

ORDINANCE NO. 2024-05
OUTSIDE STORAGE REGULATIONS

AN AMENDMENT TO SEABROOK CODE OF ORDINANCE, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE III, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.02 "R-LD LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT", SECTION 3.04 "R-2 SINGLE FAMILY DETACHED RESIDENTIAL DISTRICT (SMALL LOTS)", SECTION 3.05 "R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT", AND SECTION 3.12 "OS OLD SEABROOK DISTRICT", BY CREATING, A NEW SECTION TITLED "OUTSIDE STORAGE", ESTABLISHING REGULATIONS CONCERNING THE OUTSIDE PLACEMENT OF AN ITEM WITHIN THE FRONT YARD OF A RESIDENTIAL USE FOR A PERIOD OF MORE THAT SEVERNTY-TWO (72) HOURS DURING A TWELVE (12) MONTH PERIOD; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Seabrook is continually reviewing the provisions of the City Code of Ordinances relating to land use and other circumstances which impact the health, safety and well-being of residents, citizens, and inhabitants; and

WHEREAS, the Planning and Zoning Commission of the City of Seabrook has conducted a public hearing, received input from staff and is of the opinion and has issued its final report that the amendments hereto are necessary for the public safety, health, and welfare and for protection of the residents; and

WHEREAS, the City Council and the Planning and Zoning Commission of the City of Seabrook have studied the present provisions of the Code of Ordinances of the City of Seabrook and have determined the need to update the provisions relative to permitted land uses; and

WHEREAS, the Planning and Zoning Commission recommended approval of this amendment at its meeting of December 21, 2023, and has made its final report; and

WHEREAS, all public notices have been posted, published and all required hearings on this matter have been held in accordance with the Comprehensive Zoning Ordinance and law; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

SECTION 1. FINDINGS OF FACT.

That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2. AMENDMENT TO SEABROOK CODE OF ORDINANCE, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE III, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.02 "R-LD LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT", BY CREATING, A NEW SUBSECTION 3.02.08 ENTITLED "OUTSIDE STORAGE", ESTABLISHING REGULATIONS CONCERNING THE OUTSIDE PLACEMENT OF AN ITEM WITHIN THE FRONT YARD OF A RESIDENTIAL USE FOR A PERIOD OF MORE THAN SEVENTY-TWO (72) HOURS DURING A TWELVE (12) MONTH PERIOD, ESTABLISHING THE FOLLOWING ASSOCIATED REGULATIONS:

3.02.08 Outside storage**A. Definitions**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

- 1. Debris. The scattered remains of something broken or destroyed.**
- 2. Front yard. An open space unoccupied by a principal structure on a lot facing a street, extending across the full width of the front of a lot between the side lot lines and in front of the front-most corners of the principal structure, and including any unenclosed portion of a front porch, carport, portico, or other unenclosed structure located beyond the front face of the principal structure.**
- 3. Outside storage. The outside placement of an item for a period of more than seventy-two (72) hours during a twelve-month period.**
- 4. Rear yard. An open space unoccupied by a principal structure extending for the full width of the lot between the principal structure and the rear lot line, and behind the back-most corners of the building line of the principal structure.**
- 5. Right-of-way. That area of land designated by a plat or other document for public use, access, and travel, including that area between the property line and the curb or street edge.**
- 6. Setback. The distance between a structure and a property line, natural feature, road right-of-way, or other improvements.**
- 7. Side yard. An open space unoccupied by a principal structure, situated between the building and the sideline of the lot, and extending through from the front yard to the rear line of the lot, including any unenclosed portion of a side porch, carport, portico, or**

other unenclosed structure located beyond the side of the principal structure. Any lot line not a rear line or a front line shall be deemed a sideline.

8. Vacant lot. Any lot, parcel, or tract which contains no structures.

B. Prohibited outside storage

It shall be unlawful for any person to maintain, conduct, allow or permit any prohibited outside storage on any property located in this zoning district.

It shall be unlawful for any person to maintain, conduct, allow or permit any outside storage on any portion of a vacant lot in this zoning district.

It shall be unlawful for any person for a period of more than seventy-two (72) hours during a twelve-month period to maintain, conduct, allow or permit any outside storage within the front yard of any property located in this zoning district of the following items:

(1) Debris, rubbish, or trash as defined herein or in Chapter 55 Nuisances and Miscellaneous Provisions, Article III Trash, Rubbish, Weeds and Wild Growth and Other Offensive Conditions of this code.

(2) New, used, or discarded building materials.

(3) Batteries, used oil, automobile parts, engine parts, or scrap metal.

(4) Any tire, whether new or used, without wheels or other inserts.

(5) Supplies, materials, or other items associated with a home occupation or an off-premises business.

(6) Equipment, tools, supplies, materials, or other items not typically associated with residential use or activity.

(7) Furniture, including, but not limited to, couches, chairs, shelves, tables, dressers, or other related items, which furniture is designed or intended by the manufacturer for indoor use and constructed of polished wood or wood veneer, cloth, or any other material not specifically designed or intended for outdoor use.

(8) Appliances not designed for outdoor use, including, but not limited to, refrigerators, freezers, ovens, ranges, dishwashers, clothes washing machines or dryers, or other household or similar appliances primarily designed or intended for indoor use.

(9) Building fixtures not designed for outdoor use, including, but not limited to, bathtubs, commodes, sinks, hot water heaters, or other building fixtures primarily designed or intended for indoor use.

(10) Chemicals (including pool or spa chemicals), bagged or boxed fertilizer, pre-emergent, or other organic or synthetic substances used for landscaping purposes, including, but not limited to, bagged or bulk mulching materials and bagged or bulk topsoil. Spa and pool equipment designed for outdoor use but not installed, including, but not limited to,

hot tubs, jacuzzies, swimming pools, or other similar equipment primarily designed or intended for outdoor use.

(11) Play equipment including, but not limited to, play structures, trampolines, pools, swing sets, slides, see-saws, exercise equipment, and other recreational equipment that is intended by the manufacturer to remain in a stationary location, on any portion of a lot other than entirely within the side yard or rear yard of the lot; however, basketball goals may be located in the front yard if placed in such location and in such manner that play does not take place in a public street, alley, or other right-of-way.

Exception: tree, porch, and yard swings are permissible to be located within the front yard.

(12) Barbeque grills or other similar outdoor cooking equipment on any portion of a lot other than entirely within the side yard or rear yard of the lot.

(13) Tools, mobile, and/or mechanical equipment.

(14) Lawn maintenance equipment on any portion of a lot other than entirely within the rear or side yard of the lot.

(15) Motor vehicle parts and/or accessories including, but not limited to, engines, transmissions, electrical parts, suspension parts, vehicle body parts, batteries, tires, wheels, hubcaps, and other motor vehicle parts.

(16) Firewood on any portion of the front or side yard setback that is not screened from public view.

(17) Trash cans or containers may not be stored in any portion of a lot other than entirely within the rear or side yard.

(18) Wet, broken, or leaking barrels, casks, or boxes or broken, empty or otherwise discarded pallets; or

(19) Any other item or material which is not designed or manufactured for outside use or storage to include shopping carts.

(20) Any other item or material permitted within this ordinance that has become in disrepair.

C. The following items are exempted from the outside storage prohibition:

(1) Building materials that:

(A) Are stored in a workmanlike manner as part of, and in conjunction with, an active building permit; and

(B) Are being used for construction, repair, renovation, or remodel of a structure or building and are not stored outside for more than two (2) weeks after the conclusion of construction or issuance of a certificate of occupancy.

(2) In the case of furniture, that such furniture is designed and constructed for outside use, and further, that such furniture is in good condition and is not deteriorated.

(3) Solid waste, garbage, trash, brush, and bulky waste:

(A) Awaiting pickup by the city or other sanitation service.

(B) In a container or bag as approved by the city.

(C) Placed in an approved location no earlier than twenty-four (24) hours preceding normal pickup and shall be retrieved no later than twenty-four (24) hours after scheduled collection. At all times containers and bags shall be placed behind the front yard either in the side yard or rear yard of the property.

(4) Motor vehicles, watercraft, and trailers that are parked on an approved parking surface that have lawfully attached to it:

(A) An unexpired license plate, registration, or certificate of number (TX Number); and

(B) A valid motor vehicle inspection certificate; and

(C) Is not wrecked, dismantled, or partially dismantled, inoperable for more than seventy-two (72) consecutive hours if the vehicle is located on public property; or thirty (30) consecutive days if the vehicle is on private property.

(5) Holiday decorations installation to include Christmas lighting.

SECTION 3. AMENDMENT TO SEABROOK CODE OF ORDINANCE, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE III, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.03 "R-1 SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT", BY CREATING, A NEW SUBSECTION 3.03.08 ENTITLED "OUTSIDE STORAGE", ESTABLISHING REGULATIONS CONCERNING THE OUTSIDE PLACEMENT OF AN ITEM WITHIN THE FRONT YARD OF A RESIDENTIAL USE FOR A PERIOD OF MORE THAT SEVERNTY-TWO (72) HOURS DURING A TWELVE (12) MONTH PERIOD, ESTABLISHING THE FOLLOWING ASSOCIATED REGULATIONS:

3.03.08 Outside storage

A. Definitions

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

- 1. Debris. The scattered remains of something broken or destroyed.**
- 2. Front yard. An open space unoccupied by a principal structure on a lot facing a street, extending across the full width of the front of a lot between the side lot lines and in front of the front-most corners of the principal structure, and including any unenclosed portion of a front porch, carport, portico, or other unenclosed structure located beyond the front face of the principal structure.**

3. Outside storage. The outside placement of an item for a period of more than seventy-two (72) hours during a twelve-month period.
4. Rear yard. An open space unoccupied by a principal structure extending for the full width of the lot between the principal structure and the rear lot line, and behind the back-most corners of the building line of the principal structure.
5. Right-of-way. That area of land designated by a plat or other document for public use, access, and travel, including that area between the property line and the curb or street edge.
6. Setback. The distance between a structure and a property line, natural feature, road right-of-way, or other improvements.
7. Side yard. An open space unoccupied by a principal structure, situated between the building and the sideline of the lot, and extending through from the front yard to the rear line of the lot, including any unenclosed portion of a side porch, carport, portico, or other unenclosed structure located beyond the side of the principal structure. Any lot line not a rear line or a front line shall be deemed a sideline.
8. Vacant lot. Any lot, parcel, or tract which contains no structures.

B. Prohibited outside storage

It shall be unlawful for any person to maintain, conduct, allow or permit any prohibited outside storage on any property located in this zoning district.

It shall be unlawful for any person to maintain, conduct, allow or permit any outside storage on any portion of a vacant lot in this zoning district.

It shall be unlawful for any person for a period of more than seventy-two (72) hours during a twelve-month period to maintain, conduct, allow or permit any outside storage within the front yard of any property located in this zoning district of the following items:

(1) Debris, rubbish, or trash as defined herein or in Chapter 55 Nuisances and Miscellaneous Provisions, Article III Trash, Rubbish, Weeds and Wild Growth and Other Offensive Conditions of this code.

(2) New, used, or discarded building materials.

(3) Batteries, used oil, automobile parts, engine parts, or scrap metal.

(4) Any tire, whether new or used, without wheels or other inserts.

(5) Supplies, materials, or other items associated with a home occupation or an off-premises business.

(6) Equipment, tools, supplies, materials, or other items not typically associated with residential use or activity.

(7) Furniture, including, but not limited to, couches, chairs, shelves, tables, dressers, or other related items, which furniture is designed or

intended by the manufacturer for indoor use and constructed of polished wood or wood veneer, cloth, or any other material not specifically designed or intended for outdoor use.

(8) Appliances not designed for outdoor use, including, but not limited to, refrigerators, freezers, ovens, ranges, dishwashers, clothes washing machines or dryers, or other household or similar appliances primarily designed or intended for indoor use.

(9) Building fixtures not designed for outdoor use, including, but not limited to, bathtubs, commodes, sinks, hot water heaters, or other building fixtures primarily designed or intended for indoor use.

(10) Chemicals (including pool or spa chemicals), bagged or boxed fertilizer, pre-emergent, or other organic or synthetic substances used for landscaping purposes, including, but not limited to, bagged or bulk mulching materials and bagged or bulk topsoil. Spa and pool equipment designed for outdoor use but not installed, including, but not limited to, hot tubs, jacuzzies, swimming pools, or other similar equipment primarily designed or intended for outdoor use.

(11) Play equipment including, but not limited to, play structures, trampolines, pools, swing sets, slides, see-saws, exercise equipment, and other recreational equipment that is intended by the manufacturer to remain in a stationary location, on any portion of a lot other than entirely within the side yard or rear yard of the lot; however, basketball goals may be located in the front yard if placed in such location and in such manner that play does not take place in a public street, alley, or other right-of-way.

Exception: tree, porch, and yard swings are permissible to be located within the front yard.

(12) Barbeque grills or other similar outdoor cooking equipment on any portion of a lot other than entirely within the side yard or rear yard of the lot.

(13) Tools, mobile, and/or mechanical equipment.

(14) Lawn maintenance equipment on any portion of a lot other than entirely within the rear or side yard of the lot.

(15) Motor vehicle parts and/or accessories including, but not limited to, engines, transmissions, electrical parts, suspension parts, vehicle body parts, batteries, tires, wheels, hubcaps, and other motor vehicle parts.

(16) Firewood on any portion of the front or side yard setback that is not screened from public view.

(17) Trash cans or containers may not be stored in any portion of a lot other than entirely within the rear or side yard.

(18) Wet, broken, or leaking barrels, casks, or boxes or broken, empty or otherwise discarded pallets; or

(19) Any other item or material which is not designed or manufactured for outside use or storage to include shopping carts.

(20) Any other item or material permitted within this ordinance that has become in disrepair.

C. The following items are exempted from the outside storage prohibition:

(1) Building materials that:

(A) Are stored in a workmanlike manner as part of, and in conjunction with, an active building permit; and

(B) Are being used for construction, repair, renovation, or remodel of a structure or building and are not stored outside for more than two (2) weeks after the conclusion of construction or issuance of a certificate of occupancy.

(2) In the case of furniture, that such furniture is designed and constructed for outside use, and further, that such furniture is in good condition and is not deteriorated.

(3) Solid waste, garbage, trash, brush, and bulky waste:

(A) Awaiting pickup by the city or other sanitation service.

(B) In a container or bag as approved by the city.

(C) Placed in an approved location no earlier than twenty-four (24) hours preceding normal pickup and shall be retrieved no later than twenty-four (24) hours after scheduled collection. At all times containers and bags shall be placed behind the front yard either in the side yard or rear yard of the property.

(4) Motor vehicles, watercraft, and trailers that are parked on an approved parking surface that have lawfully attached to it:

(A) An unexpired license plate, registration, or certificate of number (TX Number); and

(B) A valid motor vehicle inspection certificate; and

(C) Is not wrecked, dismantled, or partially dismantled, inoperable for more than seventy-two (72) consecutive hours if the vehicle is located on public property; or thirty (30) consecutive days if the vehicle is on private property.

(5) Holiday decorations installation to include Christmas lighting.

SECTION 4. AMENDMENT TO SEABROOK CODE OF ORDINANCE, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE III, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.04 "R-2 SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT (SMALL LOTS)", BY CREATING, A NEW SUBSECTION 3.04.06 ENTITLED "OUTSIDE STORAGE", ESTABLISHING REGULATIONS CONCERNING THE OUTSIDE PLACEMENT OF AN ITEM WITHIN THE FRONT YARD OF A RESIDENTIAL USE FOR A PERIOD OF MORE THAT SEVERNTY-TWO (72) HOURS DURING A TWELVE (12)

MONTH PERIOD, ESTABLISHING THE FOLLOWING ASSOCIATED REGULATIONS:

3.04.06 Outside storage

A. Definitions

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

1. Debris. The scattered remains of something broken or destroyed.
2. Front yard. An open space unoccupied by a principal structure on a lot facing a street, extending across the full width of the front of a lot between the side lot lines and in front of the front-most corners of the principal structure, and including any unenclosed portion of a front porch, carport, portico, or other unenclosed structure located beyond the front face of the principal structure.
3. Outside storage. The outside placement of an item for a period of more than seventy-two (72) hours during a twelve-month period.
4. Rear yard. An open space unoccupied by a principal structure extending for the full width of the lot between the principal structure and the rear lot line, and behind the back-most corners of the building line of the principal structure.
5. Right-of-way. That area of land designated by a plat or other document for public use, access, and travel, including that area between the property line and the curb or street edge.
6. Setback. The distance between a structure and a property line, natural feature, road right-of-way, or other improvements.
7. Side yard. An open space unoccupied by a principal structure, situated between the building and the sideline of the lot, and extending through from the front yard to the rear line of the lot, including any unenclosed portion of a side porch, carport, portico, or other unenclosed structure located beyond the side of the principal structure. Any lot line not a rear line or a front line shall be deemed a sideline.
8. Vacant lot. Any lot, parcel, or tract which contains no structures.

B. Prohibited outside storage

It shall be unlawful for any person to maintain, conduct, allow or permit any prohibited outside storage on any property located in this zoning district.

It shall be unlawful for any person to maintain, conduct, allow or permit any outside storage on any portion of a vacant lot in this zoning district.

It shall be unlawful for any person for a period of more than seventy-two (72) hours during a twelve-month period to maintain, conduct, allow or permit any outside storage within the front yard of any property located in this zoning district of the following items:

(1) Debris, rubbish, or trash as defined herein or in Chapter 55 Nuisances and Miscellaneous Provisions, Article III Trash, Rubbish, Weeds and Wild Growth and Other Offensive Conditions of this code.

(2) New, used, or discarded building materials.

(3) Batteries, used oil, automobile parts, engine parts, or scrap metal.

(4) Any tire, whether new or used, without wheels or other inserts.

(5) Supplies, materials, or other items associated with a home occupation or an off-premises business.

(6) Equipment, tools, supplies, materials, or other items not typically associated with residential use or activity.

(7) Furniture, including, but not limited to, couches, chairs, shelves, tables, dressers, or other related items, which furniture is designed or intended by the manufacturer for indoor use and constructed of polished wood or wood veneer, cloth, or any other material not specifically designed or intended for outdoor use.

(8) Appliances not designed for outdoor use, including, but not limited to, refrigerators, freezers, ovens, ranges, dishwashers, clothes washing machines or dryers, or other household or similar appliances primarily designed or intended for indoor use.

(9) Building fixtures not designed for outdoor use, including, but not limited to, bathtubs, commodes, sinks, hot water heaters, or other building fixtures primarily designed or intended for indoor use.

(10) Chemicals (including pool or spa chemicals), bagged or boxed fertilizer, pre-emergent, or other organic or synthetic substances used for landscaping purposes, including, but not limited to, bagged or bulk mulching materials and bagged or bulk topsoil. Spa and pool equipment designed for outdoor use but not installed, including, but not limited to, hot tubs, jacuzzies, swimming pools, or other similar equipment primarily designed or intended for outdoor use.

(11) Play equipment including, but not limited to, play structures, trampolines, pools, swing sets, slides, see-saws, exercise equipment, and other recreational equipment that is intended by the manufacturer to remain in a stationary location, or any portion of a lot other than entirely within the side yard or rear yard of the lot; however, basketball goals may be located in the front yard if placed in such location and in such manner that play does not take place in a public street, alley, or other right-of-way.

Exception: tree, porch, and yard swings are permissible to be located within the front yard.

(12) Barbeque grills or other similar outdoor cooking equipment on any portion of a lot other than entirely within the side yard or rear yard of the lot.

(13) Tools, mobile, and/or mechanical equipment.

(14) Lawn maintenance equipment on any portion of a lot other than entirely within the rear or side yard of the lot.

(15) Motor vehicle parts and/or accessories including, but not limited to, engines, transmissions, electrical parts, suspension parts, vehicle body parts, batteries, tires, wheels, hubcaps, and other motor vehicle parts.

(16) Firewood on any portion of the front or side yard setback that is not screened from public view.

(17) Trash cans or containers may not be stored in any portion of a lot other than entirely within the rear or side yard.

(18) Wet, broken, or leaking barrels, casks, or boxes or broken, empty or otherwise discarded pallets; or

(19) Any other item or material which is not designed or manufactured for outside use or storage to include shopping carts.

(20) Any other item or material permitted within this ordinance that has become in disrepair.

C. The following items are exempted from the outside storage prohibition:

(1) Building materials that:

(A) Are stored in a workmanlike manner as part of, and in conjunction with, an active building permit; and

(B) Are being used for construction, repair, renovation, or remodel of a structure or building and are not stored outside for more than two (2) weeks after the conclusion of construction or issuance of a certificate of occupancy.

(2) In the case of furniture, that such furniture is designed and constructed for outside use, and further, that such furniture is in good condition and is not deteriorated.

(3) Solid waste, garbage, trash, brush, and bulky waste:

(A) Awaiting pickup by the city or other sanitation service.

(B) In a container or bag as approved by the city.

(C) Placed in an approved location no earlier than twenty-four (24) hours preceding normal pickup and shall be retrieved no later than twenty-four (24) hours after scheduled collection. At all times containers and bags shall be placed behind the front yard either in the side yard or rear yard of the property.

(4) Motor vehicles, watercraft, and trailers that are parked on an approved parking surface that have lawfully attached to it:

(A) An unexpired license plate, registration, or certificate of number (TX Number); and

(B) A valid motor vehicle inspection certificate; and

(C) Is not wrecked, dismantled, or partially dismantled, inoperable for more than seventy-two (72) consecutive hours if the vehicle is located on public property; or thirty (30) consecutive days if the vehicle is on private property.

(5) Holiday decorations installation to include Christmas lighting.

SECTION 5. AMENDMENT TO SEABROOK CODE OF ORDINANCE, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE III, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.05 "R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT", BY CREATING, A NEW SUBSECTION 3.05.06 ENTITLED "OUTSIDE STORAGE", ESTABLISHING REGULATIONS CONCERNING THE OUTSIDE PLACEMENT OF AN ITEM WITHIN THE FRONT YARD OF A RESIDENTIAL USE FOR A PERIOD OF MORE THAN SEVENTY-TWO (72) HOURS DURING A TWELVE (12) MONTH PERIOD, ESTABLISHING THE FOLLOWING ASSOCIATED REGULATIONS:

3.05.06 Outside storage

A. Definitions

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

1. Debris. The scattered remains of something broken or destroyed.
2. Front yard. An open space unoccupied by a principal structure on a lot facing a street, extending across the full width of the front of a lot between the side lot lines and in front of the front-most corners of the principal structure, and including any unenclosed portion of a front porch, carport, portico, or other unenclosed structure located beyond the front face of the principal structure.
3. Outside storage. The outside placement of an item for a period of more than seventy-two (72) hours during a twelve-month period.
4. Rear yard. An open space unoccupied by a principal structure extending for the full width of the lot between the principal structure and the rear lot line, and behind the back-most corners of the building line of the principal structure.
5. Right-of-way. That area of land designated by a plat or other document for public use, access, and travel, including that area between the property line and the curb or street edge.

6. Setback. The distance between a structure and a property line, natural feature, road right-of-way, or other improvements.
7. Side yard. An open space unoccupied by a principal structure, situated between the building and the sideline of the lot, and extending through from the front yard to the rear line of the lot, including any unenclosed portion of a side porch, carport, portico, or other unenclosed structure located beyond the side of the principal structure. Any lot line not a rear line or a front line shall be deemed a sideline.
8. Vacant lot. Any lot, parcel, or tract which contains no structures.

B. Prohibited outside storage

It shall be unlawful for any person to maintain, conduct, allow or permit any prohibited outside storage on any property located in this zoning district.

It shall be unlawful for any person to maintain, conduct, allow or permit any outside storage on any portion of a vacant lot in this zoning district.

It shall be unlawful for any person for a period of more than seventy-two (72) hours during a twelve-month period to maintain, conduct, allow or permit any outside storage within the front yard of any property located in this zoning district of the following items:

(1) Debris, rubbish, or trash as defined herein or in Chapter 55 Nuisances and Miscellaneous Provisions, Article III Trash, Rubbish, Weeds and Wild Growth and Other Offensive Conditions of this code.

(2) New, used, or discarded building materials.

(3) Batteries, used oil, automobile parts, engine parts, or scrap metal.

(4) Any tire, whether new or used, without wheels or other inserts.

(5) Supplies, materials, or other items associated with a home occupation or an off-premises business.

(6) Equipment, tools, supplies, materials, or other items not typically associated with residential use or activity.

(7) Furniture, including, but not limited to, couches, chairs, shelves, tables, dressers, or other related items, which furniture is designed or intended by the manufacturer for indoor use and constructed of polished wood or wood veneer, cloth, or any other material not specifically designed or intended for outdoor use.

(8) Appliances not designed for outdoor use, including, but not limited to, refrigerators, freezers, ovens, ranges, dishwashers, clothes washing machines or dryers, or other household or similar appliances primarily designed or intended for indoor use.

(9) Building fixtures not designed for outdoor use, including, but not limited to, bathtubs, commodes, sinks, hot water heaters, or other building fixtures primarily designed or intended for indoor use.

(10) Chemicals (including pool or spa chemicals), bagged or boxed fertilizer, pre-emergent, or other organic or synthetic substances used for landscaping purposes, including, but not limited to, bagged or bulk mulching materials and bagged or bulk topsoil. Spa and pool equipment designed for outdoor use but not installed, including, but not limited to, hot tubs, jacuzzies, swimming pools, or other similar equipment primarily designed or intended for outdoor use.

(11) Play equipment including, but not limited to, play structures, trampolines, pools, swing sets, slides, see-saws, exercise equipment, and other recreational equipment that is intended by the manufacturer to remain in a stationary location, on any portion of a lot other than entirely within the side yard or rear yard of the lot; however, basketball goals may be located in the front yard if placed in such location and in such manner that play does not take place in a public street, alley, or other right-of-way.

Exception: tree, porch, and yard swings are permissible to be located within the front yard.

(12) Barbeque grills or other similar outdoor cooking equipment on any portion of a lot other than entirely within the side yard or rear yard of the lot.

(13) Tools, mobile, and/or mechanical equipment.

(14) Lawn maintenance equipment on any portion of a lot other than entirely within the rear or side yard of the lot.

(15) Motor vehicle parts and/or accessories including, but not limited to, engines, transmissions, electrical parts, suspension parts, vehicle body parts, batteries, tires, wheels, hubcaps, and other motor vehicle parts.

(16) Firewood on any portion of the front or side yard setback that is not screened from public view.

(17) Trash cans or containers may not be stored in any portion of a lot other than entirely within the rear or side yard.

(18) Wet, broken, or leaking barrels, casks, or boxes or broken, empty or otherwise discarded pallets; or

(19) Any other item or material which is not designed or manufactured for outside use or storage to include shopping carts.

(20) Any other item or material permitted within this ordinance that has become in disrepair.

C. The following items are exempted from the outside storage prohibition:

(1) Building materials that:

(A) Are stored in a workmanlike manner as part of, and in conjunction with, an active building permit; and

(B) Are being used for construction, repair, renovation, or remodel of a structure or building and are not stored outside for more than two (2) weeks after the conclusion of construction or issuance of a certificate of occupancy.

(2) In the case of furniture, that such furniture is designed and constructed for outside use, and further, that such furniture is in good condition and is not deteriorated.

(3) Solid waste, garbage, trash, brush, and bulky waste:

(A) Awaiting pickup by the city or other sanitation service.

(B) In a container or bag as approved by the city.

(C) Placed in an approved location no earlier than twenty-four (24) hours preceding normal pickup and shall be retrieved no later than twenty-four (24) hours after scheduled collection. At all times containers and bags shall be placed behind the front yard either in the side yard or rear yard of the property.

(4) Motor vehicles, watercraft, and trailers that are parked on an approved parking surface that have lawfully attached to it:

(A) An unexpired license plate, registration, or certificate of number (TX Number); and

(B) A valid motor vehicle inspection certificate; and

(C) Is not wrecked, dismantled, or partially dismantled, inoperable for more than seventy-two (72) consecutive hours if the vehicle is located on public property; or thirty (30) consecutive days if the vehicle is on private property.

(5) Holiday decorations installation to include Christmas lighting.

SECTION 6. AMENDMENT TO SEABROOK CODE OF ORDINANCE, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE III, "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS", SECTION 3.12 "OLD SEABROOK DISTRICT", BY CREATING, A NEW SUBSECTION 3.12.03 (6) ENTITLED "OUTSIDE STORAGE", ESTABLISHING REGULATIONS CONCERNING THE OUTSIDE PLACEMENT OF AN ITEM WITHIN THE FRONT YARD OF A RESIDENTIAL USE FOR A PERIOD OF MORE THAT SEVERNTY-TWO (72) HOURS DURING A TWELVE (12) MONTH PERIOD, ESTABLISHING THE FOLLOWING ASSOCIATED REGULATIONS:

3.12.03 (6) Outside storage

A. Definitions

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

1. Debris. The scattered remains of something broken or destroyed.
2. Front yard. An open space unoccupied by a principal structure on a lot facing a street, extending across the full width of the front of a lot between the side lot lines and in front of the front-most corners of the principal structure, and including any unenclosed portion of a front porch, carport, portico, or other unenclosed structure located beyond the front face of the principal structure.
3. Outside storage. The outside placement of an item for a period of more than seventy-two (72) hours during a twelve-month period.
4. Rear yard. An open space unoccupied by a principal structure extending for the full width of the lot between the principal structure and the rear lot line, and behind the back-most corners of the building line of the principal structure.
5. Right-of-way. That area of land designated by a plat or other document for public use, access, and travel, including that area between the property line and the curb or street edge.
6. Setback. The distance between a structure and a property line, natural feature, road right-of-way, or other improvements.
7. Side yard. An open space unoccupied by a principal structure, situated between the building and the sideline of the lot, and extending through from the front yard to the rear line of the lot, including any unenclosed portion of a side porch, carport, portico, or other unenclosed structure located beyond the side of the principal structure. Any lot line not a rear line or a front line shall be deemed a sideline.
8. Vacant lot. Any lot, parcel, or tract which contains no structures.

B. Prohibited outside storage

It shall be unlawful for any person to maintain, conduct, allow or permit any prohibited outside storage on any property located in this zoning district.

It shall be unlawful for any person to maintain, conduct, allow or permit any outside storage on any portion of a vacant lot in this zoning district.

It shall be unlawful for any person for a period of more than seventy-two (72) hours during a twelve-month period to maintain, conduct, allow or permit any outside storage within the front yard of any property located in this zoning district of the following items:

(1) Debris, rubbish, or trash as defined herein or in Chapter 55 Nuisances and Miscellaneous Provisions, Article III Trash, Rubbish, Weeds and Wild Growth and Other Offensive Conditions of this code.

(2) New, used, or discarded building materials.

(3) Batteries, used oil, automobile parts, engine parts, or scrap metal.

(4) Any tire, whether new or used, without wheels or other inserts.

(5) Supplies, materials, or other items associated with a home occupation or an off-premises business.

(6) Equipment, tools, supplies, materials, or other items not typically associated with residential use or activity.

(7) Furniture, including, but not limited to, couches, chairs, shelves, tables, dressers, or other related items, which furniture is designed or intended by the manufacturer for indoor use and constructed of polished wood or wood veneer, cloth, or any other material not specifically designed or intended for outdoor use.

(8) Appliances not designed for outdoor use, including, but not limited to, refrigerators, freezers, ovens, ranges, dishwashers, clothes washing machines or dryers, or other household or similar appliances primarily designed or intended for indoor use.

(9) Building fixtures not designed for outdoor use, including, but not limited to, bathtubs, commodes, sinks, hot water heaters, or other building fixtures primarily designed or intended for indoor use.

(10) Chemicals (including pool or spa chemicals), bagged or boxed fertilizer, pre-emergent, or other organic or synthetic substances used for landscaping purposes, including, but not limited to, bagged or bulk mulching materials and bagged or bulk topsoil. Spa and pool equipment designed for outdoor use but not installed, including, but not limited to, hot tubs, jacuzzies, swimming pools, or other similar equipment primarily designed or intended for outdoor use.

(11) Play equipment including, but not limited to, play structures, trampolines, pools, swing sets, slides, see-saws, exercise equipment, and other recreational equipment that is intended by the manufacturer to remain in a stationary location, on any portion of a lot other than entirely within the side yard or rear yard of the lot; however, basketball goals may be located in the front yard if placed in such location and in such manner that play does not take place in a public street, alley, or other right-of-way.

Exception: tree, porch, and yard swings are permissible to be located within the front yard.

(12) Barbeque grills or other similar outdoor cooking equipment on any portion of a lot other than entirely within the side yard or rear yard of the lot.

(13) Tools, mobile, and/or mechanical equipment.

(14) Lawn maintenance equipment on any portion of a lot other than entirely within the rear or side yard of the lot.

(15) Motor vehicle parts and/or accessories including, but not limited to, engines, transmissions, electrical parts, suspension parts, vehicle body parts, batteries, tires, wheels, hubcaps, and other motor vehicle parts.

(16) Firewood on any portion of the front or side yard setback that is not screened from public view.

(17) Trash cans or containers may not be stored in any portion of a lot other than entirely within the rear or side yard.

(18) Wet, broken, or leaking barrels, casks, or boxes or broken, empty or otherwise discarded pallets; or

(19) Any other item or material which is not designed or manufactured for outside use or storage to include shopping carts.

(20) Any other item or material permitted within this ordinance that has become in disrepair.

C. The following items are exempted from the outside storage prohibition:

(1) Building materials that:

(A) Are stored in a workmanlike manner as part of, and in conjunction with, an active building permit; and

(B) Are being used for construction, repair, renovation, or remodel of a structure or building and are not stored outside for more than two (2) weeks after the conclusion of construction or issuance of a certificate of occupancy.

(2) In the case of furniture, that such furniture is designed and constructed for outside use, and further, that such furniture is in good condition and is not deteriorated.

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(A) Awaiting pickup by the city or other sanitation service.

(B) In a container or bag as approved by the city.

(C) Placed in an approved location no earlier than twenty-four (24) hours preceding normal pickup and shall be retrieved no later than twenty-four (24) hours after scheduled collection. At all times containers and bags shall be placed behind the front yard either in the side yard or rear yard of the property.

(4) Motor vehicles, watercraft, and trailers that are parked on an approved parking surface that have lawfully attached to it:

(A) An unexpired license plate, registration, or certificate of number (TX Number); and

(B) A valid motor vehicle inspection certificate; and

(C) Is not wrecked, dismantled, or partially dismantled, inoperable for more than seventy-two (72) consecutive hours if the vehicle is located on public property; or thirty (30) consecutive days if the vehicle is on private property.

(5) Holiday decorations installation to include Christmas lighting.

SECTION 7. INCORPORATION INTO THE CODE, PENALTY CLAUSE.

This Ordinance is hereby incorporated and made a part of the Seabrook City Code. Violation of this ordinance is subject to the penalty section of said Code and Ordinance, Section 1-15 "General Penalty and 11.06, "Criminal Enforcement" which provides that any person who shall violate any provision of this Ordinance shall be deemed guilty of an offense and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

SECTION 8. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

SECTION 9. SEVERIBILITY.

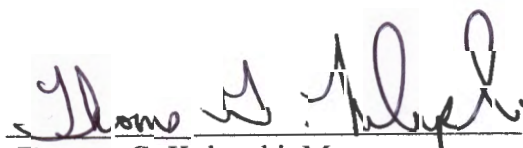
In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 10. NOTICE.


The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED, APPROVED, AND ADOPTED on first reading with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on this 20th day of February 2024.

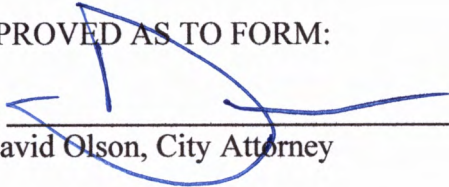
PASSED, APPROVED, AND ADOPTED, as revised on final reading with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on this 5th day of March 2024.

BY: 
Thomas G. Kolupski, Mayor

ATTEST:

By: 
Rachel Lewis, City Secretary

APPROVED AS TO FORM:

By: 
David Olson, City Attorney

