

ORDINANCE #06-09-12

AN ORDINANCE OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, AMENDING SECTION 18 AND SECTION 19 OF THE CITY OF SANGER ZONING ORDINANCE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 18 and Section 19 of the City of Sanger Zoning Ordinance include development standards in need of update and revisions;

WHEREAS, the Planning & Zoning Commission has recommended approval of various amendments to these development standards; and

WHEREAS, the City Council has conducted a public hearing to consider amending these sections of the City of Sanger Zoning Ordinance;

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

Section 1 Sections 18 and 19 of the City of Sanger Zoning Ordinance are hereby amended to read as follows:

SECTION 18 "MF-1" MULTI-FAMILY RESIDENTIAL DISTRICT-1

General Purpose and Description: The "MF-1" Multi-Family Residential District is intended to provide for medium density residential development not to exceed ten (10) units per acre. This district functions as a buffer or transition between major streets, nonresidential areas or higher density residential areas and lower density residential areas. Density in this district is not to exceed ten (10) units per acre.

18.1 Use Regulations: A building or premise in the MF-1 district shall be used only for the following purposes:

1. Three (3) or more single family attached dwelling units, provided that no more than seven (7) dwelling units are attached in one continuous row or group and provided that no dwelling unit is constructed above another unit.
2. Multi-family dwelling.
3. Other uses as listed in Section 30 of this ordinance.

The following specific uses shall be permitted in a MF-1 district when granted in accordance with Section 31:

1. Uses listed in Section 30 of this ordinance.

18.2 Height Regulations: No building shall exceed thirty-five (35) feet.

18.3 Area Regulations:

1. Size of Yards:

- a. Front Yard: There shall be a front yard having a required depth of not less than twenty-five (25) feet as measured from the front property line.
- b. Side Yard: There shall be a side yard on each side of a continuous row or group of dwellings of not less than ten (10) feet. There shall be ten (10) feet separation between buildings without openings and fifteen (15) feet between buildings with openings. A side yard adjacent to a side street shall not be less than twenty (20) feet. No side yard for allowable non-residential uses shall be less than twenty-five (25) feet. If a side yard adjacent to a single family zoning district there shall be a total of sixty (60) feet setback from the adjacent building line for buildings in excess of one (1) story in height.
- c. Rear Yard: There shall be a rear yard with a depth of not less than twenty (20) feet.

2. Size of Lot:

- a. Lot Area: No building shall be constructed on any lot less than two thousand eight hundred eighty (2,880) square feet, or equivalent thereof, per dwelling unit, not to exceed ten (10) units per gross acre.
- b. Lot Width: The width of a lot shall be not less than twenty-four (24) feet at any point for a single family attached unit and eighty (80) feet as measured along the front building line for a multi-family unit.
- c. Lot Depth: The depth of the lot shall be not less than one hundred twenty (120) feet at any point.

3. Minimum Dwelling Size: The minimum size of a family attached dwelling unit shall be nine hundred (900) square feet, exclusive of garages, breezeways and porches. The minimum floor area of multi-family units shall be seven hundred fifty (750) square feet per unit.

4. Lot Coverage: In no case shall more than forty percent (40%) of the total lot area be covered by the combined area of the main buildings and accessory buildings.

18.4 Parking Regulations: The number of parking spaces required shall be based on the following:

- Two (2) bedroom units equal one and three-quarters (1 $\frac{3}{4}$) spaces per unit.
- Three (3) bedroom units equal two (2) spaces per unit.

- Required parking may not be provided within the required front yard.
- Off-street parking spaces shall be provided in accordance with the requirements set forth in Section 32.

18.5 Refuse Facilities: Every dwelling unit in a multi-family complex shall be located within two hundred fifty (250) feet of a refuse facility, measured along the designated pedestrian and vehicular travel way. There shall be available at all times at least six (6) cubic yards of refuse container per thirty (30) multi-family dwelling units. For complexes with less than thirty (30) units, no less than four (4) cubic yards of refuse container shall be provided, three sides from persons standing at ground level on the site or immediately adjoining property, by an opaque fence or wall of wood or masonry not less than six (6) feet nor more than eight (8) feet in height or by an enclosure within a building. Refuse containers shall be provided and maintained in a manner to satisfy city public health and sanitary regulations. Each refuse facility shall be located so as to provide safe and convenient pickup by refuse collection agencies.

18.6 Border fencing of wood or masonry, not less than six (6) feet in height shall be installed by the builder at the time of construction of any multi-family complex, along the property line on any perimeter not abutting a public street or right-of-way. This fence shall be maintained throughout the existence of the multi-family unit by the owner of the unit.

18.7 Each residential unit in a multi-family dwelling shall be provided with at least two (2) paths of egress to a place of safety in the event of fire or other emergency.

SECTION 19 "MF-2" MULTI-FAMILY RESIDENTIAL DISTRICT-2

General Purpose and Description: The MF-2 Multiple Family Dwelling District is a residential attached district intended to provide for the highest residential density not to exceed twenty (20) units per acre. The district is usually located adjacent to a major street and serves as a buffer or transition between retail/commercial development or heavy automobile traffic and medium or low density residential development. The number of efficiency units shall not exceed twenty-five percent (25%) of the total number of units of a multi-family development.

19.1 Use Regulations: A building or premise in the MF-2 district shall be used only for the following purposes:

1. Multi-family dwelling (apartment building).
2. Other uses as listed in Section 30 of this ordinance.

The following specific uses shall be permitted in an MF-2 district, when granted in accordance with Section 31:

1. Uses listed in Section 30 of this ordinance.

19.2 Height Regulations: No building shall exceed thirty-five (35) feet.

19.3 Area Regulations:

1. Size of Yards:

- a. Front Yard: There shall be a front yard having a required depth of not less than twenty-five (25) feet as from the front property line. Accessory buildings shall be located not less than sixty (60) feet from the front property line.
- b. Side Yard: There shall be a side yard on each side of the lot having a width of not less than ten (10) feet. There shall be ten (10) feet separation between buildings without openings (windows) and fifteen (15) feet between buildings with openings. A side yard adjacent to a side street shall not be less than twenty (20) feet. No side yard for allowable non-residential uses shall be less than twenty-five (25) feet. If a side yard is adjacent to a single family zoning district then paragraph "d" shall apply.
- c. Rear Yard: There shall be a rear yard with a depth of not less than twenty (20) feet.
- d. There shall be a total of sixty (60) feet setback from the adjacent building line for buildings in excess of one (1) story in height when an MF-2 district is adjacent to a district zoned for single family use.

2. Size of Lot:

- a. Lot Area: Front lot shall have a minimum two thousand two hundred fifty (2250) square feet per dwelling unit, not to exceed twenty (20) units per gross acre.
- b. Lot Width: The width of a lot shall not be less than eighty (80) feet as measured along the front building line.
- c. Lot Depth: The average depth of the lot shall not be less than one hundred fifty (150) feet.

3. Minimum Dwelling Size: The minimum living area for multi-family dwelling units shall be as follows:

- a. Efficiency units shall be a minimum of four hundred fifty (450) square feet.
- b. One (1) bedroom units shall be a minimum of six hundred (600) square feet.
- c. Two (2) bedroom units shall be a minimum of seven hundred fifty (750) square feet.
- d. Three (3) bedroom units shall be a minimum of nine hundred (900) square feet.

4. Lot Coverage: In no case shall more than forty percent (40%) of the total lot area be covered by the combined area of the main buildings and accessory buildings.

19.4 Parking Regulations: The number of parking spaces required shall be based on the following:

- Efficiency units equal one (1) space per unit.
- One (1) bedroom units equal one and one-half (1 ½) spaces per unit.
- Two (2) bedroom units equal one and three-quarters (1 ¾) spaces per unit.
- Three (3) bedroom units equal two (2) spaces per unit.
- Required parking may not be provided within the required front yard.
- Off-street parking spaces shall be provided in accordance with the requirements for specific uses set forth in Section 32.

19.5 Refuse Facilities: Every dwelling unit shall be located within two hundred fifty (250) feet of a refuse facility, measured along the designated pedestrian and vehicular travel way. There shall be available at all times at least six (6) cubic yards of refuse container per thirty (30) multi-family dwelling units. For complexes with less than thirty (30) units, no less than four (4) cubic yards of refuse container shall be provided. Each refuse facility shall be screened from view on three sides from persons standing at ground level on the site or immediately adjoining property, by an opaque fence or wall of wood or masonry not less than six (6) feet nor more than eight (8) feet in height or by an enclosure within a building. Refuse containers shall be provided and maintained in a manner to satisfy city public health and sanitary regulations. Each refuse facility shall be located so as to provide safe and convenient pickup by refuse collection agencies.

19.6 Border fencing of wood or masonry of not less than six (6) feet in height shall be installed by the builder at the time of construction of any multi-family complex, along the property line on any perimeter not abutting a public street or right-of-way. This fence shall be maintained throughout the existence of the multi-family unit by the owner of the unit.

19.7 Each story in any multistory design, regardless of density, shall be provided with two (2) paths of entry and exit with each providing separate access to places of safety in the event of fire or other emergency.

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

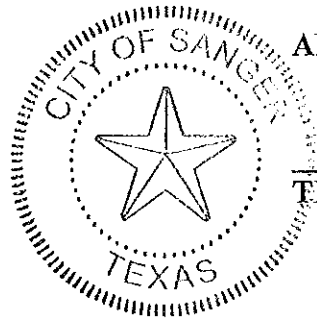
Section 3 It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this Ordinance are severable and, if any word, phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of 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 an amount not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

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, by the City Council of the City of Sanger, Texas, on this 4th day of June, 2012.



APPROVED:

Thomas E. Muir
THOMAS MUIR, MAYOR

ATTEST:

Tami Taber
TAMI TABER, CITY SECRETARY