masonry, and metal fabrication. The required number of improved off-street parking spaces per use is as follows:

- i. Light industrial: One (1) parking space for each five hundred (500) square feet of gross floor area.
- ii. Heavy industrial: One (1) parking space for each one thousand (1,000) square feet of gross floor area.
- iii. Permits certain parking and uses on non-asphalt surfaces within factory group occupancies.

All required employee vehicles and visitor parking spaces, including access thereto, shall be paved in accordance with this section. All fire lanes shall also be paved in accordance with this section. Truck parking, loading and unloading on non-asphalt surfaces is permitted, provided that a twenty-four-foot-wide by twenty-foot-long asphalt or reinforced concrete apron is constructed on the property at the convergence of the vehicle ingress and egress point with the public roadway. The purpose of the apron is to prevent vehicle track-out onto the public roadway. The access apron shall be designed to ensure that surface water drainage is retained on the site and not conveyed onto the public roadway.

- (e) *Institutional group I.* The use of a building or portion thereof for which people having physical limitations because of health or age are cared for or live in a supervised environment for care or treatment, or in which the people are detained for correctional purposes.

Institutional occupancies shall include, but not limited to, assisted living facilities, group homes, hospitals, nursing homes, day care centers, and retirement homes. The required number of improved off-street parking spaces per use is as follows:

- i. Nursing home, convalescent home, elderly housing home, assisted living facility, retirement home, or group home: One (1) parking space for every four (4) beds.
- ii. Commercial nonresidential day care center: One (1) parking space for every eight (8) students or pupils.

- (f) *Mercantile group M.* The use of a building or portion thereof for the display and sale of merchandise and involves stocks of goods, wares, or merchandise incidental to such proposes and accessible to the public.

Mercantile occupancies shall include, but not limited to, convenience stores, furniture stores, hardware stores, and motor vehicle sales. The required number of improved off-street parking spaces per use is as follows:

- i. Grocery stores, hardware stores, furniture stores, and convenience stores: One (1) parking space for every four hundred (400) square feet of gross floor area.

- (g) *Residential group R.* The use of a building or portion thereof for sleeping purposes.

Residential occupancies shall include, but not limited to, single-family residential dwelling units, duplex residential dwelling units, triplex residential dwelling units, apartment dwelling units, bed and breakfast operations, and hotels.

The required number of improved off-street parking spaces per use is as follows:

- i. Single-family residence: Two (2) parking spaces per dwelling unit.
 - ii. Duplex, triplex and multi-family dwellings: One and one-half (1.5) spaces for a one-bedroom unit; two (2) spaces for a two-bedroom unit; two and one-half (2½) spaces for a three-bedroom unit; plus additional five (5) percent of total number of required spaces for visitors.
 - iii. Hotel or motel: One (1) parking space for each room, plus one (1) parking space for every two hundred (200) square feet for an associated restaurant, retail, conference, or office area.
- (h) *Storage group S.* The use of a building or portion thereof for the storage of goods.

Storage occupancies shall include, but not limited to, mini-warehouses, warehouses, material storage, truck parking on otherwise undeveloped property, and vehicle storage.

The required number of improved off-street parking spaces per use is as follows:

- i. Warehouse type uses: One (1) parking space for each three thousand (3,000) square feet of gross floor area.
- ii. Mini-warehouse (self storage): One (1) space per on-site office plus one (1) parking space for each three thousand (3,000) square feet of gross floor area.
- iii. Permits certain parking and uses on non-asphalt surfaces within storage group occupancies.

All required employee vehicles and visitor parking spaces, including access thereto, shall be paved in accordance with this section. All fire lanes shall also be paved in accordance with this section. Truck parking, loading and unloading on non-asphalt surfaces for a business structure located on the property is permitted, provided that a twenty-four-foot-wide by forty-foot-long asphalt or reinforced concrete apron is constructed on the property at the convergence of the vehicle ingress and egress point with the public roadway. The purpose of the apron, which is not to exceed a two (2) percent slope from the property to the road, is to prevent vehicle track-out onto the public roadway. The access apron shall be designed to ensure that surface water drainage is retained on the site and not conveyed onto the public roadway.

4. Computation of parking requirements. In the interpretation of the parking requirements set out in this section, the following rules shall apply:
- (a) Where fractional spaces result, the parking spaces required shall be construed to be the next largest whole.
 - (b) The parking space required for a use not specifically mentioned in this ordinance shall be the same as required for a use of similar nature.
 - (c) Whenever a property is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, additional spaces shall be provided on the based upon the enlargement or change. The additional off-street

parking spaces will be required only to serve the enlarged or expanded area, not the entire building or use.

- (d) In the case of mixed uses, the parking spaces required in this section shall equal the sum of the requirements of the various uses computed separately.
5. Americans with Disabilities Act (ADA) compliant parking. Parking spaces designated for use by members of the disabled community shall comply with the table shown below, but in all cases shall be consistent with the Texas Accessibility Standards found in the State of Texas Architectural Barriers Act. Parking required to satisfy ADA requirements shall be in addition to the spaces required per section (C)3, Minimum improved off-street parking requirements, located in this chapter.

One (1) to twenty-five (25) parking spaces: One (1) disabled parking space.

Twenty-six (26) to fifty (50) parking spaces: Two (2) disabled parking spaces.

Fifty-one (51) to seventy-five (75) parking spaces: Three (3) disabled parking spaces.

Seventy-six (76) to one hundred (100) parking spaces: Four (4) disabled parking spaces.

One hundred one (101) to one hundred fifty (150) parking spaces: Five (5) disabled parking spaces.

One hundred fifty-one (151) to two hundred (200) parking spaces: Six (6) disabled parking spaces.

Two hundred one (201) to three hundred (300) parking spaces: Seven (7) disabled parking spaces.

Three hundred one (301) to four hundred (400) parking spaces: Eight (8) disabled parking spaces.

Four hundred one (401) to five hundred (500) parking spaces: Nine (9) disabled parking spaces.

Five hundred one (501) to one thousand (1,000) parking spaces: Two (2) percent of total parking spaces.

One thousand one (1,001) and over parking spaces: Twenty (20) disabled parking spaces, plus one (1) for each one hundred (100) over one thousand (1,000).

One (1) in every six (6) accessible parking spaces, but not less than one (1), shall be serviced by a minimum access aisle width of eight (8) feet and shall be designated "van accessible."

ADA compliant parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

6. Vehicle stacking areas.

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- (a) *Minimum number of stacking spaces.* Off-street stacking spaces shall be provided as indicated below. Off-street stacking spaces shall be in addition to any required parking spaces.

Activity Type	Minimum Spaces	Measured From
Bank teller lane	4	Teller or window
Automated teller machine	3	Machine
Restaurant drive through	6	Order box
Restaurant drive through	6	Order box to pick-up window
Car lubrication stall	2	Entrance to stall
Car wash stall, automatic	4	Entrance to wash bay
Car wash stall, self service	3	Entrance to wash bay
Day care drop off	3	Passenger loading area
Gasoline pump island	2	Pump island
Parking lot, controlled entrance	4	Key code box

- (b) *Design and layout.* Required stacking spaces are subject to the following design and layout standards:

- i. Size. Stacking spaces must be a minimum of ten (10) feet in width by twenty (20) feet in length.
- ii. Location. Stacking spaces may not impede on or off-site traffic movements or movements into or out of off-street parking spaces.
- iii. Design. Stacking spaces must be separated from other internal driveways by raised medians if deemed necessary by the planning department for traffic movement and safety.
- iv. For restaurant drive-through, the stacking spaces shall be as measured from the merchandise pick-up window.
- v. For gasoline fuel pump island, the stacking spaces shall be as measured in either direction from the edge of the island fuel pump(s).

7. Location of parking spaces for nonresidential uses shall be as follows:

- (a) All parking spaces required in this ordinance shall be located on the same property with the use and occupancy it is intended to serve, except that where an increase in the number of spaces is required by a change in use or enlargement or where such spaces are provided by the establishment or provided collectively and used jointly by two (2) or more activities or establishments, the required spaces may be located not to exceed three hundred (300) feet from an institutional occupancy served and not to exceed five hundred (500) feet from any other nonresidential occupancy served.
- (b) Not more than fifty (50) percent of the parking spaces required for theaters, bowling alleys, dancehalls, nightclubs or cafes, and up to one hundred (100) percent of the parking spaces required for a church or school auditorium, may be provided and used jointly by banks, offices, retail stores, repair shops, service establishments

and similar uses not open, used or operated during the same hours; provided that a written agreement thereto is properly executed and filed as specified below.

- (c) In any case where the required parking spaces are not located on the same property with the use or occupancy, or where such spaces are collectively or jointly provided and used, a written agreement thereby assuring their retention for such purposes shall be properly drawn and executed by the respective property owners, approved as to form by the city attorney, and shall be filed with the application for a building permit.

- i. *Off-site parking facilities.* Off-street parking spaces may be located on a separate lot from the lot on which the principal use is located if found by the planning department to comply with all of the following standards:

- a. *Ineligible activities.* Off-site parking may not be used to satisfy the off-street parking standards for residential uses, and off-site parking shall not be located in residential R zoning districts. Required parking spaces reserved for persons with disabilities shall not be located off-site.
- b. *Location.* No off-site parking spaces may be located more than five hundred (500) feet from the primary entrance of the use served.

Any on-street loading zone designation pursuant to City of Eagle Pass Code of Ordinances section 26-207 shall be accompanied by an annual payment to the city in the amount of five hundred fifty dollars (\$550.00) for each and every parking space eliminated from use by the public as a result of the designation.

- c. *Zoning district classification.* Off-site parking areas serving uses located in nonresidential zoning districts must be located in nonresidential zoning districts.
- d. *Agreement for off-site parking.* In the event that an off-site parking area is not under the same ownership as the principal use being served, a written agreement between the property owners of record must be submitted to the planning department. The agreement must guarantee the use of the off-site parking area for a minimum of one (1) year, and shall be approved as-to-form by the city attorney.

An attested, notarized copy of the agreement between the owners of record must be submitted to the planning department before the issuance of a building permit or certificate of occupancy for any use to be served by the off-site parking area. No use shall be continued if the shared parking facility agreement is removed, terminated, revoked or otherwise ineffective unless substitute parking is provided.

A certificate of occupancy may be revoked unless substitute parking is provided.

- ii. *Shared parking facilities.* The planning department may approve shared parking facilities for occupancies, developments or uses with different operating hours or different peak business periods if the shared parking complies with all of the following standards:

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- a. *Location.* Shared parking spaces must be located within five hundred (500) feet of the primary entrance of all uses served.
 - b. *Zoning district classification.* Shared parking areas require the same or a more intensive zoning classification than required for the use served.
 - c. *Analysis.* Those wishing to use shared parking as a means of satisfying off-street parking requirements must submit written documentation to the planning department that clearly demonstrates the feasibility of shared parking. The documentation must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking loads for all uses that will be sharing the off-street spaces.
 - d. *Agreement for shared parking.* Shared parking will be enforced through written agreement among all owners of record. The agreement must guarantee the use of the shared off-site parking area for a minimum of one (1) year, and shall be approved as-to-form by the city attorney. An attested notarized copy of the agreement between the owners of record must be submitted to the planning department before the issuance of a building permit or certificate of occupancy for any use to be served by the off-site parking area.

Failure to comply with the off-site parking or shared parking provisions of this section shall constitute a violation of this Code, and shall be cause for revocation of a building permit or certificate of occupancy.

- 8. Design standards. Design standards for off-street parking shall be as follows:
 - (a) Ninety-degree angle parking. Each ninety-degree angle parking space shall not be less than nine (9) feet in width and eighteen (18) feet in length. Maneuvering space shall be not less than twenty-four (24) feet.
 - (b) Sixty-degree angle parking. Each sixty-degree angle parking space shall be not less than nine (9) feet wide perpendicular to the parking angle or less than twenty and one-half (20½) feet in length when measured at right angles to the building or parking line. Maneuvering space shall be not less than sixteen (16) feet perpendicular to the building or parking line.
 - (c) Forty-five-degree angle parking. Each forty-five-degree angle parking space shall be not less than nine (9) feet wide perpendicular to the parking angle nor less than nineteen and one-half (19½) feet in length when measured at right angles to the building or parking line. Maneuvering space shall be not less than twelve (12) feet perpendicular to the building or parking line.
 - (d) Off-street parking area adjacent to alley. When off-street parking facilities are located adjacent to a public alley, the width of such alley may be assumed to be a portion of the maneuvering space requirement.
 - (e) The minimum two-way drive aisle width shall be twenty-four (24) feet, and the minimum one-way drive aisle width shall be twelve (12) feet.

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- (f) Parking areas with twenty (20) or more parking spaces may allocate up to ten (10) percent of the minimum number of required parking spaces to reduced sized vehicles, including compact cars and motorcycles, if designed to the following standards:
 - i. A compact car space shall not be less than eight (8) feet in width and sixteen (16) feet in length.
 - ii. A motorcycle space shall not be less than four and one-half (4½) feet in width and eight (8) feet in length.
 - iii. Reduced size spaces shall be laid out in a group or clustered and appropriately identified as intended for exclusive use by the specified vehicle.
 - (g) All required off-street parking areas, including access thereto, shall be constructed of either a concrete or asphalt surface, and shall conform to the specifications set forth in the City of Eagle Pass Construction Specifications Manual. Parking area and access area design shall be reviewed and approved by the city engineer prior to construction.
 - (h) Barriers shall be installed to prevent the overhang of vehicles into the required landscaped areas and pedestrian ways.
 - (i) For safety, firefighting purposes, and better vehicular circulation, cross access between parking areas of adjacent commercially-zoned parcels shall be provided.
 - (j) Fire lanes shall be provided as required by the adopted fire code and/or the City of Eagle Pass Fire Marshal, and the fire lanes shall be adequately reinforced to withstand heavy vehicle loading.
 - (k) Refuse or dumpster containers shall not be located in a designated parking space or loading area.
 - (l) No parking area shall be used for the repair, storage, dismantling, or servicing of vehicles or equipment.
 - (m) No parking area shall be used for storage of inventory, materials, supplies, display, or sanitation containers.
 - (n) All off-street parking areas shall be kept free of litter, trash, debris, display, and advertising.
 - (o) The property owner shall be responsible for adequately maintaining all parking facilities, including paving, striping, elimination of debris, and use violations.
 - (p) Reserved.
 - (q) Parking on any required landscaped area is prohibited.
 - (r) Either one (1) of the following two (2) actions shall be undertaken in a circumstance where an existing building located within the city's Historic Building Preservation District is proposed to be demolished to create an improved off-street parking area, and existing buildings are located on either side of the building to be demolished:
 - i. The existing building façade shall be (i) retained, (ii) structurally reinforced as recommended by a professional engineer, including practices to ensure that the retention of the façade does not adversely impact the structural integrity

of the adjacent buildings, and (iii) modified to accommodate vehicle access between the street and the new parking area; or

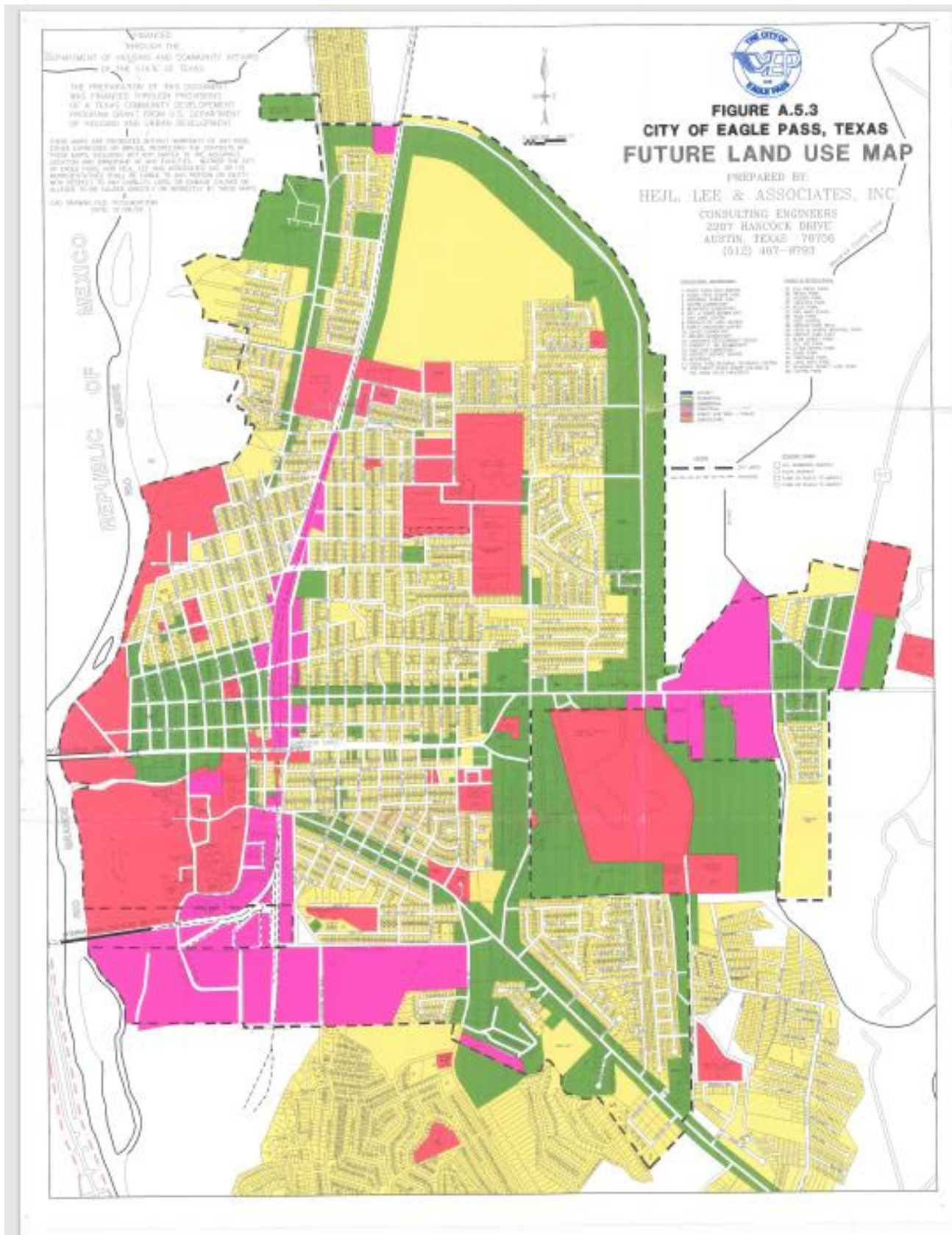
- ii. The existing façade shall be replaced with a new façade, which is to be (i) designed to accommodate vehicle access between the street and the new parking area, (ii) designed with architectural features consistent with those found on the adjacent buildings, (iii) designed by a professional engineer to include features to ensure that the new façade does not adversely impact the structural integrity of the adjacent buildings, and (iv) designed to be equal to the height of the buildings located on either side of the building to be demolished.

The proposed method to comply with the provisions of this sub-section shall be reviewed and approved by the planning department prior to the issuance of a demolition permit for the structure.

9. Pavement standards. All parking lots and access roadways thereto shall be paved according to the standards and specifications set forth in the City of Eagle Pass Public Works Department Construction Specifications Manual, with parking area and access design reviewed and approved by the city engineer prior to construction. The parking spaces must be clearly marked by white paint or buttons not less than four (4) inches in width, and shall be visible at all times.
 - (a) Any other delineation marking shall be approved in writing by the planning department prior to the construction of the parking facility.
 - (b) All markings shall be arranged to provide for orderly and safe loading, unloading, and parking.
 - (c) One-way and two-way accesses into required parking areas shall be identified by directional arrows.
10. Parking lot lighting. All nonresidential parking lots and residential parking areas for multi-unit buildings with five (5) or more parking spaces shall have nighttime lighting. A design drawing of required parking lot lighting shall be submitted to the planning department for review and approval prior to construction, with the design demonstrating that illumination will be provided for the entire parking area.
11. Parking lot landscaping and screening. All portions of a parking area or lot not occupied by parking spaces or driveways shall be landscaped with decorative rock or sand, turf, shrubs, ground cover, and/or paved pedestrian paths. The following additional requirements are intended not only to improve the appearance of parking lot areas, but also to provide for adequate circulation and drainage and to help moderate wind, noise, and temperature extremes.
 - (a) All outdoor parking areas having spaces for more than ten (10) vehicles shall have landscaping within the perimeter of the parking area equal in area to not less than five (5) percent of the total paved area.
 - (b) No parking space shall be located more than fifty (50) feet from a portion of the required landscaping.

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- (c) One tree of at least two-inch caliper in size shall be provided within the perimeter of the parking area for each two hundred fifty (250) square feet of required landscaping.
 - (d) Required or provided landscaping shall not obstruct the view of any vehicle backing areas or turning areas in a way so as to create a hazard.
 - (e) All required or provided landscaping and trees shall be maintained in a clean, safe, and healthy condition.
 - (f) The landscaping required in this section shall be provided in addition to the screening requirements of section 23-89(d) of this Code.
 - (g) The requirements of (a), (b) and (c) of this section do not apply to vehicle display, storage or loading areas for businesses which sell or service vehicles, farm equipment, or for commercial or industrial parking areas intended specifically for trucks having a rated capacity of twenty-six thousand (26,000) pounds gross vehicle weight or more.
- 12. Access and maintenance. All required parking, driveways, drive aisles, and entrances shall have a paved surface which conforms to the City of Eagle Pass Public Works Department Construction Specifications Manual, with the surface kept in a dust-free condition at all times.
 - 13. Required parking spaces shall not have direct access to a street or highway. Access to required parking spaces shall be provided by on-site driveways. Off-site parking spaces shall be accessible without backing into or otherwise re-entering a public right-of-way.
 - 14. The construction of any off-street parking area shall require a review by the city to determine the condition of all sidewalk areas located within the adjacent public-right-of-way. Any sub-standard sidewalk shall be repaired in the event that the city determines that the physical condition of the sidewalk area does not comply with the city standards set forth in the City of Eagle Pass Construction Specifications Manual.
 - 15. Parking requirements for uses not covered by this section. Parking for uses not covered by this section shall be those deemed by the planning department to be most similar to that of the proposed use.
- (Ord. No. 06-13, § 2, 7-11-2006; Ord. No. 07-10, § 1, 5-24-2007; Ord. No. 2013-16, § 1, 9-3-2013; Ord. No. 2018-01, § 1, 1-2-2018; Ord. No. 2021-07, § 2, 4-22-2021; Ord. No. 2022-13, §§ 1—3, 6-7-2022)

MATER PLAN MAP



ZONING DISTRICT MAP

