

ORDINANCE # 08-26-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS AMENDING THE ZONING ORDINANCE TO MODIFY THE LOT AREA REGULATIONS WITHIN THE R-1 RESIDENTIAL DISTRICT - 1, R-2 RESIDENTIAL DISTRICT - 2, R-3 RESIDENTIAL DISTRICT - 3 AND R-4 RESIDENTIAL DISTRICT - 4 BY ELIMINATING THE MAXIMUM LOT AREA REQUIREMENT; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. That Chapter 14 “Planning and Zoning”, Article 14.100, Exhibit A, Section 53 “R-1” Residential District - 1, Section 54 “R-2” Residential District - 2, Section 55 “R-3” Residential District – 3 and Section “R-4” Residential District - 4 are hereby amended to eliminate the maximum lot area regulation and shall read as follows:

**SECTION 53
“R-1” RESIDENTIAL DISTRICT - 1**

General Purpose and Description - This district is designed to permit larger single-family detached dwelling units on small lots. The R districts are the preferred zoning districts for new single-family residential land uses.

53.1 Permitted Uses:

A. Uses permitted in the SF-2 through SF-10 districts are outlined in the chart in Section 30.

53.2 Area Regulations:

A. Size of Yards:

1. Minimum Front Yard - Twenty feet (20')
2. Minimum Side Yard - Eight feet (8'); Ten feet (10') on corner adjacent to side street.
3. Minimum Rear Yard - Twenty feet (20')

B. Size of Lots:

1. Minimum Lot Area - Six thousand (6,500) [sic] square feet
2. Minimum Lot Width - Fifty feet (50')

3. Minimum Lot Depth - One hundred feet (100')
- C. Minimum Dwelling Size: Two thousand (2,000) square feet
 - D. Minimum Parking Required: An enclosed parking area of at least four hundred (400) square feet. This area does not count towards the minimum dwelling size.

SECTION 54
“R-2” RESIDENTIAL DISTRICT – 2

General Purpose and Description - This district is designed to permit larger single-family detached dwelling units on small lots. The R districts are the preferred zoning districts for new single-family residential land uses.

54.1 Permitted Uses:

- A. Uses permitted in the SF-2 through SF-10 districts are outlined in the chart in Section 30.

54.2 Area Regulations:

- A. Size of Yards:
 1. Minimum Front Yard - Twenty feet (20')
 2. Minimum Side Yard - Six feet (6'); Ten feet (10') on corner adjacent to side street.
 3. Minimum Rear Yard - Fifteen feet (15')
- B. Size of Lots:
 1. Minimum Lot Area - Six thousand (6,000) square feet
 2. Minimum Lot Width - Fifty feet (50')
 3. Minimum Lot Depth - One hundred feet (100')
- C. Minimum Dwelling Size: Two thousand four hundred (2,400) square feet
- D. Minimum Parking Required: An enclosed parking area of at least four hundred (400) square feet. This area does not count towards the minimum dwelling size.

SECTION 55
“R-3” RESIDENTIAL DISTRICT - 3

General Purpose and Description - This district is designed to permit larger single-family detached dwelling units on small lots. The R districts are the preferred zoning districts for new single-family residential land uses.

55.1 Permitted Uses:

A. Uses permitted in the SF-2 through SF-10 districts are outlined in the chart in Section 30.

55.2 Area Regulations:

A. Size of Yards:

1. Minimum Front Yard - Twenty feet (20')
2. Minimum Side Yard - Six feet (6'); Ten feet (10') on corner adjacent to side street.
3. Minimum Rear Yard - Fifteen feet (15')

B. Size of Lots:

1. Minimum Lot Area - Five thousand five hundred (5,500) square feet
2. Minimum Lot Width - Fifty feet (50')
3. Minimum Lot Depth - Ninety feet (90')

C. Minimum Dwelling Size: Two thousand eight hundred (2,800) square feet

D. Minimum Parking Required: An enclosed parking area of at least four hundred (400) square feet. This area does not count towards the minimum dwelling size.

**SECTION 56
"R-4" RESIDENTIAL DISTRICT - 4**

General Purpose and Description - This district is designed to permit larger single-family detached dwelling units on small lots. The R districts are the preferred zoning districts for new single-family residential land uses.

56.1 Permitted Uses:

A. Uses permitted in the SF-2 through SF-10 districts are outlined in the chart in Section 30.

56.2 Area Regulations:

A. Size of Yards:

1. Minimum Front Yard - Twenty feet (20')
2. Minimum Side Yard - Six feet (6'); Ten feet (10') on corner adjacent to side street.
3. Minimum Rear Yard - Ten feet (10')

B. Size of Lots:

1. Minimum Lot Area - Five thousand (5,000) square feet
2. Minimum Lot Width - Forty-four feet (44')
3. Minimum Lot Depth - Eighty feet (80')

C. Minimum Dwelling Size: Three thousand (3,000) square feet

D. Minimum Parking Required: An enclosed parking area of at least four hundred (400) square feet. This area does not count towards the minimum dwelling size.

Section 2. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 3. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this ordinance are severable and, if any word, phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgement or decree of any court competent jurisdiction, such unconstitutionality shall not affect any of the remaining portions of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional word, phrase, clause, sentence, paragraph or section.

Section 4. Any person, firm or corporation who shall violate any of the provisions of this article shall be guilty of a misdemeanor and upon conviction shall be fined in accordance with the general penalty provision found in Section 1.109 of the Code of Ordinances.

Section 5. This ordinance will take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

DULY PASSED, APPROVED AND ADOPTED, this the 21st day of August, 2017, by the City Council of the City of Sanger, Denton County, Texas.



ATTEST:

A handwritten signature in cursive script, appearing to read "Cheryl Price".

Cheryl Price, City Secretary

APPROVED:

A handwritten signature in blue ink, appearing to read "Thomas E. Muir".

Thomas E. Muir, Mayor



STAFF REPORT

Meeting Date: August 21, 2017

Case #: 17SANZON-0018

Case Coordinator: Alina Ciocan, Director of Economic & Community Development

Request: Consider, Discuss and Act on Proposed Amendments to the Zoning Ordinance Concerning the Maximum Lot Area Requirement for Residential Zoning Districts R-1, R-2, R-3 and R-4

Applicant: Not Applicable

Case Overview

On July 18, 2016, the City Council amended the Zoning Ordinance to create new residential districts (R-1, R-2, R-3 and R-4) that would permit larger homes to be constructed on smaller lots.

The ordinance established both minimum lot area requirements districts as well as maximum lot area requirements for each of the above mentioned. The maximum lot area requirement for all R districts is twelve thousand (12,000) square feet and fifteen thousand (15,000) square feet for cul-de-sac and corner lots.

Staff is proposing an amendment to the Zoning Ordinance that would eliminate the maximum lot area requirement to allow for more flexibility in designing and developing projects in the R districts.

Currently, there is only one development in the City that is zoned R-1. The property owner has been notified of the proposed changed.

Staff Recommendation

Staff recommends approval of the proposed amendment to the Zoning Ordinance.

Planning & Zoning Commission

The Planning & Zoning Commission approved the proposed amendment at the meeting on August 14, 2017.