

ORDINANCE NO. 26-032426

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BERTRAM, TEXAS, AMENDING THE CODE OF ORDINANCES EXHIBIT 14A ZONING ORDINANCE CHART 1; AMENDING THE FRONT SETBACK FOR ALL DISTRICTS WITH A 25 FOOT SETBACK TO A 20 FOOT FRONT SETBACK; AMENDING THE REAR SETBACK FOR ALL DISTRICTS WITH A 25 FOOT REAR SETBACK TO A 15 FOOT REAR SETBACK; MAKING FINDINGS A FACT; PROVIDING FOR REPEAL OF PORTIONS OF ORDINANCES IN CONFLICT AND PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, current regulations regarding front and rear setbacks are hindering property owners from efficiently using their properties and are forcing design of future developments to be done in a manner that is not conducive with the current housing needs in the Bertram area; and

WHEREAS, the City Council finds that it is in the best interest of the City to amend the Zoning Ordinance in the Code of Ordinances to decrease the front and rear setbacks in all districts that have 25-foot front or rear setbacks to allow more efficient use of property in the City.

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

PART 1. Enacted.

THAT Exhibit 14A ZONING ORDINANCE of the Code of Ordinances of the City of Bertram is hereby amended by amending Chart 1, which shall read as follows:

Chart 1									
Zoning District	Front Setback	Side Setback	Street Yard Setback	Side Rear Setback	Min. Lot SF Area	Min. Lot Width	Lot Height Limit		
A	20 ft.	25 ft.	25 ft.	15 ft.	43,500	150 ft.	45 ft.		
UE	20 ft.	25 ft.	25 ft.	15 ft.	22,500	100 ft.	45 ft.		
R-1-1	20 ft.	5 ft.	15 ft.	15 ft.	7,200 (1)	60 ft. (1)	35 ft.		
R-1-2	20 ft.	5 ft.	15 ft.	15 ft.	7,500	60 ft.	35 ft.		
R-1-A	20 ft.	5 ft. (2)	15 ft.	15 ft.	4,000	35 ft.	35 ft.		
R-2	20 ft.	7 ft.	15 ft.	15 ft.	9,000	80 ft.	35 ft.		
R-3	20 ft.	7 ft.	15 ft.	15 ft.	10,000	80 ft.	35 ft.		
R-4-1 (3)	20 ft.	15 ft.	15 ft.	15 ft.	(5)	80 ft.	35 ft. (6)		
R-4-2 (3)	20 ft.	15 ft.	15 ft.	15 ft.	(5)	80 ft.	35 ft. (7)		
R-4-3 (3)	20 ft.	20 ft.	15 ft.	15 ft.	(5)	80 ft.	45 ft. (8)		

Chart 1

Zoning District	Front Setback	Side Setback	Street Yard Setback	Side Rear Setback	Min. Lot SF Area	Min. Lot Width	Lot Height Limit
M-1 (4)	20 ft.	5 ft.	15 ft.	15 ft.	7,200 (1)	60 ft. (1)	35 ft.
M-2 (4)	20 ft.	5 ft.	25 ft.	15 ft.	7,200 (1)	60 ft. (1)	35 ft.
M-3 (4)	20 ft.	5 ft.	15 ft.	15 ft.	7,200 (1)	60 ft. (1)	35 ft.
C	20 ft.	7 ft.	15 ft.	15 ft.	6,000	50 ft.	45 ft.
C-1	20 ft.	10 ft.	15 ft.	15 ft.	6,000	50 ft.	45 ft.
CBD	(10)	(10)	(10)	(10)	(10)	(10)	(10)
O	20 ft.	5 ft.	15 ft.	15 ft.	6,000	50 ft.	35 ft.
LI	20 ft.	25 ft.	25 ft.	15 ft.	9,000	80 ft.	45 ft.
HI	50 ft.	50 ft.	50 ft.	50 ft.	43,500	150 ft.	45 ft.
PUD	(9)	(9)	15 ft.	(9)	3 acres	None	45 ft.
H	(10)	(10)	(10)	(10)	(10)	(10)	(10)

- (1) On approval by the Commission, up to 25% of R-1 lots may be less than 7,200 sf in area but not less than 6,500 sf.
- (2) Side Yard setback for the R-1-A District is ten (10) feet on one (1) side, and a zero lot line is permitted on the other side.
- (3) See Section 30(c).
- (4) See Section 31(c).
- (5) Minimum lot area for property in any R-4 District is 12,000 sf. plus an additional 1,500 sf for each dwelling unit in excess of four (4) units; provided that the density limitations set forth for each such district shall apply.
- (6) Not to exceed one (1) stories.
- (7) Not to exceed two (2) stories.
- (8) Not to exceed three (3) stories.
- (9) See section 40.
- (10) The Conditions and Limitations, Setbacks and Lot requirements set forth in Chart 1 applicable to the District governing the proposed base use of the property shall apply within this District, i.e. if the proposed use of property within the District is a use provided for in the C-1 District the conditions and limitations applicable to the C-1 District shall apply to the property.

PART 2. Repeal. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

PART 3. Severability. If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason

held to be unconstitutional, void or invalid (or for any reason unenforceable), the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City of Bertram in adopting and of the Mayor in approving this Ordinance, that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion, provision or regulation, and to this end all provisions of this Ordinance are declared to be severable.

PART 4. Open Meetings.

That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

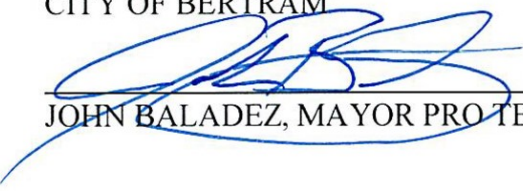
PART 5. Effective Date.

This Ordinance shall be in force and effect upon its passage and approval.

PASSED AND APPROVED on this the 24th day of March 2026.

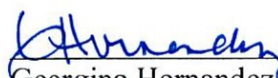


CITY OF BERTRAM



JOHN BALADEZ, MAYOR PRO TEM

ATTEST:



Georgina Hernandez, City Secretary