

ORDINANCE NO. 2016-O-1

AN ORDINANCE AMENDING EXHIBIT "B", SEC. 12.400 OF CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF PALACIOS, TEXAS TO AMEND THE DISTRICT REGULATIONS WHICH REGULATE THE HEIGHT, AREA, AND SET BACK REQUIREMENTS FOR STRUCTURES BUILT WITHIN THE VARIOUS ZONING DISTRICTS OF THE CITY; CONTAINING A SAVINGS CLAUSE; REPEALING INCONSISTENT ORDINANCES; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, the City Council of the City of Palacios has determined there is need to modify and amend the height, area, and setback restrictions of the zoning regulations of the City in order to more effectively regulate growth and construction within the city so as to maximize property values while still protecting the public health, safety, and general welfare of its citizens; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PALACIOS, TEXAS:

SECTION 1: That Sec. 12.400 of Exhibit "B" to Chapter 14 of the Code of Ordinances of the City of Palacios, Texas is hereby amended to read as follows:

SECTION 12.400: SCHEDULE OF DISTRICT REGULATIONS

	AG	AR	R-1	R-2	WF-1	WF-2	WF-3	C
Maximum Height (ft)	n/a	n/a	35	35	35*	35*	35*	35*
Minimum Side yard (ft) setback for interior lots	n/a	n/a	one 5 & one 10**	one 5 & one 10				
Minimum Side Yard Corner Lot (ft.) setback	n/a	n/a	15	15	15	15	15	15
Minimum Rear Yard (ft) setback from the alley or easement	n/a	n/a	10	10	10	10	10	20
Minimum Front Yard (ft) setback	n/a	n/a	20	20	20	20	20	20
Minimum Lot Area (sq ft)	n/a	n/a	6,000	5,000	n/a	n/a	n/a	2,500
Minimum Lot Width (ft)	n/a	n/a	60	60	25	25	25	25
Minimum Lot Depth (ft)	n/a	n/a	100	100	100	100	100	100
Maximum building Area (%) ***	n/a	n/a	65	65	80	85	85	85

\* Maximum height cannot exceed 35 feet measured to the trust or rafter bearing plate

\*\* Town Houses are exempted from this limitation

\*\*\* Maximum portion of a lot that may be covered by a main building and any accessory buildings

A. Combining lots. A person combining lots to create a building site on which the proposed building would otherwise cross side setback lines shall provide a subdivision plat to the planning commission and council for approval according to the subdivision ordinance.

B. Building foundations must be a minimum of ten feet from any water line, sanitary sewer line, and/or storm sewer line in the right-of-way. More restrictive setback requirements contained in recorded plats or recorded deed restrictions shall not be affected by this subsection.

C. Overhanging structures. On any lot or tract where a structure may be built on the front property line (a zero front yard setback), no part of the structure or building may overhang or protrude past the property line.

D. Obstructing Views. All hedges, opaque and wood fences, walls or other structures that would obstruct the view of pedestrians or traffic that are located in the front or side yard which faces any public street or ROW and is between the property line and ten (10') setback line shall not be higher than thirty-six inches (36") above natural grade.

SECTION 2: If any provisions, section, exception, subsection, paragraph, sentence, clause or phrase of this ordinance or the application of same to any person or set of circumstances, shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and to this end all provisions of this ordinance are declared to be severable.

SECTION 3: All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; specifically including Section 3.02.002 Height Restrictions and 3.02.003 Setback Requirements; 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 4: Any person who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than Two Thousand and No/100 Dollars (\$2,000.00). Each day that a violation is committed or permitted to exist shall constitute a separate offense.

SECTION 5: This Ordinance shall become effective after its approval and adoption upon second and final reading.

PASSED AND APPROVED on first reading this 8<sup>th</sup> day of March, 2016.

PASSED, APPROVED AND ADOPTED on second and final reading this 22 day of March, 2016.

CITY OF PALACIOS, TEXAS



John Sardehich  
JOHN SARDELICH, Mayor

ATTEST:

Angela Flores  
ANGELA FLORES, City Secretary

APPROVED AS TO FORM:

RANDALL B. STRONG, City Attorney

...palacios/zoning/amending 12.400.feb 2016