

ORDINANCE NO. 2024-0XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH AMENDING CITY OF WOLFFORTH ZONING ORDINANCE BY AMENDING CHAPTER 14 ZONING; AMENDING §14.04.001 ACCESSORY BUILDINGS AND STRUCTURES; ALLOWING FOR A PRINCIPAL BUILDING SETBACK AND PROHIBITED STRUCTURES IN ALL DISTRICTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Wolfforth Zoning Ordinance regulates the uses of property within the Wolfforth city limits including setbacks and prohibited structures;

WHEREAS, the Zoning Ordinance requires at least a five-foot setback from principal buildings;

WHEREAS, the Planning and Zoning Commission held a public hearing on March 19, 2024, regarding a principal building setback and prohibited structures; and

WHEREAS, the City published notice on March 1, 2024, in the Lubbock-Avalanche Journal for the March 19, 2024 public hearing before the Planning and Zoning Commission and the April 1, 2024 public hearing before the City Council; and

WHEREAS, the City Council believes it is in the best interest of the City to allow for a setback from the principal building and prohibited structures in all zones; NOW THEREFORE

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

Part 1. Enacted.

THAT City of Wolfforth Zoning Ordinance is hereby amended by Chapter 14 Zoning §14.04.001 (1) Accessory buildings or structures, such additional language shall read as follows:

§14.04.001 Accessory uses and structures.

(1) Accessory buildings or structures.

(A) Setbacks. An accessory building may be detached from the principal building or constructed such that it is physically attached to the principal building.

(i) An accessory building attached to a principal building shall be considered integral to the principal building, and shall meet the minimum side and rear setback requirements as the principal building.

- (ii) Except for those carports allowed in section **14.05.013**, no accessory building, either attached or detached, shall be allowed within the minimum front yard required on the lot.
 - (iii) An accessory building that is detached from the principal building, or attached with only a breezeway, shall be allowed to extend into the required side or rear yard as follows:
 - a. Where the wall or edge of the roof will adjoin an alley right-of-way, no setback shall be required.
 - b. Where the wall or edge of the roof will adjoin any other side or rear lot line, a minimum setback of five (5) feet from that side or rear lot line shall be maintained.
 - (iv) In no event may any part of any accessory structure extend beyond any property line.
 - (v) An accessory building that is detached from the principal building, or attached with only a breezeway, shall maintain a five-foot separation from the principal building.
- (B) Size. A maximum accessory building floor area of 600 square feet or 50 percent of the floor area of the principal building, whichever is greater, shall be permitted on any residential lot. Bona fide farm and agricultural buildings shall be exempt from this requirement.
- (C) Prohibited structures. Shipping crates, railroad cars, truck or bus bodies and other similar containers shall not be used as accessory buildings in any district.

Part 2. Severability.

If any section, sub-section, clause, phrase or portion of this Ordinance shall be held unconstitutional or invalid by a court of competent jurisdiction, such section, sub-section, sentence, clause, phrase or portion shall be deemed to be separate, distinct and independent provision and such invalidity shall not affect the validity of the remaining portion.

Part 3. Repeal.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Part 4. Open Meetings.

That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that the public notice of the time, place, and

purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

Part 5. Effective Date.

This Ordinance shall take effect immediately upon its passage and adoption by the City Council.

PASSED AND APPROVED ON THIS THE 1ST day of April 2024.

Charles Addington, II, Mayor
City of Wolfforth, TX

ATTEST:

Terri Robinette, City Secretary