



CITY COUNCIL MEMORANDUM FOR ORDINANCE

Prepared By: Fred Morris

Approval: Yousry Zakhary

Adjusting Area Regulations and Intensity of Use Standards in R-1 One-Family Dwelling District

DESCRIPTION:

Consideration and approval of a memorandum/ordinance amending the Code of Ordinances, Appendix A – Zoning, Section V.- “R-1” One Family Dwelling District, C. Area Regulations and D. Intensity of Use, in order to simplify the development process, bring consistency to conflicting provisions, and to clarify language. **Third and Final Reading**

BACKGROUND:

Minimum setback requirements are intended to ensure property is developed in a manner that meets basic health, safety and welfare requirements required by zoning law. The current front, side and rear yard area regulations included in the Zoning Ordinance are not specific and can be confusing.

The current front yard regulation is not a minimum requirement but is, instead, a maximum of 30'. This means that there is no minimum setback and that a home may be built right on the front property line but may not be more than 30' back from the property line. This proposed amendment establishes a minimum front yard setback of 25', which is typical and consistent with traditional development patterns.

The side and rear yard standards provide a percentage calculation with a not to exceed standard. This proposed amendment proposes a simple 25' front yard setback, 5' side yard setback and 30' rear yard setback.

The Zoning Ordinance and Subdivision Regulations also have different minimum lot size requirements. Lot sizes are referred to as “Intensity of Use”. This is a problem for citizens, builders and lot developers when they look to build. If someone interested in building a home checks the zoning, they identify one standard but when they go to plat the property they find a different standard.

This proposed amendment changes the standards in the Zoning Ordinance to be the same as is in the Subdivision Regulations, creating a consistent structure to the city regulations.

The Zoning Ordinance indicates:

APPENDIX A - ZONING

Section V. - "R-1" One Family Dwelling District.

The following regulations shall apply to the "R-1" One Family Dwelling District:

D. Intensity of use: Every lot or tract of land having an area of not less than six thousand (6,000) square feet and an average width of not less than fifty (50) feet...

The Subdivision Regulations indicate:

Subdivision Regulations

Sec. 20-19. - Lots

(1) Lots with parallel side lot lines. Lots shall not be less than seventy (70) feet in width at the front building setback line, no less than one hundred (100) [feet] in depth, and contain at least seven thousand seven hundred (7,700) square feet of area.

This amendment proposes to create easily identifiable lot setbacks of 25' front yard, 5' side yard and 30' rear yard, and one (1) consistent standard requiring a minimum area of 7700 sq. ft. and a minimum lot width of 70'.

FISCAL IMPACT / FUNDING SOURCE:

None

STAFF RECOMMENDATION:

Approve a memorandum/ordinance amending the Code of Ordinances, Appendix A – Zoning, Section V.- “R-1” One Family Dwelling District, C. Area Regulations and D. Intensity of Use, in order to simplify the development process, bring consistency to conflicting provisions and to clarify language.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommended approval by unanimous vote.

ATTACHMENT(S):

Ordinance 2025-005

CITY OF BELLMEAD

ORDINANCE NO.

2025-005

AN ORDINANCE OF THE CITY OF BELLMEAD, TEXAS, IS HEREBY AMENDED; APPENDIX A – ZONING; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Zoning Ordinance was adopted for the purpose of promoting the health, safety, morals, or the general welfare of the community by regulating and restricting the height and size of buildings and other structures, size of yards and other open spaces, the density of population, the location, erection, construction, reconstruction, alteration, repair and use of all buildings, structures and land for residence, trade, industry, and all other purposes; and,

WHEREAS, providing for the amendment and change in such regulations, restrictions and boundaries of such districts, or zones.

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

SECTION 1. That the facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

SECTION 2. Appendix A – Zoning of the Code of Ordinances of the City of Bellmead, Texas, is amended to read as follows:

Section V. - "R-1" One Family Dwelling District.

The following regulations shall apply to the "R-1" One Family Dwelling District:

A. Use regulations: A building or premises shall be used only for the following purposes:

1. Single-family dwellings.
2. Church (except temporary revival).
3. School, public or private, having a curriculum equal to a public elementary, high school, or institution of higher learning.
4. Public parks, playgrounds, golf courses (except miniature golf), public recreation, and community buildings.

5. Municipal buildings, nonprofit libraries or museums, police and fire stations.
6. Farms, nurseries, truck gardens, and greenhouses provided no sales office is maintained.
7. Customary home occupations.
8. Accessory buildings and accessory uses customarily incident to the above uses (not involving the conduct of a business) when located on the same lot, including a private garage for one or more cars, bona fide servants' quarters not for rent or used for commercial purposes.
9. (Reserved.) (Ord. No. 2013-002 (5-14-13), § 1, 5-14-13)
10. Beauty shop. (Ord. of 9-10-63, § 1)
11. No carport may be constructed on the front of any building. (Ord. No. 2001-001, § 1, 1-8-02)

B. *Height regulations:* No building shall exceed two and one-half (2½) stories or thirty-five (35) feet in height except as provided in Section XI hereof.

C. *Area regulations:*

1. *Front yard.* The minimum front yard setback shall be twenty-five feet (25').
2. *Side yards.* The minimum side yard setback shall be five feet (5').
3. *Rear yard.* The minimum rear yard setback shall be thirty feet (30').

D. *Intensity of use:* Every lot or tract of land having an area of not less than 7,700 sq. ft. and an average width of not less than seventy feet (70'), except that if a lot or tract should have less area or width than is herein required and its boundary lines along their entire length should touch lands under other ownership on the effective date of this ordinance and shall not have been changed since said date, such parcel of land may be used for a single family dwelling.

E. *Additional use, height, and area regulations:* Additional use, height, and area regulations and exceptions are found in Section XI of this ordinance.

Section 3. Cumulative Repealer Clause.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict. The remainder of such ordinances not in conflict herewith shall remain in full force and effect.

Section 4. Severability Clause.

If any sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a

whole, or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

Section 5. Savings Clause.

That an offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Code of Ordinance, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

Section 6. Effective Date.

This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

Section 7. Open Meetings Compliance.

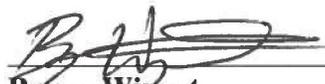
It is officially found and determined that the meeting at which this ordinance was passed was open to the public as required by Chapter 551, Texas Government Code, and that public notice of the time, place, and subject of said meeting was given as required by law.

PASSED AND APPROVED ON FIRST READING May 13, 2025.

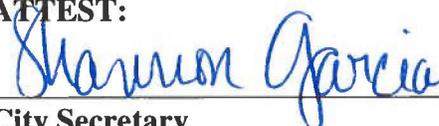
PASSED AND APPROVED ON SECOND READING May 13, 2025.

PASSED AND APPROVED ON THIRD READING June, 10, 2025.

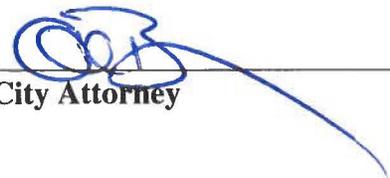



Bryan Winget
Mayor

ATTEST:


City Secretary
Shannon Garcia

APPROVED AS TO FORM & LEGALITY:


City Attorney