

**ORDINANCE NO. 2018-4120**

**AN ORDINANCE AMENDING THE CITY OF ARANSAS PASS ZONING ORDINANCES, PART IV, SECTION 14 – CREATION OF A BUILDING SITE; AMENDING PLATTING REQUIREMENTS FOR DEVELOPMENT; PROVIDING A REPEALER CLAUSE; AND, PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission has forwarded to the City Council its final report and recommendation regarding the amendment to the City of Aransas Pass Zoning Ordinance;

**WHEREAS**, with proper notice to the public, public hearings were held on Monday, July 9, 2018, during a meeting of the Planning and Zoning Commission, and on Monday, July 16, 2018, during a meeting of the City Council, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, the City Council has determined that this amendment would best serve the public health, necessity, convenience and general welfare of the City of Aransas Pass and its citizens.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARANSAS PASS, TEXAS:**

**SECTION 1.** The City of Aransas Pass Zoning Ordinance, Part IV, Section 14 – Creation of a Building Site is amended to read as follows:

...

- 101 No permit for the construction of a building or buildings upon any tract or plot shall be issued until a building site, building tract or building lot has been created by compliance with one of the following conditions:
- a. The lot or tract is part of a plat of record, properly approved by the City Plan Commission, and filed in the Plat Records of the county in which the lot or tracts is located and having access to a dedicated public street having well defined and undisputed right-of-way lines.
  - b. The site, plot or tract is all or part of a site plan officially approved by the City Planning and Zoning Commission, which site plans shows all existing utility and drainage easements, alley, streets and other public improvements necessary to meet the normal requirements for platting and such easements, alleys, streets and building lines, as are required and have been properly dedicated, and the necessary public improvements which have been provided. In the case in which a developer wishes to build a single structure across multiple lots, the following conditions must be met:

- i. For residential use, the separate lots must be combined on the appraisal district level and taxed as a single property. The site plan submitted for permitting must treat the multiple lots as one and show the building lines in relation to the exterior property lines as required by zoning regulations. This site plan shall be accepted as a commitment by the owner and developer to maintain the aforementioned setbacks.
  - ii. For commercial or industrial use, the separate lots must be replatted into one lot.
- c. The plot, tract, or lot faces upon a dedicated street with well-defined and undisputed right-of-way lines and was separately owned prior to ~~(date of adoption)~~, August 24, 1968 or prior to annexation to the City of Aransas Pass, whichever is applicable in which event a building permit for only one main building may be issued on each such original separately owned parcel without first complying with either 13-101 a or b preceding.
- d. The tract is not separately platted but is part of a block or tract previously platted as an industrial or commercial subdivision wherein only streets, easements and blocks are delineated and such plat has been approved by the City Planning and Zoning Commission and filed for record in which case no specific lot delineation shall be required.

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3.** This ordinance shall be effective upon approval and passage.

Passed and approved this 18<sup>th</sup> day of June, 2018.

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By: Ramiro Gomez, Mayor

ATTEST:

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Mary Juarez, City Secretary

APPROVED AS TO LEGAL FORM:

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Roxann Pais Controneo

City Attorney