

CITY OF HASLET

ORDINANCE NO. 018-2017

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF HASLET, TEXAS, BY AMENDING THE SETBACKS FOR ACCESSORY USES IN EACH RESIDENTIAL ZONING DISTRICT; AMENDING SECTION 2.2 “DEFINITIONS” TO REVISE AND ADD DEFINITIONS RELATING TO ACCESSORY USES AND STRUCTURES; AND ADDING A NEW SECTION 11.4 “NUMBER AND SIZE OF RESIDENTIAL ACCESSORY STRUCTURES”; 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 DATE.

WHEREAS, the City of Haslet, Texas is a Type A general-law municipality located in Tarrant and Denton Counties, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City of Haslet, Texas, previously adopted its comprehensive zoning ordinance, as codified as Chapter 14 Zoning of the Code of Ordinances of the City of Haslet; and

WHEREAS, the City Council deems it necessary to amend various sections of the Zoning Ordinance to amend the setbacks for accessory uses in residential zoning districts, to amend the definitions, and to establish a limit on the number and size of accessory structures permitted in any residentially zoned district; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission of the City on August 28, 2017, and a public hearing was held by the City Council on September 18, 2017, with respect to the proposed amendments to the Zoning Ordinance; 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 HASLET, TEXAS.

SECTION 1.

That Section 2.2 “Definitions” of Chapter 14, Zoning, Exhibit A, of the Code of Ordinances of the City of Haslet, Texas, the Zoning Ordinance, is hereby amended to revise the existing definition of “Accessory use/building”, and to add the follow new definitions:

“Accessory use/structure: A use or structure that is subordinate in size or purpose to the principal use or structure of the same lot or parcel of ground and serving a purpose customarily incidental

to the use of the principal structure or use of land. An accessory structure may be attached or detached.

Detached Accessory Structure: a structure that has no wall in common with the principal building or is not under an extension of the main roof of the principal building. Examples of detached accessory structure include, but are not limited to, garages, farm structures, home workshops and tool houses, barns, carports, playhouses, sheds, private greenhouses, enclosed gazebos, storage buildings, boathouses and docks, wind-generating devices, and swimming pool pumphouses. Buildings connected by roofed breezeways are separate buildings.

Roofed breezeway: a covered walkway, whether enclosed or not, connecting two or more buildings. A roofed breezeway is not an extension of any building that it connects, and will not combine two or more buildings into a single building.”

SECTION 2.

That the following subsections of the residential zoning district regulations in Article XI of Chapter 14, Zoning, Exhibit A, of the Code of Ordinances of the City of Haslet, Texas, the Zoning Ordinance:

Subsection C.5. of Section 11 [20] AG Agricultural Homesites District

Subsection C.(d) of Section 11 [90] R-1 Suburban District

Subsection C.(d) of Section 11 [100] R-2 Suburban District

Subsection D.(d) of Section 11 [110] RM Suburban District

Subsection C.(d) of Section 11 [120] R-4 Residential District

Subsection C.1.(d) of Section 11 [130] R-6 Residential District

Subsection C.1.(c) of Section 11 [140] R-7 Urban Residential District

Subsection C.1(c) of Section 11 [150] R-8 Urban Residential District

Subsection C.1.(c) of Section 11 [160] R-9 Urban Residential District

Subsection C.1.(d) of Section 11 [170] R-10 Rural Residential District

Subsection C.1.c. of Section 11 [180] R-11 Rural Residential District

are hereby amended to read as follows:

“Is located behind the minimum front and side street building setback lines, and cannot be closer to the front property line than the principal structure.”

SECTION 3.

That Chapter 14, Zoning, Exhibit A, of the Code of Ordinances of the City of Haslet, Texas, the Zoning Ordinance, be and is hereby amended to add a new Section 11.4 “Number and size of residential accessory structures” to read as follows:

“Sec. 11.4. Number and size of residential accessory structures.

A. The number and size of accessory structures that shall be permitted on any residentially zoned property shall be as follows:

A maximum of three detached accessory structures shall be permitted on any residentially zoned property. The maximum size of each detached accessory structure shall be 3,000 square feet. Additional detached accessory structures beyond the number or size limitations of this Section shall require approval of a Specific Use Permit (SUP).

B. Accessory structures shall be located behind the minimum front and side street building setback lines, and shall not be closer to the front property line than the principal structure.”

SECTION 4.

This ordinance shall be cumulative of all provisions of the zoning ordinance and of the Code of Ordinances of the City of Haslet, 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 any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of 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 any such 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 Haslet are expressly saved as to any and all violations of the provisions of the zoning ordinance of the City of Haslet, Texas, as amended, or any other ordinances relating to the Code of Ordinances of the City of Haslet 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 Haslet is hereby directed to publish the caption, penalty clause, publication clause and effective date clause of this ordinance one time in the official newspaper of the City, as authorized by Section 52.011 of the 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.

PASSED AND APPROVED ON THIS 18TH DAY OF SEPTEMBER, 2017.

Bob Golden

Bob Golden
Mayor

Attest:

Dianna Buchanan

Dianna Buchanan
City Secretary

