

CITY OF HUMBLE

ORDINANCE NO. 16-778

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS, AMENDING CHAPTER 38 "SUBDIVISIONS," SECTION 23 "BUILDING SETBACK RESTRICTIONS" SUBSECTION (2) "LOCAL STREETS" ITEM (C); AMENDING CHAPTER 12, "BUILDINGS AND BUILDING REGULATIONS," SECTION 131 "COMMERCIAL SETBACK LINES," SUBSECTION (3) AND SUBSECTION (4); AND PROVIDING FOR SEVERABILITY

WHEREAS, Section 38-23 (2)(c) of the Code of Ordinances of the City of Humble states.

"(2) Local streets.

- c. All other properties not divided into lots or designed for the development of residential dwelling units which are adjacent to local streets (or major thoroughfares) must have a 20-foot building setback restriction provided along all adjacent streets. If, however, such properties are located directly across a street from residential lots or properties having a building setback restriction on such properties in excess of 20 feet, the building setback restriction required on the nonresidential property must be equal to or exceed the building setback restrictions established on the opposite residential properties."

WHEREAS, Section 12-131 (3) and (4) of the Code of Ordinances of the City of Humble states.

"(3) If, at the time of inspection, the stakes do not appear to be in the correct place in relation to the 20-foot setback lines of the building, the inspector at his discretion, may order the builder to furnish the city with a certified letter from the surveyor, stating that the stakes meet the above requirements.

(4) When commercial structures are constructed in predominantly commercial areas, the following building setback requirements may be applied:

- a. Zero clearance construction is allowed on side and rear building lines as long as the prescribed four-hour firewall is constructed in accordance with the International Building Code, the wall being eight inches of poured-in-place concrete of hollow mortar sand or perlite loose fill insulation.

- b Zero clearance construction must meet the approval of the building official and fire marshal and must be detailed in all construction drawings. Commercial buildings constructed on corner lots shall and/or may be constructed on the angular line created by connecting the 20-foot distance in both directions from the vertex of the corner ”

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

Section 1 The Code of Ordinances of the City of Humble, Texas, is hereby amended by deleting all of Chapter 38 Section 23 (2)(C) thereof and substituting therefore a new Chapter 38 Section 23 (2)(C) to read as follows.

Sec. 38-23 Building Setback Restrictions

(2) *Local Streets*

- c. All other properties not divided into lots or designed for the development of residential dwelling units which are adjacent to local streets (or major thoroughfares) must have a 25-foot building setback restriction provided along all adjacent streets. If, however, such properties are located directly across a street from residential lots or properties having a building setback restriction on such properties in excess of 25 feet, the building setback restriction required on the nonresidential property must be equal to or exceed the building setback restrictions established on the opposite residential properties.”

Section 2 The Code of Ordinances of the City of Humble, Texas, is hereby amended by deleting all of Chapter 12, Section 131 (3) and (4) thereof and substituting therefore a new Chapter 12 Section 131 (3) and (4) to read as follows.

Sec. 12-131 Commercial Setback Lines.

- (3) If, at the time of inspection, the stakes do not appear to be in the correct place in relation to the 25-foot setback lines of the building, the inspector at his discretion, may order the builder to furnish the city with a certified letter from the surveyor, stating that the stakes meet the above requirements.
- (4) Commercial buildings constructed on corner lots shall and/or may be constructed on the angular line created by connecting the 20-foot distance in both directions from the vertex of the corner

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 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, whether there be one or more parts.

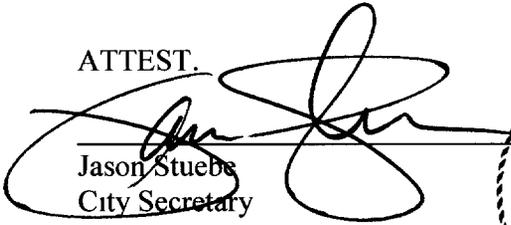
Section 4. That this ordinance shall go into effect immediately upon its passage.

PASSED, APPROVED, AND ADOPTED this 10 day of March 2016



Merle Aaron
Mayor

ATTEST.



Jason Stuebe
City Secretary

