

**CITY OF SEAGOVILLE, TEXAS**

**ORDINANCE NO. 35-16**

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE SEAGOVILLE ZONING ORDINANCE, BY AMENDING THE CITY OF SEAGOVILLE CODE OF ORDINANCE, ZONING ORDINANCE, CHAPTER 25.02, "ZONING ORDINANCE", AMENDING THE FOLLOWING SECTIONS TO INCREASE THE MINIMUM SQUARE FOOTAGE REQUIREMENTS: DIVISION 4 (R-1 SINGLE FAMILY DWELLING DISTRICT REGULATIONS), SECTION 25.02.063(I); DIVISION 5 (R-2 SINGLE FAMILY DWELLING DISTRICT REGULATIONS), SECTION 25.02.083(I); DIVISION 6 (R-3 SINGLE-FAMILY DWELLING DISTRICT REGULATIONS), SECTION 25.02.103(I); DIVISION 7 (R-4 SINGLE-FAMILY DWELLING DISTRICT REGULATIONS), SECTION 25.02.123(I); DIVISION 8 (R-5 SINGLE-FAMILY DWELLING DISTRICT REGULATIONS), SECTION 25.02.153(I); DIVISION 10 (DUPLEX DWELLING DISTRICT REGULATIONS), SECTION 25.02.193(H); DIVISION 11 (TH TOWNHOUSE DISTRICT REGULATIONS), SECTION 25.02.222(A); DIVISION 12 (A APARTMENT DWELLING DISTRICT REGULATIONS), SECTION 25.02.253(I); AND ADOPTING A NEW SUBSECTION IN DIVISION 24 (AG AGRICULTURAL DISTRICT REGULATIONS), UNDER SECTION 25.02.583, TO PROVIDE MINIMUM SQUARE FOOTAGE FOR DWELLINGS LOCATED IN AGRICULTURAL DISTRICTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND PROVIDING AN EFFECTIVE DATE.**

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, THAT:**

**SECTION 1.** The City Council hereby amends the City of Seagoville Code of Ordinance, Zoning Ordinance, Chapter 25.02, by amending Division 4, Section 25.02.063(i), to provide that the minimum square footage for a dwelling allowed in R-1 Single Family Dwelling Districts is 2,200 square feet, and to read as follows:

**"ARTICLE 25.02 ZONING ORDINANCE**

....

**Division 4. R-1 Single-Family Dwelling District Regulations**

....

**Sec. 25.02.063 Area regulations**

- (a) Front yard. . . .
- (i) Area of dwelling. The minimum living area of the dwelling shall be 2,200 square feet.
- (j) Exterior wall materials required. . . .”

**SECTION 2.** The City Council hereby amends the City of Seagoville Code of Ordinance, Zoning Ordinance, Chapter 25.02, by amending Division 5, Section 25.02.083(i), to provide that the minimum square footage for a dwelling allowed in R-2 Single Family Dwelling Districts is 2000 square feet, and to read as follows:

**“ARTICLE 25.02 ZONING ORDINANCE**

....

**Division 5. R-2 Single-Family Dwelling District Regulations**

....

**Sec. 25.02.083 Area regulations**

- (a) Front yard. . . .
- (i) Area of dwelling. The minimum living area of the dwelling shall be 2,000 square feet.
- (j) Exterior wall materials required. . . .”

**SECTION 3.** The City Council hereby amends the City of Seagoville Code of Ordinance, Zoning Ordinance, Chapter 25.02, by amending Division 6, Section 25.02.103(i), to provide that the minimum square footage for a dwelling allowed in R-3 Single Family Dwelling Districts is 1,800 square feet, and to read as follows:

**“ARTICLE 25.02 ZONING ORDINANCE**

....

**Division 6. R-3 Single-Family Dwelling District Regulations**

....

**Sec. 25.02.103 Area regulations**

- (a) Front yard. . . .

- (i) Area of dwelling. The minimum living area of the dwelling shall be 1,800 square feet.
- (j) Exterior wall materials required. . . .”

**SECTION 4.** The City Council hereby amends the City of Seagoville Code of Ordinance, Zoning Ordinance, Chapter 25.02, by amending Division 7, Section 25.02.123(i), to provide that the minimum square footage for a dwelling allowed in R-4 Single Family Dwelling Districts is 1,700 square feet, and to read as follows:

**“ARTICLE 25.02 ZONING ORDINANCE**

....

**Division 7. R-4 Single-Family Dwelling District Regulations**

....

**Sec. 25.02.123 Area regulations**

- (a) Front yard. . . .
- (i) Area of dwelling. The minimum living area of the dwelling shall be 1,700 square feet.
- (j) Exterior wall materials required. . . .”

**SECTION 5.** The City Council hereby amends the City of Seagoville Code of Ordinance, Zoning Ordinance, Chapter 25.02, by amending Division 8, Section 25.02.153(i), to provide that the minimum square footage for a dwelling allowed in R-5 Single Family Dwelling Districts is 1,600 square feet, and to read as follows:

**“ARTICLE 25.02 ZONING ORDINANCE**

....

**Division 8. R-5 Single-Family Dwelling District Regulations**

....

**Sec. 25.02.153 Area regulations**

- (a) Front yard. . . .
- (i) Area of dwelling. The minimum living area of the dwelling shall be 1,600 square feet.

- (j) Exterior wall materials required. . . .”

**SECTION 6.** The City Council hereby amends the City of Seagoville Code of Ordinance, Zoning Ordinance, Chapter 25.02, by amending Division 10, Section 25.02.193(h), to provide that the minimum square footage for a dwelling allowed in Duplex Dwelling Districts is 1,000 square feet, and to read as follows:

**“ARTICLE 25.02 ZONING ORDINANCE**

....

**Division 10. Duplex Dwelling District Regulations**

....

**Sec. 25.02.193 Area regulations**

- (a) Front yard. . . .
- (h) Area of dwelling. The minimum living area of the dwelling shall be 1,000 square feet.
- (i) Coverage. . . .”

**SECTION 7.** The City Council hereby amends the City of Seagoville Code of Ordinance, Zoning Ordinance, Chapter 25.02, by amending Division 11, Section 25.02.224(a), to provide that the minimum square footage for a dwelling allowed in Townhouse Districts is 1,300 square feet, and to read as follows:

**“ARTICLE 25.02 ZONING ORDINANCE**

....

**Division 11. Townhouse District Regulations**

....

**Sec. 25.02.222 Building regulations**

- (a) Minimum size. The minimum area of the main building constituting a single-family unit shall be 1,300 square feet, exclusive of garages and breezeways.

(b) Type of Material.....”

**SECTION 8.** The City Council hereby amends the City of Seagoville Code of Ordinance, Zoning Ordinance, Chapter 25.02, by amending Division 12, Section 25.02.253(i), to provide that the minimum square footage for a dwelling allowed in Apartment Districts is 850 square feet for a one-bedroom apartment, and 1,000 square feet for a two-bedroom apartment, and to read as follows:

**“ARTICLE 25.02 ZONING ORDINANCE**

....

**Division 12. Apartment District Regulations**

....

**Sec. 25.02.253 Area regulations**

(a) Front yard. . . .

(i) Area of dwelling. Each dwelling unit shall provide for a minimum of 850 [square feet] of living area for a one-bedroom apartment, 1,000 square feet of living area for a two-bedroom apartment and 1,100 square feet of living area for a three-bedroom apartment...

(j) Building Materials. . . .”

**SECTION 9.** The City Council hereby amends the City of Seagoville Code of Ordinance, Zoning Ordinance, Chapter 25.02, by amending Division 24, Section 25.02.583, by adopting a new Section 25.02.583(d) to provide that the minimum square footage for a dwelling allowed in Agricultural Districts is 2,400 square feet, and to read as follows:

**“ARTICLE 25.02 ZONING ORDINANCE**

....

**Division 24. AG Agricultural District Regulations**

....

**Sec. 25.02.583 Area regulations**

(a) Height Regulations. . . .

(d) Area of dwelling. The minimum living area of the dwelling shall be 2,400 square feet.  
....”

**SECTION 10.** That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 11.** That if any article, paragraph, subdivision, clause or provision of this ordinance be adjudged invalid or held unconstitutional for any reason, such judgment or holding shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid or unconstitutional.

**SECTION 12.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 13.** This ordinance shall take effect immediately from and after its passage, and publication of the caption, as the law and charter in such cases provide.

**DULY APPROVED AND PASSED** by the City Council of the City of Seagoville, Texas on the 19<sup>th</sup> day of December, 2016.

**APPROVED:**



**DENNIS K. CHILDRESS, MAYOR**

**ATTEST:**

*Christie Wilson*

**CHRISTIE WILSON, INTERIM CITY SECRETARY**



**APPROVED AS TO FORM:**

*Alexis G. Allen*

**ALEXIS G. ALLEN, CITY ATTORNEY**