

ORDINANCE NO. 20231212-005-1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGLETON TEXAS AMENDING CHAPTER 28, ZONING OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON, TEXAS, ARTICLE III. ZONING DISTRICTS, SECTIONS 28-43 , 28-44, 28-45, 28-46, 28-47, 28-48, 28-49, 28-51, 28-52, 28-53, 28-57, 28-58, 28-60 PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; PROVIDING FOR A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Texas Local Government Code Chapter 51, the City Council of the City of Angleton, Texas (“City”) has the general authority to adopt and publish an ordinance that is for the good government, peace or order of the municipality, is consistent with the laws of this State, and is necessary or proper for the carrying out of a power granted by law to the municipality; and

WHEREAS, the City Council for the City of Angleton (“City Council”) is authorized by Chapter 54 of the Texas Local Government Code to enforce rules, ordinances and police regulation of the municipality by fine or penalty; and,

WHEREAS, pursuant to Section 28-24 Amendments to Zoning Ordinance and Districts, Administrative Procedures, and Enforcement, of the Angleton Code of Ordinances the policy and review criteria for approval of amendments to the zoning ordinance has been met;

WHEREAS, pursuant to Section 28-24 Amendments to Zoning Ordinance and Districts, Administrative Procedures, and Enforcement, of the Angleton Code of Ordinances the public hearing requirements by the planning and zoning commission and the city council have been met and such public hearings were held.

WHEREAS, the City of Angleton, City Council desires to amend the City of Angleton Code of Ordinances, Chapter 28 Zoning, Article III Zoning Districts, area and yard size regulations for the following sections:

- Sec. 28-43. - SFE-20—Single-family estate residential-20 district.
- Sec. 28-44. - SF-10—Single-family residential-10 district.
- Sec. 28-45. - SF-7.2—Single-family residential-7.2 district.
- Sec. 28-46. - SF-6.3—Single-family residential-6.3 district.
- Sec. 28-47. - SF-5—Single-family residential-5 district.
- Sec. 28-48. - SF-PH—Single-family residential—Patio home district (Zero-lot-line homes).
- Sec. 28-49. - 2F—Two-family residential district (Duplex homes).
- Sec. 28-51. - MFR-14—Multifamily residential-14 district (Apartments).
- Sec. 28-52. - MFR-29—Multifamily residential-29 district (Apartments).
- Sec. 28-53. - MFR-36—Multifamily residential-36 district (Apartments).
- Sec. 28-57. - C-G—Commercial-general district.
- Sec. 28-58. - C-O/R—Commercial-office/retail district.

Sec. 28-60. - LI—Light industrial district.

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

SECTION 1. All the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated herein by this reference and expressly made a part hereof, as if copied herein verbatim.

SECTION 2. The City of Angleton, Code of Ordinances, Chapter 28, Zoning, Article ***28-52, 28-53, 28-57, 28-58, 28-60*** are revised in each section as set out in bold italics as follows:

Sec. 28-43. - SFE-20—Single-family estate residential-20 district.

- (d) Area regulations
 - (2) Size of yards
 - a. Minimum front yard: ***40 feet.***

Sec. 28-44. - SF-10—Single-family residential-10 district.

- (d) Area regulations
 - (2) Size of yards
 - a. Minimum front yard: ***40 feet.***
 - b. Minimum side yard: ***Ten*** feet for interior side yard; fifteen feet for a corner lot on a street; 30 feet for a key corner lot.

Sec. 28-45. - SF-7.2—Single-family residential-7.2 district.

- (d) Area regulations
 - (2) Size of yards
 - a. Minimum front yard: ***35 feet.***
 - b. Minimum side yard: ***10'-0"*** for interior side yard; ***30*** feet for a corner lot on a street; ***30*** feet for a key corner lot.

Sec. 28-46. - SF-6.3—Single-family residential-6.3 district.

- (d) Area regulations
 - (2) Size of yards
 - a. Minimum front yard: ***35 feet.***
 - b. Minimum side yard: ***10'-0"*** for interior side yard; 15 feet for a corner lot on a street; ***30*** feet for a key corner lot.

Sec. 28-47. - SF-5—Single-family residential-5 district.

- (d) Area regulations
 - (2) Size of yards
 - a. Minimum front yard: ***35 feet.***
 - b. Minimum side yard: ***10*** feet for interior side yard; 15 feet for a corner lot on a street; 30 feet for a key corner lot.
 - c. Minimum rear yard: ***15*** feet for the main building; 25 feet for rear entry garage (See section 28-103 for accessory building standards.)

Sec. 28-48. - SF-PH—Single-family residential—Patio home district (Zero-lot-line homes).

(d) Area regulations

(2) Size of yards

a. Minimum front yard: 35 feet to the garage door face for front-entry homes.

Sec. 28-49. - 2F—Two-family residential district (Duplex homes).

(d) Area regulations

(2) Size of yards for two-family/duplex homes:

a. Minimum front yard: 35 feet; 35 feet to the garage door face for front-entry homes.

Sec. 28-51. - MFR-14—Multifamily residential-14 district (Apartments).

(d) Area regulations

(2) Size of yards

a. Minimum front yard: 35 feet to the garage door face for front-entry homes.

Sec. 28-52. - MFR-29—Multifamily residential-29 district (Apartments).

(d) Area regulations

(2) Size of yards

a. Minimum front yard: 35 feet. All areas adjacent to a street shall be deemed front yards. See section 28-106 for additional setback requirements.

Sec. 28-53. - MFR-36—Multifamily residential-36 district (Apartments).

(d) Area regulations

(2) Size of yards

a. Minimum front yard: 40 feet. All areas adjacent to a street shall be deemed front yards. See section 28-106 for additional setback requirements.

Sec. 28-57. - C-G—Commercial-general district.

(d) Area regulations

(2) Size of yards

a. Minimum front yard: 35 feet. All yards adjacent to a street shall be deemed front yard (see section 28-106 for additional setback requirements).

Sec. 28-58. - C-O/R—Commercial-office/retail district.

(d) Area regulations

(2) Size of yards

a. Minimum front yard: 35 feet. All yards adjacent to a street shall be considered a front yard (see section 28-106 for additional setback requirements).

Sec. 28-60. - LI—Light industrial district.

(d) Area regulations

(2) Size of yards

a. Minimum front yard: 35 feet. All yards adjacent to a street shall be considered a front yard (see section 28-106 for additional setback requirements).

SECTION 3. Penalty. Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Two Thousand and No/100 Dollars (\$2,000.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense.

SECTION 4. Repeal. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

SECTION 5. Severability. In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Angleton, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part this declared to be invalid or unconstitutional, or whether there be one or more parts.

SECTION 6. Effective date. That this Ordinance shall be effective and in full force immediately upon its adoption.

SECTION 7. Proper Notice & Meeting,

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED, APPROVED, and ADOPTED this, the 12th day of December, 2023.

CITY OF ANGLETON, TEXAS

John Wright
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary