

ORDINANCE NO. 15-029

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, AMENDING THE 2015 GALVESTON LAND DEVELOPMENT REGULATIONS, ARTICLE 3: DISTRICT YARD, LOT AND SETBACK STANDARDS TO ADD OPTIONAL MINIMUM LOT STANDARDS AND SETBACKS TO THE RESIDENTIAL, SINGLE FAMILY (R-1) ZONING DISTRICT; PLANNING CASE NUMBER 15ZA-004; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, on March 5, 2015, City Council voted to approve the 2015 Galveston Land Development Regulations with various zoning districts each having distinct development standards and land uses; and,

WHEREAS, Staff is requesting a text amendment to change Article 3: District yard, Lot and Setback Standards to add optional minimum lot standards and setbacks to the Residential, Single Family (R-1) zoning district; and,

WHEREAS, the request is to align the “Minimum Lot Standards” and “Setbacks” of the Residential, Single Family (R-1) zoning district with the intended purpose of the district; and,

WHEREAS, as further detailed in the Staff Report, attached and incorporated herein as **Exhibit 1**, recently adopted development regulations within the R-1 zoning district has resulted in the inability of appropriate residential construction to take place on existing residential lots due to setback requirements. Further, numerous existing residential units and lots have become nonconforming with current R-1 standards; and,

WHEREAS, the proposed text amendment request is supported by the Comprehensive Plan; as set forth in **Exhibit 1**, Staff report; and,

WHEREAS, the Planning Commission, at its regular meeting of April 21, 2015, voted unanimously to recommend denial of the proposed text amendment; and,

WHEREAS, after public notice and hearing as required by law, the City Council finds that it is in the public’s interest to approve Planning Case Number 15ZA-004, amending the 2015 Galveston Land Development Regulations, Article 3: “District Yard, Lot and Setback Standards” to add optional minimum lot standards and setbacks to the Residential, Single Family (R-1) zoning district.

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

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The 2015 Galveston Land Development Regulations, Article 3: “District Yard, Lot and Setback Standards” is hereby amended to read and provide as follows:

Minimum Lot Standards	Setbacks
Area: 5,000 sq-ft	Front: 20 feet
Width: 50 feet	Side: 3-5 feet
Depth: 100 feet	Rear: 10 feet

For properties located west of 39th Street, east of 61st Street, south of Broadway Blvd, and north of Seawall Blvd the following standards shall apply:

Minimum Lot Standards	Setbacks
Area: 2,500 sq-ft	Front: 0-5 feet
Width: 0-feet	Side: 0-5 feet
Depth: 0-feet	Rear: 0-5 feet

SECTION 3. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 4. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 5. In accordance with the provisions of Section 12 and 13 of Article II of The City Charter this Ordinance has been publicly available in the office of the City Secretary for not less than 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

SECTION 6. This Ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of The Charter of the City of Galveston.

APPROVED AS TO FORM:

DONNA M. FAIRWEATHER
ASSISTANT CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its regular meeting held on May 14, 2015, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this _____ day of _____, 2015.

Secretary for the City Council
of the City of Galveston