

Ordinance 2018.3.1

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FLATONIA, TEXAS, CHAPTER 14 ZONING, ARTICLE III. ZONING DISTRICT USE REGULATIONS, SECTION 2. ZONING DISTRICTS ESTABLISHED, SECTION 4. R-1 LOW DENSITY RESIDENTIAL DISTRICT, SECTION 5. R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT, SECTION 6. R-3 HIGH DENSITY RESIDENTIAL DISTRICT, SECTION 8. CBD CENTRAL BUSINESS DISTRICT, SECTION 9. G-C GENERAL COMMERCIAL, SECTION 9.5. G-C-2 GENERAL COMMERCIAL WITH RESIDENTIAL (R-2), SECTION 9.6. G-C-3 GENERAL COMMERCIAL WITH RESIDENTIAL (R-1), SECTION 10. HIGHWAY COMMERCIAL DISTRICT, AND SECTION 11. L-I LIGHT INDUSTRIAL DISTRICT BY CORRECTING ZONING DISTRICT TITLES, CORRECTING MINIMUM LOT WIDTH AND/OR MINIMUM LOT DEPTH DIMENSIONS TO ALIGN WITH MINIMUM LOT AREA DIMENSIONS, ADJUSTING LOT SETBACK DIMENSIONS AND ADDING NOTES TO BETTER ADDRESS EACH ZONING DISTRICT IN THE CITY OF FLATONIA, TEXAS.

WHEREAS, the City Manager has determined that there is inaccurate nomenclature in the Code of Ordinances of the City of Flatonia, Chapter 14 Zoning, Article III. Zoning District Use and Regulations, Section 2. Zoning Districts Established, and there are inconsistencies between minimum lot width and depth dimensions, and minimum lot area requirements in, Section 4. R-1 Low Density Residential District, Section 5. Medium Density Residential District, Section 6. High Density Residential District, Section 8. CBD Central Business District, Section 9. G-C General Commercial, Section 9.5. G-C-2 General Commercial with Residential (R-2), Section 9.6. G-C-3 General Commercial with Residential (R-1), Section 10. Highway Commercial District, and Section 11. K-I Light Industrial District; and,

WHEREAS, the inconsistencies are such that the minimum lot widths currently expressed in each of these sections, multiplied by the minimum lot depth as prescribed in the Code of Ordinances of the City of Flatonia, Chapter 10 Subdivision Regulation does not equal the minimum lot areas for these respective sections;

WHEREAS, there is a lack of clarity in any notes section for each section addressing the most common variables to the code in each section; and

WHEREAS, the City Manager has determined the most efficient means to update the Code of Ordinances is to correct the Minimum Lot Width description in each of these sections' table of Required Lot Dimensions and Setbacks with accurate minimum lot widths so as the minimum lot widths multiplied by the minimum lot depths equals the minimum lot areas for these sections of the Code of Ordinances.

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

Section 1. That the Code of Ordinances for the City of Flatonia, Chapter 14 Zoning, Article III. Zoning District Use Regulations, Section 2. Zoning Districts Established, be, and it is hereby amended to hereafter read as follows:

SECTION 2. ZONING DISTRICTS ESTABLISHED

Zoning regulations and districts as set forth in this ordinance are established and the City is divided into districts as follows:

- R-1 Low Density Residential
- R-2 Medium Density Residential
- R-3 High Density Residential
- CBD Central Business District
- G-C General Commercial
- G-C-2 General Commercial with Residential (R-2)
- G-C-3 General Commercial with Residential (R-1)
- H-C Highway Commercial
- L-I Light Industrial
- O-S Open Space
- H-O Historic Overlay

(Ordinance 342 adopted 10/8/02)

Section 2. That the Code of Ordinances for the City of Flatonia, Chapter 14 Zoning, Article III. Zoning District Use Regulations, Section 4. R-1 Low Density Residential District, Paragraph B. Required Lot Dimensions and Setbacks., be, and it is hereby amended to hereafter read as follows:

B. Required Lot Dimensions and Setbacks.

Minimum Lot Area	7,000 square feet
Minimum Lot Width	70 feet
Minimum Lot Depth	100 feet (1)
Minimum Front Yard	25 feet
Minimum Side Yard	5 feet (interior side) 25 feet street side (2)
Minimum Rear Yard	25 feet

- (1) Minimum Lot Depth for a corner lot used for the purpose of DSFD or DTF only is authorized at less than one hundred feet (100') provided the minimum depth is no less than eighty-eight feet (88'), and the minimum lot area of 7,000 square feet is retained.
- (2) In situations of a reversed corner lot and upon approval of the City Manager, the minimum street side yard may be reduced to fifteen feet (15') measured from the side yard lot line. See additional information in Chapter 14, Article IV, Section 3. Height, Yard and Area Requirements.

(Ordinance 304 adopted 12/21/00; Ordinance 371 adopted 9/14/04)

Section 3. That the Code of Ordinances for the City of Flatonia, Chapter 14 Zoning, Article III. Zoning District Use Regulations, Section 5. R-2 Medium Density Residential District, Paragraph B. Required Lot Dimensions and Setbacks., be, and it is hereby amended to hereafter read as follows:

B. Required Lot Dimensions and Setbacks.

Minimum Lot Area	DSFA and DSFD (including Manufactured)	6,000 square feet (2)
	DTF	7,000 square feet
	DSFA (Townhomes/Townhouses)	10,000 square feet (per cluster)
Minimum Lot Width	DSFA (Townhomes/Townhouses)	20 feet (per unit)
	DSFA and DSFD (including Manufactured)	60 feet
	DTF	70 feet
Minimum Front Yard (1)	Townhomes/Townhouses with parking in rear	20 feet
	Townhomes/Townhouses with parking in front	30 feet
	All other uses	25 feet
Minimum Side Yard (1)	DSFA and DSFD (including Manufactured)	5 feet (interior side)

		25 feet (street side) (4)
	Townhomes/Townhouses	20 feet (each cluster end)
	DTF	5 feet (interior side)
		25 feet (street side) (4)
Minimum Rear Yard (1)	All Uses	20 feet
Minimum Lot Depth	All Uses	100 feet (3)

Minimum setback distances are measured from the lot line to the item (structure, parking space, etc).

(1) Minimum front yard setbacks allow for parking to occupy a portion of the front yard as stipulated in [Article IV.] Section 4. Off-Street Parking Requirements.

(2) Barndominiums' primary purpose is for a dwelling and as such, at least 25% of the square footage of the structure must be allocated to the dwelling unit.

(3) Minimum Lot Depth for a corner lot used for the purpose of DSFD or DTF only is authorized at less than one hundred feet (100') provided the minimum depth is no less than eighty-eight feet (88'), and the minimum lot area is retained.

(4) In situations of a reversed corner lot and upon approval of the City Manager, the minimum street side yard may be reduced to fifteen feet (15') measured from the side yard lot line. See additional information in Chapter 14, Article IV, Section 3. Height, Yard and Area Requirements

(Ordinance 2016.11.1, sec. 8, adopted 11/8/16)

Section 4. That the Code of Ordinances for the City of Flatonia, Chapter 14 Zoning, Article III. Zoning District Use Regulations, Section 6. R-3 High Density Residential District, Paragraph B. Required Lot Dimensions and Setbacks., be, and it is hereby amended to hereafter read as follows:

B. Required Lot Dimensions and Setbacks.

Minimum Lot Area	DSFA and DSFD	5,000 square feet (3)
	Townhomes/Townhouses	10,000 square feet (per cluster)
	DTF	7,000 square feet
	DMF	7,000 square feet for the first two units, plus 1,500 square feet for each additional unit (4)
	Manufactured Home Park	3 acres

Minimum Lot Width	DSFA and DSFD	50 feet
	Townhomes/Townhouses	20 feet (per unit)
	DTF	70 feet
	DMF	100 feet (5)
	Manufactured Home Park	No requirement
Minimum Front Yard (1)	Townhomes/Townhouses	(Refer to R-2 chart)
	All other uses	25 feet
Minimum Side Yard (1)	DSFA and DSFD	5 feet (interior side)
		25 feet (street side)
	Townhomes/Townhouses	20 feet (each cluster end)
	DTF	5 feet (interior side)
		25 feet (street side)
DMF	25 feet (each side)	
Manufactured Home Park	25 feet (each side)	
Minimum Rear Yard (1)	All Uses	25 feet ²
Minimum Lot Depth	All Uses	100 feet (5) (6)
Maximum Building Coverage	All Uses	50 percent of total lot area

(1) Minimum setback distances are measured from the lot line to the item (structure, parking space, etc).

(2) Rear Yard: 40 feet when adjacent to R-1 or R-2.

(3) Barndominiums' primary purpose is for a dwelling and as such, at least 25% of the square footage of the structure must be allocated to the dwelling unit.

(4) Minimum lot area in DMF shall be no less than 11,500 square feet in order to meet the DMF number of minimum units to qualify.

(5) For DMF uses, the minimum lot width and minimum lot depth when multiplied shall meet minimum lot area requirements for the specified number of DMF units. No single lot width or depth distance for a DMF lot shall be less than 100 feet.

(6) Minimum Lot Depth for a corner lot in R-3 districts used for the purpose of DSFD or DTF only is authorized at less than one hundred feet (100') provided the minimum depth is no less than eighty-eight feet (88'), and the minimum lot area is retained.

(Ordinance 2016.11.1, sec. 11, adopted 11/8/16)

Section 5. That the Code of Ordinances for the City of Flatonia, Chapter 14 Zoning, Article III. Zoning District Use Regulations, Section 8. CBD Central Business District, Paragraph B. Required Lot Dimensions and Setbacks., be, and it is hereby amended to hereafter read as follows:

B. Required Lot Dimensions and Setbacks

Minimum Lot Area	2,500 square feet
Minimum Lot Width	25 feet
Minimum Lot Depth	100 feet
Minimum Front Yard	None
Minimum Side Yard	None
Minimum Rear Yard	Same as Side Yard

(Ordinance 304 adopted 12/21/00; Ordinance 371 adopted 9/14/04)

Section 6. That the Code of Ordinances for the City of Flatonia, Chapter 14 Zoning, Article III. Zoning District Use Regulations, Section 8. CBD Central Business District, Paragraph C. Restrictions on Particular Uses, Sub-Paragraph 1., be, and it is hereby amended to hereafter read as follows:

1. Commercial uses listed in Section 7, Table of Permitted Uses are the only authorized uses for CBD structures. At a minimum, the commercial use must incorporate at least 50% of the street-level square footage of the structure, shall be fronted to the main street side of the structure, and the street level commercial use shall not be converted to any use other than solely for authorized commercial business.

Section 7. That the Code of Ordinances for the City of Flatonia, Chapter 14 Zoning, Article III. Zoning District Use Regulations, Section 9. G-C General Commercial, Paragraph B. Required Lot Dimensions and Setbacks., be, and it is hereby amended to hereafter read as follows:

B. Required Lot Dimensions and Setbacks

Minimum Lot Area	5,000 square feet
Minimum Lot Width	50 feet
Minimum Lot Depth	100 feet
Minimum Front Yard	25 feet
Minimum Side Yard	25 (street side) (2)

	10 (interior side) (2)
Minimum Rear Yard	10 feet (1)
Maximum Building Coverage	50 percent

(1) Interior Side or Rear Yard: 25 feet when adjacent to R-1 or R-2.

(2) Minimum side yard dimensions may be less if approved by the City Manager, Planning and Zoning Commission and the City Council.

(Ordinance 304 adopted 12/21/00; Ordinance 371 adopted 9/14/04)

Section 8. That the Code of Ordinances for the City of Flatonia, Chapter 14 Zoning, Article III. Zoning District Use Regulations, Section 9.5. G-C-2 General Commercial With Residential (R-2), Paragraph B. Required Lot Dimensions and Setbacks., be, and it is hereby amended to hereafter read as follows:

B. Required Lot Dimensions and Setbacks

Minimum Lot Area	5,000 square feet
Minimum Lot Width	50 feet
Minimum Lot Depth	100 feet
Minimum Front Yard	25 feet
Minimum Side Yard	25 (street side) (2) 10 (interior side)(1) (2)
Minimum Rear Yard	10 feet
Maximum Building Coverage	50 percent

(1) Interior Side or Rear Yard: 25 feet when adjacent to R-1 or R-2.

(2) Minimum side yard dimensions may be less if approved by the City Manager, Planning and Zoning Commission and the City Council.

(Ordinance 326 adopted 11/13/01; Ordinance 371 adopted 9/14/04)

Section 9. That the Code of Ordinances for the City of Flatonia, Chapter 14 Zoning, Article III. Zoning District Use Regulations, Section 9.6. G-C-3 General Commercial with Residential (R-1), Paragraph B. Required Lot Dimensions and Setbacks., be, and it is hereby amended to hereafter read as follows:

B. Required Lot Dimensions and Setbacks

Minimum Lot Area	5,000 square feet
Minimum Lot Width	50 feet
Minimum Lot Depth	100 feet
Minimum Front Yard	25 feet
Minimum Side Yard	25 (street side) (2) 10 (interior side) (1) (2)
Minimum Rear Yard	10 feet
Maximum Building Coverage	50 percent

(1) Interior Side or Rear Yard: 25 feet when adjacent to R-1 or R-2.

(2) Minimum side yard dimensions may be less if approved by the City Manager, Planning and Zoning Commission and the City Council.

(Ordinance 2012.8.2 adopted 8/14/12)

Section 10. That the Code of Ordinances for the City of Flatonia, Chapter 14 Zoning, Article III. Zoning District Use Regulations, Section 10. H-C Highway Commercial District, Paragraph B. Required Lot Dimensions and Setbacks., be, and it is hereby amended to hereafter read as follows:

B. Required Lot Dimensions and Setbacks

Minimum Lot Area	10,000 square feet
Minimum Lot Width	100 feet
Minimum Lot Depth	100 feet
Minimum Front Yard	25 feet
Minimum Side Yard	25 feet (street side) 10 feet (interior side) ¹
Minimum Rear Yard	20 feet ²
Maximum Building Coverage	65 percent

Section 11. That the Code of Ordinances for the City of Flatonia, Chapter 14 Zoning, Article III. Zoning District Use Regulations, Section 11. L-I Light Industrial District, Paragraph B. Required Lot Dimensions and Setbacks., be, and it is hereby amended to hereafter read as follows:

B. Required Lot Dimensions and Setbacks

Minimum Lot Area	0.5 acre (21,780 square feet) (3)
Minimum Lot Width	100 feet
Minimum Lot Depth	100 feet
Minimum Front Yard	25 feet
Minimum Side Yard	25 feet (street side) 10 feet (1)
Minimum Rear Yard	20 feet (2)
Maximum Building Coverage	65 percent

(1) Interior Side Yard: 25 feet when adjacent to R-1 or R-2.

(2) Rear Yard: 40 feet when adjacent to R-1 or R-2.

(3) Minimum lot area for the L-I district shall be no less than .5 acres (21,780 square feet). The lot width and lot depth when multiplied shall meet minimum lot area requirements. No single lot width or depth distance shall be less than 100 feet.

(Ordinance 304 adopted 12/21/00; Ordinance 371 adopted 9/14/04)

Section 12. This ordinance shall be cumulative of all other ordinances of the City of Flatonia, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Flatonia except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

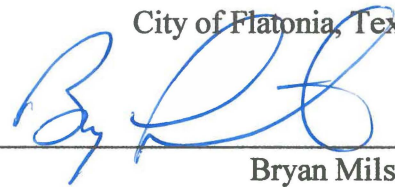
Section 13. The sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 14. 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, Chapter 551, Texas Government Code; 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.

Section 15. This Ordinance shall be effective immediately from and after its passage and any publication in accordance with the requirements of the laws of the State of Texas.

PASSED AND APPROVED on the on this the 13th day of March, 2018.

City of Flatonia, Texas



Bryan Milson
Mayor



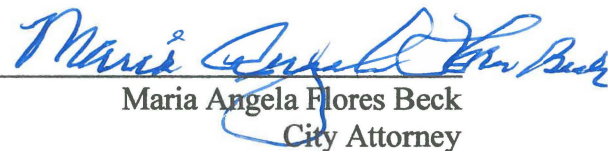
Attest:

(Seal)



Melissa Brunner, TRMC, CMC
City Secretary

Approved as to form:



Maria Angela Flores Beck
City Attorney