

**NOTICE OF REGULAR MEETING OF THE
HEMPSTEAD PLANNING AND ZONING COMMISSION**

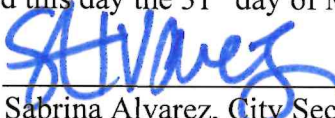
Notice is hereby given that a Regular Meeting of the Planning and Zoning Commission of the City of Hempstead will be held on **Monday, April 3, 2023, at 5:00 P.M.** at the **Hempstead City Hall, 1125 Austin Street, Hempstead, Texas**, at which time the following will be discussed, to-wit:

1. Call to order and invocation.
2. Pledge of Allegiance.
3. Public Comment.
4. Consideration and action on minutes of the March 6, 2023, meeting.
5. Zoning Ordinance amendment increasing minimum front setbacks in certain residential districts.
 - a. Public Hearing
 - b. A Resolution of the Planning and Zoning Commission of the City of Hempstead, Texas making a recommendation to City Council to approve or deny amendment Article 3 "Zoning Districts", Section 3.01 AR-Agricultural/Residential Districts", Section 3.02 "R-1 Single -Family Residential District", Section 3.04 "Multi-Family Residential District", 3.03 R-2 Multi-Family Residential District", and Section 3.12 "Lot Standards" of the Subdivision Ordinance to increase the Minimum front setbacks distances within the City for consistency with the Zoning Ordinance;
5. Adjourn Planning and Zoning Commission Meeting.

The Planning and Zoning Commission of the City of Hempstead reserves the right to adjourn into executive session at any time during this meeting to discuss any matter, as authorized by Texas Government Code, Section 551.071 (Consultation with Attorney).

Dated this day the 31st day of March, A.D., 2023.

By: _____


Sabrina Alvarez, City Secretary

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the Planning and Zoning Commission of the City of Hempstead is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board and entrances to City Hall in the City Hall of said City of Hempstead, Texas, a place convenient and readily accessible to the general public at all time, and said Notice was posted on March 31, 2023 at 10:00 A.M. and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Dated this day the 31st day of March, A.D., 2023.

By: _____


Sabrina Alvarez, City Secretary

PUBLIC PARTICIPATION BY TELEPHONE

The City of Hempstead Planning and Zoning Commission **may** conduct the meeting scheduled at **5:00 P.M. on Monday the 3rd day of April 2023 at the Hempstead City Hall, 1125 Austin Street, Hempstead, Texas.** The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. A recording of the telephonic meeting will be made and will be available to the public upon written request.

The toll-free dial-in number to participate in the meeting telephonically is:

1-346-248-7799; Access Code 989-478-2100

IF PLANNING AND ZONING COMMISSION MEMBERS ARE GOING TO APPEAR BY VIDEOCONFERENCE A QUORUM OF COMMISSION MEMBERS MUST BE PRESENT AT THE LOCATION.

NOTICE OF MEETING BY VIDEO CONFERENCE

The City of Hempstead Planning and Zoning Commission **may** conduct the meeting scheduled at **5:00 P.M. on Monday, the 3rd day of April 2023 at the Hempstead City Hall, 1125 Austin Street, Hempstead, Texas** by videoconference in addition to allowing in person attendance. A quorum of the Planning and Zoning Commission will be physically present at the Hempstead City Hall, 1125 Austin Street, Hempstead. The public may participate in the Planning and Zoning Commission Meeting by using the following information:

1-346-248-7799, Access Code 989-478-2100

**STATE OF TEXAS
COUNTY OF WALLER
CITY OF HEMPSTEAD**

BE IT REMEMBERED that on the 6th day of March, A.D., 2023 at 5:00 P.M. the Planning and Zoning Commission met in Regular Session at the Hempstead City Hall, Hempstead, Texas in said City, there being present, to-wit:

John Busby, Chairman	Bridgette Begle, City Attorney
Nora Hodges, Board Member	Sabrina Alvarez, City Secretary
Samantha Glover, Board Member (Absent)	
Chris Whetzel, Board Member	
Barbara Bezub, Board Member	
Joe Ayala, Board Member	

1. Call to order and invocation.

Chairman John Busby called the meeting to order at 5:01 P.M. and gave the invocation.

2. Pledge of Allegiance.

The Pledge of Allegiance was given.

3. Consideration and action on minutes of the February 6, 2023, meeting.

Board Member Joe Ayala made a motion to approve the minutes. Board Member Chris Whetzel seconded the motion and carried unanimously.

4. Specific Use Permit Request for placement of a home to be used as a residence in the Central Business District at Block 143 Lot 1 – 606 13th Street.
a. Public Hearing

The Public Hearing started at 5:03 P.M.

Wanda Clement spoke and said she just wanted to be able to set her home on the property. Wanda Clement the daughter spoke and stated that circumstances wouldn't let her mother put the home on the property at the time. Chairman John Busby asked when the original house was demolished. The Clements answered in August of 2021. The Clements will be replacing the roof, repainting, and a front and back porch. Fire Marshall Frank Rodriguez said the house will have to brought up to code. The house is a pier and beam home.

The Public Hearing closed at 5:09 P.M.

b. Consideration and action on recommendation to City Council on an Ordinance of the City of Hempstead, amending the City of Hempstead Code of Ordinances by granting a Specific Use Permit for placement of a home to

be used as a residence in the Central Business District at Block 143 Lot 1 – 606 13th Street.

Board Member Joe Ayala stated that he went by and there are houses all around. Board Member Barbara Bezub stated that half the block is residential. The rest of the Board Members agreed.

Board Member Joe Ayala made a motion to approve the Specific Use Permit for placement of a home to be used as a residence in the Central Business District at Block 143 Lot 1 – 606 13th Street. Board Member Nora Hodges seconded the motion and carried unanimously.

5. Adjourn Planning and Zoning Commission Meeting.

Board Member Nora Hodges made a motion to adjourn the Planning and Zoning at 5:12 P.M. Board Member Joe Ayala seconded the motion and carried unanimously.

PASSED AND APPROVED this the 3rd day of April, A.D., 2023.

APPROVED:

John Busby, Chairman

ATTEST:

Sabrina Alvarez, City Secretary




City of Hempstead

1125 Austin Street, Hempstead, Texas 77445

TEL: 979-826-2486 FAX: 979-826-6703

To: Planning and Zoning

I did call nearby cities to see what their front set back on R-I Residential was from the front property pin. Brenham and Navasota have zoning ordinances that require a 25-foot front setback on R-1 residential properties. The front setback in Waller is 25 feet. The city of Bellville requires a 35-foot front setback; all these cities are measured from the property pin. Staff recommends changing our zoning ordinance to a 25-foot setback to match our subdivision ordinance and the city around us.


Signature

3-30-2023
Date



City of Hempstead

1125 Austin Street • Hempstead, Texas 77445 • Tel: 979-826-2486 • Fax: 979-826-6703

RESOLUTION NO. 23-____

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF HEMPSTEAD, TEXAS RECOMMENDING APPROVAL OR DENIAL OF AN AMENDMENT TO ARTICLE 3 “ZONING DISTRICTS”, SECTION 3.01 AR- AGRICULTURAL/RESIDENTIAL DISTRICT”, SECTION 3.02 “R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT”, SECTION 3.04 “R-3 MULTI-FAMILY RESIDENTIAL DISTRICT”, 3.03 R-2 MULTI-FAMILY RESIDENTIAL DISTRICT”, AND SECTION 3.12 “LOT STANDARDS” OF THE SUBDIVISION ORDINANCE TO INCREASE THE MINIMUM FRONT SETBACK DISTANCES WITHIN THE CITY FOR CONSISTENCY WITH THE ZONING ORDINANCE.

BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF HEMPSTEAD, TEXAS:

To recommend that City Council **approve/deny** Zoning Districts, Section 3.01 AR-Agricultural/Residential District, Section 3.02 R-1 Single Family Residential District, Section 3.04 R-3 Multi-Family Residential District, 3.03 R-2 Multi-Family Residential District and section 3.12 Lot Standards of the Subdivision Ordinance.

PASSED AND APPROVED this the 3rd day of April, A.D., 2023.

APPROVED:

John Busby, Chairman

ATTEST:

Sabrina Alvarez, City Secretary



City of Hempstead

1125 Austin Street • Hempstead, Texas 77445 • Tel: 979-826-2486 • Fax: 979-826-6703

ORDINANCE NO. 23-

AN ORDINANCE OF THE CITY OF HEMPSTEAD, TEXAS AMENDING ARTICLE 3 "ZONING DISTRICTS", SECTION 3.01 AR-AGRICULTURAL/RESIDENTIAL DISTRICT", SECTION 3.02 "R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT", SECTION 3.04 "R-3 MULTI-FAMILY RESIDENTIAL DISTRICT", 3.03 R-2 MULTI-FAMILY RESIDENTIAL DISTRICT", AND SECTION 3.12 "LOT STANDARDS" OF THE SUBDIVISION ORDINANCE TO INCREASE THE MINIMUM FRONT SETBACK DISTANCES WITHIN THE CITY FOR CONSISTENCY WITH THE ZONING ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEMPSTEAD, TEXAS:

Section 1. That Section 3.01, Section 3.02, Section 3.04, Section 3.03 and Section 3.12 of Article 3 of the Code of Ordinances of the City of Hempstead, Texas is hereby amended as follows with additions being underlined and deletions being struck through:

Section 3.01 AR-Agricultural/Residential District

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3.01.04 Area Regulations: For a comprehensive review of area regulations pertaining to all Zoning districts, please see Section 3.12 - Lot Standards Matrix, at the end of this section of the Ordinance.

- A. Lot Area: A lot located in the AR - Agricultural Residential District shall not have less than six thousand two hundred and fifty (6,250) square feet of area.
- B. Lot Width: A lot located in the AR - Agricultural Residential District shall not have less than fifty (50) feet of width or frontage.
- C. Lot Depth: A lot located in the AR - Agricultural Residential District shall have not less than one hundred and twenty-five (125) feet of depth.
- D. Front Yard: Each lot in an AR - Agricultural Residential District shall have a front yard of not less than ~~five (5) feet~~. **twenty-five feet (25')**.

- E. Rear Yard: Each lot in an AR - Agricultural Residential District shall have a rear yard of not less than five (5) feet.
- F. Side Yard: Each lot in an AR - Agricultural Residential District shall have side yards of not less than five (5) feet.
- G. Lot Coverage: Structures on an AR - Agricultural Residential District shall not cover more than fifty percent (50%) of the lot.
- H. Height: No structure on an AR - Agricultural Residential District lot shall exceed forty-five (45) feet in height.

Section 3.02 R-1 Single Family Residential District

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3.02.04 Area Regulations: For comprehensive review of area regulations pertaining to all zoning Districts, please see Section 3-12 - Lot Standards Matrix, at the end of this section of the Ordinance.

- A. Lot Area: A lot located in the R-1 - Single Family Residential District shall not have less than six thousand two hundred and fifty (6,250) square feet or area.
- B. Lot Width: A lot located in the R-1 Single Family Residential District shall have not less than fifty (50) feet of width or frontage.
- C. Lot Depth: A lot located in the R-1 - Single Family Residential District shall have not less than one hundred and twenty-five (125) feet of depth.
- D. Front Yard: Each lot in aR-1 - Single Family Residential District shall have a font yard of not less than ~~five (5) feet~~ **twenty-five feet (25')**.
- E. Rear Yard: Each lot in a R-1 - Single Family Residential District shall have a rear yard of not less than five (5) feet.
- F. Side Yard: Each lot in a R-1 - Single Family Residential District shall have side yards of not less than five (5) feet on each side.
- G. Lot Coverage: Structures on a R-1 - Single Family Residential District lot shall not cover more than fifty percent (50%) of the Jot.

- H. Height: No structure in a R-1 - Single Family Residential District shall exceed thirty five (35) feet in height.

Section 3.04 R-3 Multi-Family Residential District

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3.04.04 Area Regulations: For a comprehensive review of area regulations pertaining to all zoning districts, please see Section 3.12 - Lots Standards Matrix, at the end of this section of the Ordinance.

- A. Site Area: A site located in the R-3 - Multi-Family Residential District shall have not less than twelve thousand five hundred (12,500) square feet.
- B. Site Width: A site located in the R-3 - Multi-Family Residential District shall have not less than one hundred (100) feet of width or frontage.
- C. Site Depth: A site located in the R-3 - Multi-Family Residential District shall have not less than one hundred and twenty-five (125) feet of depth.
- D. Residential Density: Density in an R-3 - Multi-Family Residential District shall not exceed 1,500 square feet per unit.
- E. Front Yard: Each site in an R-3 - Multi-Family Residential District shall have a front yard of not less than ~~five (5) feet~~, **twenty-five feet (25')**.
- F. Rear Yard: Each site in an R-3 - Multi-Family Residential District shall have a rear yard of not less than five (5) feet on each side.
- G. Side Yard: Each site in an R-3 - Multi-Family Residential District shall have side yards of not less than five (5) feet on each side.
- I. Lot Coverage: Structures on an R-3 - Multi-Family Residential District lot shall not cover more than seventy five percent (75%) of the lot.
- J. Height: No structure in the R-3 - Multi-Family Residential District shall exceed thirty five (35) feet in height.

Section 3.03 R-2 Multi-Family Residential District

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3.03.04 Area Regulations: For a comprehensive review of area regulations pertaining to all zoning districts, please see Section 3.12 - Lot Standards Matrix, at the end of this section of the Ordinance.

- A. Lot Area: A lot located in the R-2 - Multi-Family Residential District shall have no less than nine thousand three hundred and seventy five (9,375) square feet.
- B. Lot Width: A lot located in the R-2 - Multi-Family Residential District shall not have less than seventy five (75) feet of width or frontage.
- C. Lot Depth: A lot located in the R-2 - Multi-Family Residential District shall have not less than one hundred and twenty five (125) feet of depth.
- D. Residential Density: Density in a R-2 - Multi-Family Residential District shall not exceed two (2) primary dwelling units per lot.
- E. Front Yard: Each lot in a R-2 - Multi-Family Residential District shall have a front yard of not less than ~~five (5) feet~~, **twenty-five feet (25')**.
- F. Rear Yard: Each lot in a R-2 - Multi-Family Residential District shall have a rear yard of not less than five (5) feet.
- G. Side Yard: Each lot in a R-2 - Multi-Family Residential District shall have side yards of not less than five (5) feet on each side.
- H. Lot Coverage: Structures on a R-2 - Multi-Family Residential lot shall not cover more than fifty percent (50%) of the lot.
- I. Height: No structure in a R-2 - Multi-Family Residential District shall exceed thirty five (35) feet in height.

Section 3.12 Lot Standards

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ZONING DISTRICT	Minimum Lot Area	Minimum Lot Width	Minimum Lot Depth	Maximum Residential Density	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Maximum Lot Coverage	Maximum Lot Height
AR – Agricultural/ Residential	6,250 sq. ft.	50 feet	125 feet	1 dwelling	5 feet <u>25 feet</u>	5 feet	5 feet	50%	45 feet
R-1 – Single-Family Residential	6,250 sq. ft.	50 feet	125 feet	1 dwelling	5 feet <u>25 feet</u>	5 feet	5 feet	50%	35 feet

R-2 – Multi-Family Residential	9,375 sq. ft.	75 feet	125 feet	2 dwellings	5 feet <u>25 feet</u>	5 feet	5 feet	50%	35 feet
R-3 – Multi-Family Residential	12,500 sq. ft.	100 feet	125 feet	1500 sq. ft.	5 feet <u>25 feet</u>	5 feet	5 feet	75%	35 feet

Section 2. All portions of the City of Hempstead Zoning Ordinance not in conflict with this Ordinance remain in effect.

Section 3. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances 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 Hempstead, 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, whether there be one or more parts.

Section 4. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 5. This Ordinance shall become effective on _____.

PASSED AND APPROVED this the ____ day of _____, 2023.

APPROVED:

Erica Gillum, Mayor

ATTEST:

Sabrina Alvarez, City Secretary

