

ORDINANCE NO. 2019-02

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 14 "ZONING ORDINANCE" OF THE BRIDGEPORT CODE OF ORDINANCES AMENDING DEFINITIONS AND ESTABLISHING REGULATIONS FOR TOWNHOMES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE.

WHEREAS, the City of Bridgeport is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City of Bridgeport, Texas, previously adopted its comprehensive zoning ordinance, as codified as Exhibit A to Chapter 14 of the Bridgeport Code of Ordinances; and

WHEREAS, the City of Bridgeport has recently seen an increased interest in the development of townhomes; and

WHEREAS, the City Council deems it necessary to amend portions of the zoning ordinance relating to townhomes as described herein; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission of the City on October 22, 2018, and a public hearing was held by the City Council on January 14, 2019, with respect to the proposed changes in the zoning regulations; and

WHEREAS, all requirements of law for publication and all procedural requirements have been complied with in accordance with Chapter 211 of the Local Government Code.

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

SECTION 1

That Section 1 "Definitions" of Exhibit A to Chapter 14 of the Bridgeport Code of Ordinances, the Comprehensive Zoning Ordinance, is hereby amended to amend the existing definition of "Dwelling, One-Family" and add a definition for "Dwelling, One-Family attached (Townhomes)" to read as follows:

Section 1. Definitions

...

“DWELLING, ONE-FAMILY ATTACHED (TOWNHOMES): A dwelling which is joined to another dwelling at one (1) or more sides by a party (i.e., shared) wall, which is designed for occupancy by one (1) family, and which is located on a separate lot delineated by front, side and/or rear lot lines. The term specifically includes townhomes.”

“DWELLING, ONE-FAMILY: A dwelling designed and constructed as a free-standing structure for occupancy by one (1) family and located on a lot or separate building tract having no physical connection to a building located on any other lot or tract.”

...

SECTION 2

That Section 6 “R-3” Apartment Districts of Exhibit A, to Chapter 14 of the Bridgeport Code of Ordinances, the Comprehensive Zoning Ordinance, is hereby amended to read as follows:

“SECTION 6. “R-3” APARTMENT DISTRICTS

In the “R-3” Apartment District, no buildings or land shall be used and no buildings shall be hereafter erected or structurally altered, unless otherwise provided in this ordinance, except for one or more of the following uses:

1. Any use permitted in the “R-2” Two-Family District.
2. Multiple Dwellings.
3. One-Family Attached Dwellings (Townhomes), subject to the issuance of a Specific Use Permit as provided by Section 11A.03(10) of this Ordinance.
4. Boarding and lodging houses.
5. Hotels in which incidental business may be conducted for the sole convenience of the occupants of the building, provided, however, there shall be no entrance to such place of business except from the inside of the building.
6. Private clubs, fraternities, sororities, and lodges, excepting those the chief activity of which is a service customarily carried on as a business.

7. Institutions of an educational or philanthropic nature, other than those of a correctional nature, or for mental cases.
8. Accessory buildings.
9. Carports."

SECTION 3

That Section 11A.03 "Specific Uses" of Exhibit A to Chapter 14 of the Bridgeport Code of Ordinances, the Comprehensive Zoning Ordinance, is hereby amended to add a new listed specific use for "One-Family Attached (Townhomes)" as a new subsection 10 to read as follows:

11A.03. Specific Uses:

...

"10. ONE-FAMILY ATTACHED (TOWNHOMES):

- a. No building hereafter erected or structurally altered shall exceed two and one-half (2½) stories or thirty-five (35) feet.
- b. There shall be a rear yard of not less than fifteen (15) feet.
- c. There shall be a side yard of not less than ten (10) feet.
- d. On corner lots, there shall be a side yard of not less than fifteen (15) feet.
- e. There shall be a front yard of not less than twenty-five (25) feet to the front line of the building.
- f. Minimum Lot Area per Dwelling Unit: Three thousand (3,000) square feet.
- g. Minimum Lot Width per Dwelling Unit: Twenty-five (25) feet.
- h. Minimum Lot Depth: One hundred (100) feet.
- i. MINIMUM FLOOR AREA PER DWELLING UNIT: One thousand square feet (1,000 SF) per dwelling unit.
- j. OFF-STREET PARKING: Shall meet the off-street parking requirements of Section 14, (14.01, Number 3) of the Zoning Ordinance.
- k. The City Council may impose additional restrictions to protect adjacent properties from the impact of the specific use."

SECTION 4

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Bridgeport, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 5

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if a phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of the unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 6

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety, or public health and sanitation, including dumping or refuse, and shall be fined Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 7

All rights and remedies of the City of Bridgeport are expressly saved as to any and all violations of the provisions of the zoning ordinance of the City of Bridgeport, Texas, as amended, which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 8

The City Secretary of the City of Bridgeport is hereby directed to publish a descriptive caption, penalty clause, and the effective date clause in the official City newspaper one time as authorized by Section 3.11 of the City Charter and Section 52.013 of the Texas Local Government Code.

SECTION 9

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 14TH DAY OF JANUARY, 2019.

APPROVED:

Randy Singleton

Randy Singleton, Mayor

ATTEST:

Rachael Lynch

Rachael Lynch, City Secretary

