

**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF ANGLETON**

SUBJECT: Discussion and possible action on Ordinance No. 2009-O-4A AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, REPEALING THE ZONING ORDINANCE (CHAPTER 28) OF THE CITY OF ANGLETON, AND ORDINANCE NO. 854 ADOPTED ON THE 17TH DAY OF MARCH 1981, TOGETHER WITH ALL AMENDMENTS THERETO; ESTABLISHING AND PROVIDING ZONING REGULATIONS; CREATING USE DISTRICTS IN ACCORDANCE WITH THE COMPREHENSIVE PLAN APPROVED BY THE CITY COUNCIL; REGULATING WITHIN SUCH DISTRICTS THE HEIGHT OF BUILDINGS AND STRUCTURES, THE SIZE OF YARDS, COURTS AND OPEN SPACES, AND THE HEIGHT, BULK, EXTERIOR ELEVATIONS AND USE OF BUILDINGS AND LAND FOR NON-RESIDENTIAL, RESIDENTIAL AND OTHER PURPOSES; PROVIDING FOR SPECIFIC USE PERMITS; SPECIFYING MINIMUM REQUIREMENTS FOR OFF-STREET PARKING OF MOTOR VEHICLES AND OFF-STREET LOADING AREAS; PROVIDING MINIMUM REQUIRED FLOOR AREAS FOR DWELLING UNITS AND THE TYPE OF EXTERIOR CONSTRUCTION WITHIN CERTAIN ZONING DISTRICTS; REGULATING THE DENSITY OF DWELLINGS AND OTHER STRUCTURES AND THE PERCENTAGE OF EACH LOT THAT MAY BE OCCUPIED BY STRUCTURES; ADOPTING PERFORMANCE STANDARDS FOR NON-RESIDENTIAL USES; ESTABLISHING THE BASIS FOR CREATING A BUILDING SITE; PROVIDING FOR APPROPRIATE PLAN APPROVALS; PROVIDING FENCE AND WALL REGULATIONS; PROVIDING SPECIAL ACCESS STANDARDS; ADOPTING A ZONING DISTRICT MAP AND MAKING IT A PART OF THIS ORDINANCE, TOGETHER WITH ALL SYMBOLS, MARKINGS AND TABLES APPEARING ON SAID MAP AND WITHIN THE ORDINANCE; CREATING A ZONING BOARD OF ADJUSTMENT AND DEFINING ITS POWERS AND DUTIES; CREATING A PLANNING AND ZONING COMMISSION AND DEFINING ITS POWERS AND DUTIES; PROVIDING FOR NON-CONFORMING USES AND A METHOD OF DISCONTINUANCE THEREOF; DEFINING CERTAIN TERMS AS USED WITHIN THIS ORDINANCE; PROVIDING FOR A CERTIFICATE OF OCCUPANCY AND COMPLIANCE; AUTHORIZING PUBLICATION OF THE DESCRIPTIVE CAPTION AND PENALTY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH AND EVERY OFFENSE; PROVIDING A SAVINGS CLAUSE AND A REPEALER CLAUSE; PRESERVING RIGHTS IN PENDING LITIGATION REGARDING VIOLATIONS UNDER THE EXISTING ORDINANCE; PROVIDING AN OPEN MEETINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

REQUESTED BY: City Manager

SUBMITTED BY: City Manager

DATE SUBMITTED: 4/9/09 FOR THE AGENDA OF: 4/14/09

Expenditure Required: None
Available Funding:

Attachments: See separate Memo from the Interim City Attorney

SUMMARY STATEMENT: The new Comprehensive Zoning Ordinance, that you previously have considered and held public hearings on, has been revised by our consultant, Dan Sefco, to include a number of primarily minor changes. The revisions will not change the basic provisions and purpose of the Ordinance which you have previously reviewed. The changes include the changes in the Zoning Map which you approved at your March 12, 2009 meeting. The City Attorney has explained the revisions in more detail in a separate memo. At its meeting of April 7, 2009, the Planning and Zoning Commission unanimously recommended that you adopt this Ordinance.

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Recommendation: The City staff recommends that you adopt this Ordinance as revised.