

**ZONING
ORDINANCE
2010-02**

CITY OF INGLESIDE ON THE BAY

March 16, 2010

TABLE OF CONTENTS

PART 1

ENACTION AND GENERAL PROCEDURES

SECTION 1: PURPOSE

SECTION 2: ZONING DISTRICTS ESTABLISHED

SECTION 3: PURPOSES OF ZONING DISTRICTS

SECTION 4: ZONING MAP

SECTION 5: COMPLIANCE

PART 2

USES

SECTION 6: USE OF LAND AND BUILDING

SECTION 7: PROCEDURE FOR CHANGES AND AMENDMENTS

SECTION 8: PENALTY FOR VIOLATION

SECTION 9: VALIDITY

SECTION 10: EFFECTIVE DATE

Part 1

ENACTION AND GENERAL PROCEDURES

SECTION 1: PURPOSE

1. It is hereby declared to be the purpose and intent of the City Council in enacting this ordinance that the zoning regulations and districts as herein established have been made in accordance with a comprehensive plan for the purpose of promoting the health, safety and general welfare of the City. They have been designed to lessen the congestion in the streets to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, parks and other public requirements. They have been made with reasonable consideration, among other things, for the character of the district and its peculiar suitability for the particular uses specified; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City consistent with a comprehensive plan.

SECTION 2: ZONING DISTRICTS ESTABLISHED

1. The City of Ingleside On The Bay, Texas, is hereby divided into eight (8) zoning districts. The use, height, area and parking regulations as set out in the International Residential Code (IRC) and any pertinent City Ordinances are uniform in each district, all property herein after brought into the City will be zoned Single Family Dwelling District. The eight (8) districts herein established shall be known and cited as:

	Abbreviated Designation
Zoning District Name	
R-1	Single-Family Dwelling District
R-2	Single-Family Dwelling District-Flood Zone
D	Two-Family Dwelling (Duplex)
A	Apartment Dwelling
GB	General Business
RLU1	Restricted Land Use
RLU2	Restricted Land Use-Flood Zone
CP	City Property

SECTION 3: PURPOSE OF ZONING DISTRICTS

1. Each Zoning District herein established is provided for a specific purpose and in accordance with a Comprehensive Plan for the location of various types of uses throughout the City as follows:

(1) R-1 Single-Family Dwelling Districts: There exists or may exist in the future in certain parts of the City areas of and suited for single-family residential development. This district is intended to be composed of single-family dwellings together with public park areas to serve the area.

(2) R-2 Single-Family Dwelling Districts-Flood Zone: There exists or may exist in the future in certain parts of the City areas of and suited for single-family residential development. This district is intended to be composed of single-family dwellings together with public park areas to serve the area.

(3) Two-Family Dwelling District (Duplex): In order to provide standards which will protect and encourage the various types of two-family dwellings existing in the City, a two-family dwelling district is provided.

(4) Apartment Dwelling Districts: These districts are composed of areas containing mixtures of single-family, two-family and multiple-family dwellings and certain uniformly developed multiple-family dwellings sections. The area regulations are designed to protect the residential character and to prevent the overcrowding of the land in the A Districts by providing minimum standards for building spacing, yards, off-street parking and coverage. All General Business and office uses are prohibited in the A Districts. Except one office to serve the facility.

(5) General Business. The uses specified in the General Business Districts include most types of retail activity. It is not anticipated that General Business, will be subject to any major expansion. Offices, Marinas, Bed and Breakfasts, short term rentals child day care, adult care and convenience stores are allowed in the General Business District.

(6) Restricted Land Use. These districts shall be owned and operated by a non profit corporation for the benefit of its members solely for recreational, park or scenic use and those recreational uses shall not violate any other ordinances existing now or in the future of the City of Ingleside on the Bay, nor shall there be allowed any residential or living quarters on this property. Any improvements upon the land must conform to all building codes and regulations.

(7) Restricted Land Use-Flood Zone. These districts shall be owned and operated by a non profit corporation for the benefit of its members solely for recreational, park or scenic use and those recreational uses shall not violate any other ordinances existing now or in the future of the City of Ingleside on the Bay, nor shall there be allowed any residential or living quarters on this property. Any improvements upon the land must conform to all building codes and regulations.

(8) City Owned Property: That property belonging solely to the city for city use only.

SECTION 4: ZONING DISTRICT MAP

1. The boundaries of Zoning Districts set out herein are delineated upon a Zoning District Map of the city adopted as part of the ordinance as fully as if the same were set forth herein in detail.

2. One original of Zoning District Map shall be filed in the office of the City Secretary. This copy shall be the official Zoning District Map and shall bear the signature of the Mayor and attestation of the City Secretary. This copy shall not be changed in any manner. In case of any questions, this copy, together with amending ordinances, shall be controlling.

3. An additional copy of the original Zoning District Map shall be placed in the meeting room of the Planning and Zoning and Building Inspector. The copy shall be used for reference and shall be maintained up-to-date by posting thereon all subsequent amendments.

SECTION 5: COMPLIANCE REQUIRED

1. All land, buildings, structures or appurtenances thereon located within the City which are hereafter occupied, used, erected, altered or converted shall be used, placed and erected in conformance with the zoning regulations prescribed for the zoning district in which such land or building is located except as hereinafter provided. Land used in meeting the requirements of this ordinance with respect to a particular use or building shall not be used to meet the requirements for any other use or building.

Part 2

USES

SECTION 6: USE OF THE LAND AND BUILDINGS

1. Land and buildings in each of the zoning districts may be used for any of the listed uses but no land shall be used and no building erected, altered or converted which is arranged or designed or used for other than those uses specified as permitted uses in the district in which it is located.

2. Not with standing any other provision, short term rentals and time share use within the city limits of Ingleside on the Bay is strictly prohibited in Single family, Two family and Apartment districts. Short term rentals are defined as the renting of any property for a period of shorter than thirty (30) days. Time share use is defined as the fractured ownership of a property by a group of unrelated persons which provides each such group is allowed a fractional use of the property for a period of shorter than thirty (30) days. Advertising material advertising a property for rental or time share use for a period of shorter than thirty (30) days shall constitute proof of a violation of this provision in any prosecution or other action taken by the City of Ingleside on the Bay to enforce this provision

3. Schedule of uses permitted in district:

R-1 and R-2: Single family dwelling; accessory buildings residential; home occupation; swimming pool.

Two Family Dwelling: Single family dwelling, two family dwelling; accessory buildings residential; home occupation; swimming pool.

Apartment dwelling: Single family dwelling; two family dwelling; multiple family dwelling; accessory buildings residential; home occupation; swimming pool.

General Business: Single family dwelling; two family dwelling; multiple family dwelling; accessory buildings residential; swimming pool; short term rental and church.

Restricted Land Use and Restricted Land Use-Flood Zone: Accessory buildings, swimming pool and club house. These districts shall be owned and operated by a non profit corporation for the benefit of its members solely for recreational, park or scenic use and those recreational uses shall not violate any other ordinances existing now or in the future of the City of Ingleside on the Bay, nor shall there be allowed any residential or living quarters on this property. Any improvements upon the land must conform to all building codes and regulations.

4. The following definitions and explanatory notes supplement, restrict and define the meaning and intent of the use regulations as noted in Section 6.3.

- (1) One-Family Dwelling: A building having a single dwelling unit and occupied by not more than one family.
- (2) Two-Family Dwelling (Duplex): A building having two dwelling units and occupied by not more than two families.
- (3) A Multiple-Family Dwelling: Any building or portion thereof, which is designed, built, rented, leased or let to be occupied as a home or residence of three or more families.
- (4) Detached Building: A single story building that has no wall in common with the principal building, is a minimum of ten (10) feet from the principal building, is wholly contained within the back 1/3 of the lot and is not attached to the roof of the principal building.
- (5) Accessory Building (residential): A subordinate building detached from the main building and used for purposes customarily incidental to the residential occupancy of the main building and not involving the conduct of a business or the sale of a service. Accessory buildings include but are not limited to an automobile storage garage, laundry room, garden shelter, hobby room and mechanical room.
- (6) Guest House (detached): A secondary structure on a lot or tract containing dwelling accommodations and intended for the temporary occupancy by guests and not for rent or permanent occupancy.
- (7) Servant or Caretaker's Quarters: Living quarters for persons employed on the premises, as a separate domicile and with no separate utility meters. Such facilities may be located in the main structure or in an accessory building located on the lot with a main residential structure.
- (8) Swimming Pool (private): A swimming pool constructed for the exclusive use of the residents of a single-family, two-family or apartment dwelling and located and fenced in accordance with the standards and regulations of the IRC and the City. Such private swimming pool shall not be operated as a business nor maintained in such a manner as to be hazardous or obnoxious to adjacent property owners.
- (9) Temporary Field or Construction Office: Temporary office buildings and temporary building material storage areas to be used solely for construction purposes in connection with the property on which they are erected may be permitted for a specified period of time in accordance with approval from City Council and a permit issued by the Building Inspector. This building is not to be used for living quarters.
- (10) Home Occupation: An occupation customarily carried on in the home by a member of the occupant's family, being incidental to the primary occupancy of the home as a dwelling, without the offering, display or advertising of any commodity or service for sale on the premises, without the employment of any persons other than a member of the immediate family, without the use of

any sign, lighting or display, without the use of other than normal domestic or household equipment or appliances.

SECTION 7: PROCEDURE FOR CHANGES AND AMENDMENTS

1. Any person or corporation or group of persons having a proprietary interest in a property, upon proof of such interest, may petition the governing body for a change or amendment to the provisions of this ordinance or the City Planning and Zoning Commission may on its own notion, institute proposals for change and amendment in the public interest. All petitions for the amendment of this ordinance shall bear the signature of the owners of all property within 200 feet of the area of request and be accompanied by a seventy-five dollar (\$75.00) filing fee.

2. The City Council may from time to time amend, supplement or change by ordinance the boundaries of the districts or regulations herein. Before taking action on any proposed amendment, supplement or change to zoning, the City Council shall submit the same to the City Planning and Zoning Commission for its recommendation and report.

3. The City Planning and Zoning Commission or a committee thereof shall hold a public hearing on any application for any amendment, supplement or change to zoning prior to making its recommendation and report to the City Council. Written notice of all public hearings before the City Planning and Zoning Commission or a committee thereof on a proposed amendment, supplement or change to zoning shall be sent to all owners of real property lying within two hundred (200) feet of the property on which the change is requested. Such notice shall be given not less than ten (10) days before the date set for hearing by depositing a notice properly addressed and postage paid in the United States Post Office to such property owners as the ownership appears on the last approved City tax roll.

4. A public hearing shall be held by the City Council before adopting any proposed amendment, supplement or change to zoning. At least fifteen (15) days notice of the time and place of such hearing shall be published in the official newspaper of the City.

SECTION 8: PENALTY FOR VIOLATION

1. Any person or entity that violates any of the provisions of this ordinance or fail to comply therewith or with any of the requirements thereof, or who shall build or alter any building or use in violation of any detailed statement or plan submitted and approved hereunder shall be guilty of a misdemeanor and shall be liable to a fine of not more than two thousand dollars (\$2000.00) per day. Each day such violation shall be permitted to exist shall constitute a separate offense. The owner or owners of any building or premises or part thereof, where anything in violation of this ordinance shall be placed or shall exist, and any architect, builder, contractor, agent, person or entity employed in connection therewith and who may have assisted in the commission of any such violation shall be guilty of a separate offense and upon conviction shall be fined as herein provided. The City likewise shall have the power to enforce the provisions of this ordinance through municipal or civil court action as provided by State Law.

SECTION 9: VALIDITY

1. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part of provisions thereof other than the part so decided to be invalid or unconstitutional.

2. All ordinances or parts of ordinances in conflict herewith, including Ordinance 1995-03 and Ordinance 2008-06, are hereby repealed.

SECTION 10: EFFECTIVE DATE

1. This Zoning Ordinance shall be come effective immediately on and after its passage by the City Council and publication of caption in the official City newspaper, subject to the following qualifications:

(1) Any construction now in progress and construction for which building permits have been issued in accordance with the prior ordinance, shall be unaffected by this Ordinance.

(2) Pending applications for zoning change or amendments of any Use District made under the prior ordinance, shall be processed, and if the City Council is of the opinion that a zoning change is justified and should be made, then such change or amendment shall be classified and placed into the proper Use District where such use and occupancy is permitted as contained in this Ordinance.

(3) In the event construction drawings are presented to the Chief Building Inspector of the City showing development proposed under the terms of the prior zoning ordinance within thirty (30) days from the passage of this Ordinance, and in the event the denial of a building permit for such construction would cause a loss or hardship, the City Council may consider the case on the facts and if it is of the opinion that the general zoning scheme and public interest will not be adversely affected thereby, it may grant a permit for development and construction.

PASSED and APPROVED this the 16th day of March, 2010.



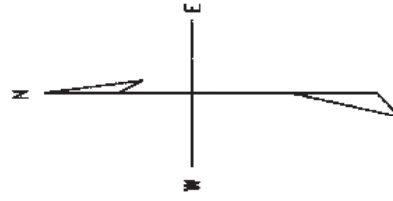
CITY OF INGLESIDE ON THE BAY, TX.

Howard Gillespie
Howard Gillespie, Mayor

ATTEST:

Diane Hosea
Diane Hosea, City Secretary

Highway 1069



CITY OWNED PROPERTY

Restricted Land Use

Restricted Land Use Flood Plain

GENERAL BUSINESS

APARTMENTS



INGLESIDE COVE

TWO FAMILY DWELLING

R-1 SINGLE FAMILY DWELLING

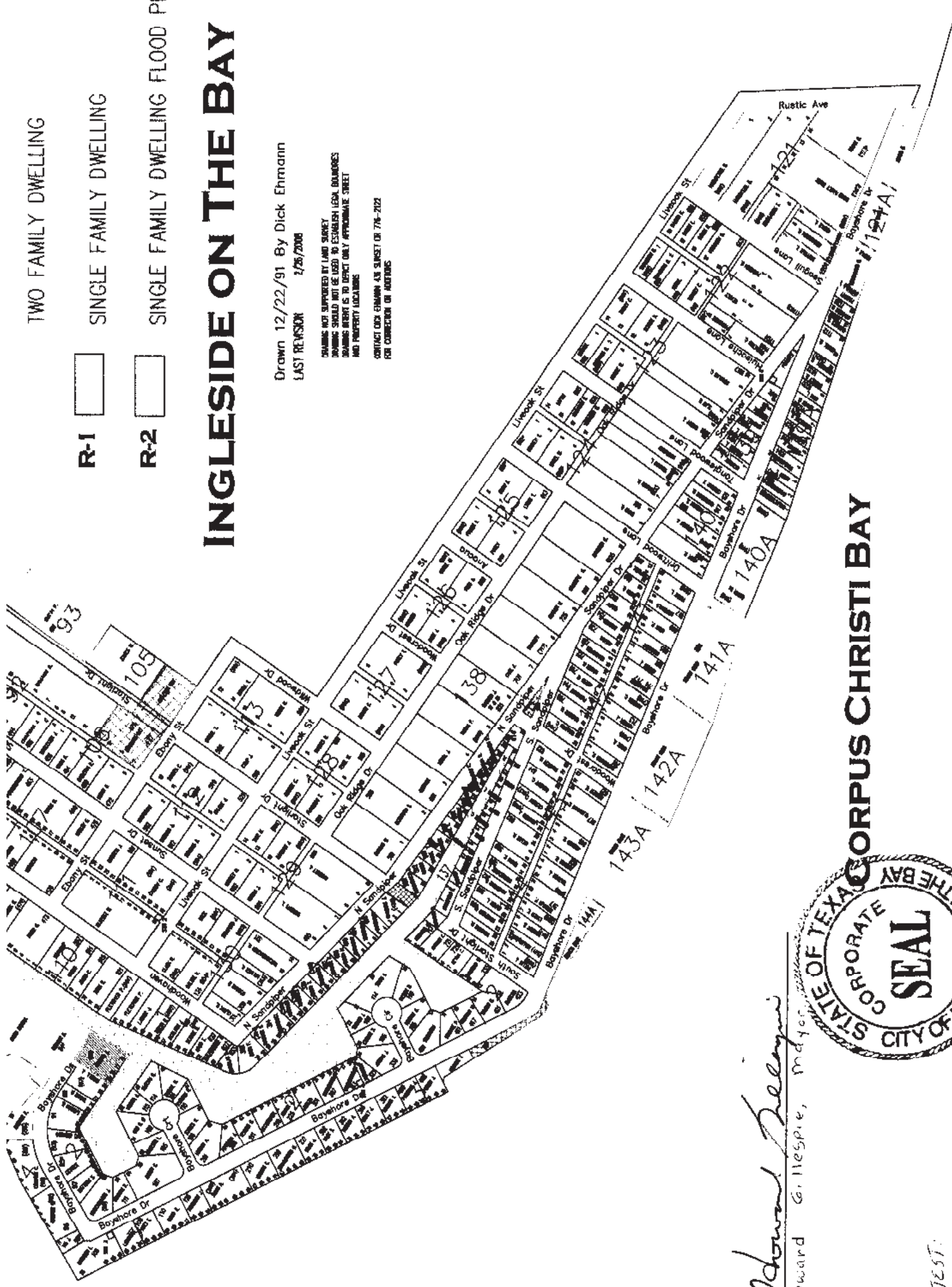
R-2 SINGLE FAMILY DWELLING FLOOD PLAIN

INGLESIDE ON THE BAY

Drawn 12/22/91 By Dick Ehmann
LAST REVISION 1/26/2006

DRAWING NOT SUPPORTED BY LAND SURVEY
DRAWING SHOULD NOT BE USED TO ESTABLISH LEGAL BOUNDARIES
DRAWING INTENT IS TO DEPICT ONLY APPROXIMATE STREET
AND PROPERTY LOCATIONS

CONTACT DICK EHMANN AT SUNSET OR 776-2122
FOR CORRECTION OR ADDITIONS



CORPUS CHRISTI BAY



Howard G. Hespie
Howard G. Hespie, Mayor

ATTEST:

Diane Hosen
Diane Hosen, City Secretary

THE STATE OF TEXAS
COUNTY OF SAN PATRICIO:

Before me, the undersigned authority, personally appeared Brenda Burr of The Ingleside Index, who after being

by me duly sworn, on his oath deposes and said:

1. That (he) (she) is Published of The Ingleside Index a weekly newspaper published in San Patricio County, Texas.
2. That the City of Ingleside on the Bay published an ordinance 2010-02 hereto annexed, was published in the regular issues of said Ingleside Index once each week for One (1) week successive weeks said publications having been made on the March 24, 2010

3. That a printed copy of said Notar as the same appeared in said issues is attached hereto



Sworn to and subscribed before me this 25 day of March, 2010. Patsy Dicken

PUBLICATION FEE: \$ _____ Notary Public, San Patricio County, Texas

City Council of Ingleside on the Bay passed the following Ordinance on March 16, 2010 CITY OF INGLESIDE ON THE BAY ZONING ORDINANCE 2010-02 The original of this document is on file with the City Secretary. Published in the Ingleside Index March 24, 2010