

ORDINANCE # 091318-03

AN ORDINANCE AMENDING CHAPTER 82 OF THE CODE OF ORDINANCES OF THE CITY OF SELMA, TEXAS, BY CREATING CHAPTER 82, ARTICLE VI, DIVISION 15, "SPECIAL NEIGHBORHOOD DISTRICT", AND REVISING AFFECTED RESERVED SECTIONS ACCORDINGLY.

WHEREAS, Chapter 82 of the Code of Ordinances of the City Selma, Texas consists of the Zoning Code for the City; and

WHEREAS, the City Council of the City of Selma, Texas, has passed Resolution 041218-01 which adopted the document known as "Comprehensive Development Plan 2017 – 2032 (the "CDP"); and

WHEREAS, the CDP posits that "... there is a need to update the zoning guidelines to encourage new and different types of development" (Section 5.3); and

WHEREAS, Chapter 82 of the Code of Ordinances provides a Planned Unit Development (PUD) zoning district which anticipates a single developer providing a comprehensive development plan for a tract of land; and

WHEREAS, the City Council of the City of Selma recognizes that mixed use development may occur without a single developer providing a comprehensive plan for a tract of land; and

WHEREAS, the City Council of the City of Selma recognizes that certain areas may benefit by allowing a mixture of commercial and residential uses.

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

1. Chapter 82, Article V, Division 14, "Secs. 82-614 – 82-640. Reserved." is hereby revised to read, "Secs. 82-614 – 82-624. Reserved."
2. Chapter 82, Article V, Division 15 is hereby created and shall be entitled "DIVISION 15. SPECIAL NEIGHBORHOOD DISTRICT (SND)".
3. Under Chapter 82, Article V, Division 15, "DIVISION 15. SPECIAL NEIGHBORHOOD DISTRICT (SND)", new Secs. 82-625 through 82-629 are created which read:

Sec. 82-625. Stipulation for development.

Any development in a special neighborhood district requires a specific use permit.

Sec. 82-626. Permitted uses.

In an SND zoning district, no land shall be used and no building shall be erected for or converted to any other use than:

- (1) One single-family dwelling unit, a maximum of three duplexes (two residential conjoined dwelling units), or a maximum of two triplex (three conjoined residential dwelling units) per lot, or any combination thereof that does not exceed six dwelling units per lot.
- (2) Accessory buildings such as a detached garage or storage shed are permitted only in addition to a primary use.
- (3) One “destination business” or suite of “destination businesses” per acre per lot. A destination business is a business that does not ordinarily rely on drive-by customers, such as a restaurant or retail shop; rather, the clientele of the business has specific reason for accessing the business, such as an appointment. This use classification may include auxiliary buildings in which business is conducted, all buildings being under one ownership and not exceeding the maximum lot coverage stipulated in the area requirements. A “destination business” and a single family dwelling unit, both owned and occupied by the same owner or tenant, are permitted.
- (4) A mixed-use structure having a premises combining two distinct and separated areas, one area for residential use and one area for business use. The use must be a joint use by one individual or family occupying and using the premises as owner or tenant.
- (5) Open space, playground, parkland, municipal infrastructure, or stormwater control, each designated as such by plat or separate instrument.

Sec. 82-627. Prohibited uses.

Prohibited uses in the SND district are as follows:

- (1) Any building erected or land used for other than one or more of the preceding specified uses.
- (2) Any use of property that does not meet the required minimum lot size; frontage requirements; front, side and rear yard setbacks; or exceeds the maximum height, building coverage, or density per gross acre as required.
- (3) Any use of a residential unit by more than two individuals who are unrelated by blood, legal adoption, or marriage. The owner and any agent of the owner shall be legally responsible for compliance with this provision.

Exception: A single-family detached dwelling may be used as a senior care facility by unrelated individuals when allowed by a specific use permit.

Sec. 82-628. Area Requirements.

Area requirements for the Special Neighborhood District (SND) are as follows:

- (1) Minimum lot area:
 - a. Internal: one acre (43,560 square feet);
 - b. Corner: one acre (43,560 square feet);
 - c. No SND development shall exceed a residential density of more than six dwelling units per gross acre.
- (2) Minimum lot frontage on a public street:
 - a. Internal: 70 feet;
 - b. Corner: 100 feet;
- (3) Minimum lot depth (average of each side lot line): 150 feet.
- (4) Minimum depth of front setback: 20 feet.
- (5) Minimum depth of rear setback: 20 feet.
- (6) Minimum width of side setback:
 - a. Internal lot: 20 feet or 10% of lot width at front of building, whichever is less;
 - b. Corner: 30 feet or 10% of lot width at front of building, whichever is less;
- (7) The ordinary projections of roof overhangs, including eaves, cornices, and gutters and downspouts may project beyond a required setback line a distance of up to 36 inches. At no time, however, may such a projection extend to within five feet of any lot line.
- (8) Maximum building coverage as a percentage of lot area: 50%.
- (9) Maximum accessory building coverage: 40% of primary building (or buildings) climate conditioned area.
- (10) Minimum heated/air conditioned area:

- a. Single family dwelling or business structure: 1,500 square feet.
 - c. Duplex or triplex: 1,200 square feet per dwelling unit
 - b. Mixed-use structure: 1,200 square feet residential / 1,000 square feet business.
- (11) A two-car (minimum capacity) attached or detached garage is required for each single-family dwelling and for each mixed-use structure. The off-street parking requirements for duplexes apply, modified to include triplexes at two parking spaces per dwelling unit.
- (12) Business use of property shall meet the off-street parking requirements found in Article VI, Division 4.
- (13) Maximum height of structures: 30 feet or 2-½ stories, whichever is less.
- (14) See Division 3, Article VI, of this chapter for further clarification and exceptions and modifications.

Sec. 82-629. Stormwater mitigation.

Each property owner shall provide a plan for stormwater runoff mitigation to the city for review and acceptance prerequisite to obtaining a building permit.

4. Article V, Division 15, “Secs. 82-630 - 82-640. Reserved.” is hereby created.
5. This Ordinance shall be effective upon approval.

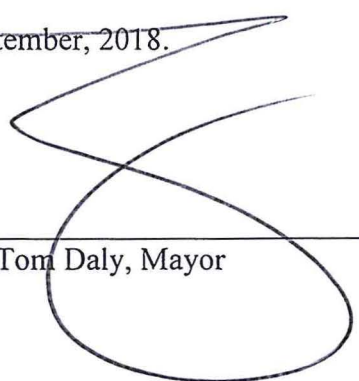
PASSED AND APPROVED this 13th day of September, 2018.



ATTEST:



Johnny Castias, City Secretary



Tom Daly, Mayor