

CITY OF HUMBLE

ORDINANCE NO. 08-655

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS, AMENDING CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, OF ITS CODE OF ORDINANCES BY ADOPTING A NEW ARTICLE VIII, NEIGHBORHOOD DEVELOPMENT; DEFINING RESIDENTIAL NEIGHBORHOODS; REQUIRING NEW CONSTRUCTION OR THE ENLARGEMENT OF ANY EXTERIOR DIMENSION OF ANY BUILDING, STRUCTURE, OR IMPROVEMENT TO COMPLY WITH CERTAIN STANDARDS; ADOPTING RULES FOR DEVELOPMENT IN RESIDENTIAL NEIGHBORHOODS; IMPOSING A PENALTY IN AN AMOUNT NOT TO EXCEED \$500 FOR VIOLATION OF ANY PROVISION HEREOF; REPEALING OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

Whereas, in order to preserve neighborhood values, the City Council finds it reasonable and necessary to adopt rules regarding the new construction in residential areas; and

Whereas, the City Council further finds it reasonable and necessary to adopt rules regarding the conversion of use of residential structures to non-residential uses;

Now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS, THAT:

SECTION 1: Chapter 12, BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances of the City of Humble, Texas, is hereby amended by the adoption of new Article VIII. Neighborhood Development, that shall read as follows:

“Chapter 12. BUILDINGS AND BUILDING REGULATIONS....

Article VIII. Neighborhood Development

Section 12-350. Definitions.

(1) "Block" means an area of land bounded by streets, or by a combination of streets and public parks, cemeteries, rights-of-way, airport boundaries, water courses, city boundaries, or other manmade or natural boundaries.

(2) "Change of Use" means the cessation or conversion of the use of structure from a private residence or single family dwelling unit to some other non residential use or combination of non-residential or multi-family residential uses.

(3) "Block Face" means a side of a Block in which lots or tracts face an abutting street; provided, however a block face shall not exceed 2,640 feet.

(4) "Project" means any construction or expansion of a new or existing structure or improvement within a Residential Neighborhood, or the renovation or repair an existing structure in more than 50% of the value of the structure that is located within a Residential Area.

(5) "Private residence" means a dwelling structure designed for occupancy by a single family, whether occupied or not.

(6) "Residential Neighborhood" means:

(a) a subdivision for which a plat is recorded in the real property records of the county and that contains or is bounded by public streets or parts of public streets that are abutted by residential property occupying at least 75 percent of the front footage along the block face; or

(b) a subdivision for which a plat is recorded in the real property records of the county and a majority of the lots of which are subject to deed restrictions limiting the lots to residential use; or

(c) a Block that is divided into four or more lots or tracts and in which 75 percent or more of the lots or tracts are contain a Private Residence, or

(d) a Block Face that has been divided into at least four or more lots or tracts and at least 75 percent of the front footage along the Block Face are lots or tracts on which there is a Private Residence.

Section 12-351. Neighborhood Developments; Plats and Permits Required.

(1) No plat or development plat shall be approved for a Project unless the Project complies with the requirements of this Article.

(2) The Building Official shall not issue any permit for any Project unless the Project complies with the requirements of this Article.

Section 12-352. Neighborhood Development Standards.

If a Project involves a Change of Use, then the Project shall comply with the following requirements in addition to any other requirements that may be provided for by this Code or other law:

- (1) The Front Building line for the Project shall be the greater of either:
 - (a) Twenty five (25) feet; or
 - (b) The average front setback of the existing private residences or single family dwelling units on the Block Face in which the Project is located.
- (2) The Side Building lines for the Project shall be the greater of either:
 - (a) Seven and one-half (7.5)feet; or
 - (b) The average side setback of the existing private residences or single family dwelling units on the Block Face in which the Project is located.
- (3) No parking, including no off-street parking, shall be allowed between the building and the front property lines of the lot or tract on which the Project is located, and no parking shall obstruct any public sidewalk.
- (4) No parking, including no off-street parking, shall be allowed between the building and the side property lines of the lot or tract on which the Project is located.
- (5) A minimum of twenty (20%) of the lot or tract on which the Project is located shall be made and maintained as green or open space.
- (6) No building or other enclosed structure on the lot or tract on which the Project is located shall exceed thirty five (35) feet in height.
- (7) Only one on-premise sign shall be allowed and such sign shall not exceed twelve (12) square feet in size, provided, however, that the sign may not be illuminated or have any moving elements.
- (8) No outdoor display of merchandise shall be allowed.

Section 12-353. Offenses

- (a) A person commits an offense if the person constructs or improves a Project that does not comply with the requirements of this Article.
- (b) A person commits an offense if the person occupies or maintains a Project in violation of the requirements of this Article.”

Section 2. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence, violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500.00. Each day of violation shall constitute a separate offense.

Section 3. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Humble, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 4. This Ordinance shall become effective upon final reading and adoption of this Ordinance when the caption hereof is caused to be published once in the official newspaper of the City, by the City Secretary, within ten days after the passage of the ordinance, as required by law and Article II, Section 13 of the City Charter.

PASSED AND APPROVED on the 10th day of April, 2008.

APPROVED:



D. G. McMannes
Mayor

Attest:



Sue Daniel, City Secretary

