

ORDINANCE NO. O-08-11-10

ZONING ORDINANCE AMENDMENT
OF THE CITY OF NIXON, TEXAS

AN AMENDMENT TO AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS FOR THE PURPOSE OF PROMOTING HEALTH, SAFETY, MORALS, AND FOR THE PROTECTION AND PRESERVATION OF THE GENERAL WELFARE OF THE COMMUNITY; REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES, AND SIZE OF BUILDINGS, AND OTHER STRUCTURES, THE SIZE OF YARDS, COURTS, AND OTHER OPEN SPACES, AND THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY, RESIDENCES, AND OTHER PURPOSES; DIVIDING THE CITY OF NIXON INTO DISTRICTS SUITED FOR SUCH PURPOSES, AND WITHIN SUCH DISTRICTS REGULATING AND RESTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, OR USE OF BUILDINGS, STRUCTURES OR LAND; ALL IN ACCORDANCE WITH A COMPREHENSIVE PLAN AND DESIGNED TO LESSEN CONGESTION IN THE STREETS; TO SECURE SAFETY FROM FIRE, PANIC AND OTHER DANGERS; TO PROMOTE HEALTH AND THE GENERAL WELFARE; TO PREVENT THE OVERCROWDING OF LAND, TO AVOID UNDUE CONCENTRATION OF POPULATION; TO FACILITATE THE ADEQUATE PROVISION OF TRANSPORTATION, WATER, SEWERAGE, SCHOOLS, PARKS, AND OTHER PUBLIC REQUIREMENTS; ADOPTING A ZONING DISTRICT MAP DISCLOSING THE SEVERAL DISTRICTS AND USE AREAS AND THE RESTRICTIONS, LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS AND AREAS; CREATING A BOARD OF ADJUSTMENT; PRESCRIBING A PENALTY FOR VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR RULES OF INTERPRETATION AND SEVERABILITY OF CLAUSES IN CASES OF INVALIDITY OF ANY OF THEM.

WHEREAS, it has come to the attention of the City Council of the City of Nixon, Texas that certain existing regulations pursuant to this Ordinance number O-08-11-10, with regards to residential lot size requirements and setback footage away from structures, is out of date and should therefore be revised, edited and/or removed from the existing Ordinance; and

WHEREAS, such amendments are reasonably necessary for the present and future uses of property and such are also necessary to promote and preserve the health, safety, morals, and general welfare of the community;

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

THAT the following regulations be amended, subject to future amendment, and shall constitute the revised zoning regulations within the City of Nixon, Texas that shall govern the uses of property within the City. Any regulations not revised, edited or removed by this amendment shall remain in full force and effect from Ordinance number O-08-11-10 as enacted in November 2008 or any subsequent amendment of said Ordinance not in conflict with the amendment below:

Sec. 063. Nonconforming lots.

SECTION 63 SHALL BE REMOVED FROM ORDINANCE O-08-11-10 IN ITS ENTIRETY.

Sec. 064. Prohibited installation of mobile home.

SECTION 64 SHALL BE REMOVED FROM ORDINANCE O-08-11-10 IN ITS ENTIRETY.

Sec. 147a. Minimum Lot Size and Setback Requirements

(1) Any and all lots within the City of Nixon, Texas and/or the City's extra-territorial jurisdiction (ETJ), shall have a minimum lot size of 7,500 square feet, should said lot be developed or improved for the purpose of containing a dwelling of any type.

(2) Minimum building setback distance for ANY structure, dwellings and non-dwellings alike, shall be 20 feet.

Sec. 148. Building Setback and height standards.

The following building setback and height standards shall apply to development that is subject to the compatibility standards of this division:

(1) *Building setbacks.* On a site with 60 feet of lot width or less, no structure shall be erected within twenty feet of the lot line of property that is zoned NC, that contains a single-family or duplex use or that is designated as a scenic corridor. On a site with more than 60 feet of lot width, the minimum setback from the lot line of property that is zoned NC, that contains a single-family or duplex use or that is designated as a scenic corridor shall also be twenty feet. This subsection shall not be interpreted as requiring a setback of more than twenty (20) feet.

TABLE INSET:

| Lot Width (feet) | Setback from Adjacent Lot Line (feet) |
|---------------------|---------------------------------------|
| 0 to 60 | 20.0 |
| More than 60 to 70 | 20.0 |
| More than 70 to 80 | 20.0 |
| More than 80 to 90 | 20.0 |
| More than 90 to 100 | 20.0 |
| More than 100 | 20.0 |

(2) *Parking and driveway setbacks.*

TABLE INSET:

| Total Lot Width (feet) | Parking and Driveway Setback (feet) |
|------------------------|-------------------------------------|
| 0-60 | 20.0 |
| More than 60 to 70 | 20.0 |
| More than 70 to 80 | 20.0 |
| More than 80 to 90 | 20.0 |
| More than 90 to 100 | 20.0 |

| | |
|----------------------|------|
| More than 100 to 110 | 20.0 |
| More than 110 to 120 | 20.0 |
| More than 120 | 20.0 |

Sec. 186. Property development standards.

Each site in the NC neighborhood conservation district shall be subject to the following property development standards:

- (1) *Lot size.*
 - a. *Single-family detached.* The minimum lot size for single-family detached dwelling units shall be 7,500 square feet.
 - b. *Single family attached.* The minimum lot size for single-family attached dwelling units, where permitted, shall be 7,500 square feet.
 - c. *Duplex.* The minimum lot size for duplex dwellings shall be 7,500 square feet.
- (2) *Front setback.* The minimum front setback for all uses in the NC district shall be 20 feet, provided that a lot with frontage on an arterial street or a major thoroughfare shall have a minimum front setback of 35 feet.
- (3) *Rear setback.*
 - a. *Single-family detached, single family attached and duplex.* The minimum rear setback for single-family detached, single-family attached and duplex dwellings shall be twenty feet.
 - b. *Other.* The minimum rear setback for uses other than single-family detached, single-family attached and duplex dwellings shall be twenty feet, unless the compatibility standards of division 2 or article V of this Ordinance impose a greater requirement.

(4) *Interior side setback.*

a. *Single-family detached, single-family attached and duplex.* The minimum interior side setback for Single-family detached, single-family attached and duplex dwelling units shall be twenty feet. There shall be no minimum interior side setback for single-family attached dwellings, except that end units shall maintain a minimum interior side setback of twenty feet.

b. *Other.* The minimum interior side setback for uses other than Single-family detached, single-family attached and duplex dwellings shall be twenty feet, unless the compatibility standards of division 2 of article V of this Ordinance impose a greater requirement.

Sec. 199. Property development standards.

Each site in the UN urban neighborhood district shall be subject to the following property development standards:

(1) *Lot size.*

a. *Single-family detached.* The minimum lot size for single-family detached dwelling units shall be 7,500 square feet.

b. *Single family attached.* The minimum lot size for single-family attached dwelling units, where permitted, shall be 7,500 square feet.

c. *Duplex.* The minimum lot size for duplex dwellings shall be 7,500 square feet.

d. *Multifamily.* The minimum lot size for multifamily developments shall be established by multiplying the number of individual dwelling units by 2,000 square feet. In no case shall a multifamily lot be smaller than 7,500 square feet.

e. *Other.* The minimum lot size for uses other than single-family detached, single-family attached and duplex dwellings, where permitted, shall be 7,500 square feet.

(2) *Front setback.* The minimum front setback for all uses in the UN district shall be 20 feet, provided that a lot with frontage on an arterial street or a major thoroughfare shall have a minimum front setback of 35 feet.

(3) *Rear setback.*

a. *Single-family detached, single family attached and duplex.* The minimum rear setback for single-family detached, single-family attached and duplex dwellings shall be twenty feet.

b. *Other.* The minimum rear setback for uses other than single-family detached, single-family attached and duplex dwellings shall be twenty feet, unless the compatibility standards of division 2 or article V of this Ordinance impose a greater requirement.

(4) *Interior side setback.*

a. *Single-family detached, single-family attached and duplex.* The minimum interior side setback for Single-family detached, single-family attached and duplex dwelling units shall be twenty feet. There shall be no minimum interior side setback for single-family attached dwellings, except that end units shall maintain a minimum interior side setback of twenty feet.

b. *Other.* The minimum interior side setback for uses other than Single-family detached, single-family attached and duplex dwellings shall be twenty feet, unless the compatibility standards of division 2 of article V of this Ordinance impose a greater requirement.

DIVISION 3. PROPERTY DEVELOPMENT STANDARDS

Sec. 235. Table.

PROPERTY DEVELOPMENT STANDARDS TABLE

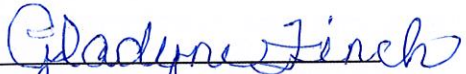
TABLE INSET:

| Development Standard | Zoning District | | | |
|---|-----------------|-------|-------|-------|
| | NC | UN | MU | I |
| <i>Single-Family Detached Dwellings</i> | | | | |
| Minimum lot area per unit (sq. ft.) | 7,500 | 7,500 | 7,500 | 7,500 |
| Front yard setbacks (ft.) | 20 | 20 | 20 | 20 |
| Rear yard setbacks (ft.) | 20 | 20 | 20 | 20 |
| Interior side yard setbacks (ft.) | 20 | 20 | 20 | 20 |
| Street side yard setbacks (ft.) | 20 | 20 | 20 | 20 |
| Maximum height (ft.) | 35 | 40 | 40 | 40 |
| <i>Single-Family Attached Dwellings</i> | | | | |
| Minimum lot area per unit (sq. ft.) | 7,500 | 7,500 | 7,500 | 7,500 |
| Front yard setbacks (ft.) | 20 | 20 | 20 | 20 |
| Rear yard setbacks (ft.) | 20 | 20 | 20 | 20 |
| Interior side yard setbacks (ft.) | 20 | 20 | 20 | 20 |
| Street side yard setbacks (ft.) | 20 | 20 | 20 | 20 |
| Maximum height (ft.) | 35 | 40 | 40 | 40 |
| <i>Duplex Dwellings</i> | | | | |
| Minimum lot area (sq. ft.) | 7,500 | 7,500 | -- | -- |
| Front yard setbacks (ft.) | 20 | 20 | -- | -- |
| Rear yard setbacks (ft.) | 20 | 20 | -- | -- |
| Interior side yard setbacks (ft.) | 20 | 20 | -- | -- |
| Street side yard setbacks (ft.) | 20 | 20 | -- | -- |
| Maximum height (ft.) | 35 | 40 | -- | -- |
| <i>Multi-family Dwellings</i> | | | | |
| Minimum lot area per unit (sq. ft.) | N/A | 7,500 | -- | -- |
| Front yard setbacks (ft.) | N/A | 20 | -- | -- |
| Rear yard setbacks (ft.) | N/A | 20 | -- | -- |
| Interior side yard setbacks (ft.) | N/A | 20 | -- | -- |
| Street side yard setbacks (ft.) | N/A | 20 | -- | -- |
| Maximum height (ft.) | N/A | 40 | -- | -- |
| <i>Other Uses</i> | | | | |

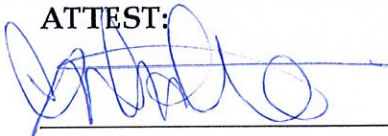
| | | | | |
|-------------------------------------|-------|-------|----|----|
| Minimum lot area per unit (sq. ft.) | 7,500 | 7,500 | -- | -- |
| Front yard setbacks (ft.) | 20 | 20 | -- | -- |
| Rear yard setbacks (ft.) | 20 | 20 | -- | -- |
| Interior side yard setbacks (ft.) | 20 | 20 | -- | -- |
| Street side yard setbacks (ft.) | 20 | 20 | -- | -- |
| Maximum height (ft.) | 30 | 40 | -- | -- |

Passed and approved this 10th day of July 2017.

CITY OF NIXON

BY: 
Gladys Finch, Mayor

ATTEST:



Gina Trotter, City Secretary

APPROVED AS TO FORM:



Eduardo "Eddie" X. Escobar
City Attorney