

ORDINANCE NO. 2018-04

**AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF BRIDGEPORT, TEXAS, BY REVISING THE DEFINITION AND REGULATIONS RELATING TO ACCESSORY BUILDINGS AND CARPORTS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Bridgeport is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the City of Bridgeport, Texas, previously adopted its comprehensive zoning ordinance, as codified as Exhibit A to Chapter 14 of the Bridgeport Code of Ordinances; and

**WHEREAS**, the City Council deems it necessary to amend portions of the zoning ordinance relating to accessory buildings and carports as described herein; and

**WHEREAS**, a public hearing was held by the Planning and Zoning Commission of the City on January 22, 2018, and a public hearing was held by the City Council on January 22, 2018, with respect to the proposed changes in the zoning regulations; and

**WHEREAS**, all requirements of law for publication and all procedural requirements have been complied with in accordance with Chapter 211 of the Local Government Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS.**

**SECTION 1**

Section 1 "Definitions" of Exhibit A to Chapter 14 of the Code of Ordinances, the Comprehensive Zoning Ordinance of the City of Bridgeport, is hereby amended by amending the definition of "Accessory Building" and adding a definition for "Carport" to read as follows:

**"ACCESSORY BUILDING:** A structure that is subordinate in size or purpose to the principal structure on the same lot or parcel, and serving a purpose customarily incidental to the use of the principal structure or use of land. An accessory structure may be attached or detached. Examples of detached accessory structures include, but are not limited to, garages, home workshops and tool houses, farm structures, barns, playhouses, greenhouses, gazebos, storage buildings, and swimming pool pump house/changing rooms. Accessory structures do not include carports."

**"CARPORT:** A roofed structure with two or more open sides used or designed to be used for vehicle shelter and parking. Temporary or portable carport structures with cloth, fabric or tarp roofs are not permitted."

## **SECTION 2**

The sixth (6<sup>th</sup>) and the eighth (8<sup>th</sup>) enumerated uses in Section 3 "Use Regulations: 'R-1' One-Family District" of Exhibit A to Chapter 14 of the Code of Ordinances, the Comprehensive Zoning Ordinance of the City of Bridgeport, are hereby amended to read as follows:

...

"6. Accessory buildings."

...

"8. Carports."

## **SECTION 3**

The third (3<sup>rd</sup>) and the fifth (5<sup>th</sup>) enumerated uses in Section 4 "Use Regulations: 'R-2' Two-Family District" of Exhibit A to Chapter 14 of the Code of Ordinances, the Comprehensive Zoning Ordinance of the City of Bridgeport, are hereby amended to read as follows:

...

"3. Accessory buildings."

...

"5. Carports."

## **SECTION 4**

The seventh (7<sup>th</sup>) and the eighth (8<sup>th</sup>) enumerated uses in Section 6 "Use Regulations: 'R-3' Apartment Districts" of Exhibit A to Chapter 14 of the Code of Ordinances, the Comprehensive Zoning Ordinance of the City of Bridgeport, are hereby amended to read as follows:

...

"7. Accessory buildings."

8. Carports.”

**SECTION 5**

Section 5 “Height and Area Regulations: ‘R-1’ and ‘R-2’ Districts” of Exhibit A to Chapter 14 of the Code of Ordinances, the Comprehensive Zoning Ordinance of the City of Bridgeport, is hereby amended to add the following regulations regarding “Accessory Buildings and Carports”:

“ACCESSORY BUILDINGS: Accessory buildings shall be located at least sixty (60) feet from the front lot line, five (5) feet from the rear lot line on a lot abutting an alley or ten (10) feet from the rear lot line on a lot which does not abut an alley, and a distance equal to ten (10%) percent of the lot width from the side lot line, provided that the side setback for an accessory structure shall never be less than five (5) feet nor be required to exceed fifteen (15) feet.”

“CARPORTS: Carports shall be located at least twenty-five (25) feet from the front lot line, five (5) feet from the rear lot line on a lot abutting an alley or ten (10) feet from the rear lot line on a lot which does not abut an alley, and a distance equal to ten (10%) percent of the lot width from the side lot line, provided that the side setback for an accessory structure shall never be less than five (5) feet nor be required to exceed fifteen (15) feet.

Carports shall not exceed five hundred (500) square feet in total floor area. Carports must meet all setback and building line requirements in accordance with the zoning district in which the site is located. Carports shall not be located within any easement.”

**SECTION 6**

Section 7 “Height and Area Regulations: ‘R-3’ Apartment Districts” of Exhibit A to Chapter 14 of the Code of Ordinances, the Comprehensive Zoning Ordinance of the City of Bridgeport, is hereby amended to add the following regulations regarding “Accessory Buildings and Carports”:

“ACCESSORY BUILDINGS: Accessory buildings shall be located at least sixty (60) feet from the front lot line, five (5) feet from the rear lot line on a lot abutting an alley or ten (10) feet from the rear lot line on a lot which does not abut an alley, and a distance equal to ten (10%) percent of the lot width from the side lot line, provided that the side setback for an accessory structure shall never be less than five (5) feet nor be required to exceed fifteen (15) feet.”

“CARPORTS: Carports shall be located at least twenty-five (25) feet from the front lot line, five (5) feet from the rear lot line on a lot abutting an alley or ten (10) feet from the rear lot line on a lot which does not abut an alley, and a distance equal to ten (10%) percent of the lot width from the side lot line, provided that the side setback for an accessory structure shall never be less than five (5) feet nor be required to exceed fifteen

(15) feet.

Carports shall not exceed four hundred (400) square feet per residential unit in total floor area. Carports must meet all setback and building line requirements in accordance with the zoning district in which the site is located. Carports must be built at least five (5) feet from any dwelling. Carports shall not be located within any easement."

#### **SECTION 7**

This ordinance shall be cumulative of all provisions of the zoning ordinance and of the Code of Ordinances of the City of Bridgeport, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

#### **SECTION 8**

It is hereby declared to be the intention of the city council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

#### **SECTION 9**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety, or public health and sanitation, including dumping or refuse, and shall be fined Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

#### **SECTION 10**

All rights and remedies of the City of Bridgeport are expressly saved as to any and all violations of the provisions of the zoning ordinance of the City of Bridgeport, Texas, as amended, or any other ordinances relating to accessory building regulations which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 11**

The City Secretary of the City of Bridgeport is hereby directed to publish a descriptive caption, penalty clause, and the effective date clause in the official City newspaper one time as authorized by Section 3.11 of the City Charter and Section 52.013 of the Texas Local Government Code.

**SECTION 12**

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 12 DAY OF February, 2018.**

**APPROVED:**

  
\_\_\_\_\_  
Randy Singleton, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Erika McComis, City Secretary



