

**ORDINANCE NUMBER 2252-A**

**AN ORDINANCE AMENDING ORDINANCE NUMBER 2252, AND ANY OTHER AMENDING ORDINANCES, AND CODIFIED IN THE CODE OF ORDINANCES IN CHAPTER 5, SECTION 5.06. (D) AND (E), PERTAINING TO “BUILDING YARD SETBACKS” AND REPEALING ANY OTHER ORDINANCES IN CONFLICT THEREWITH, AS PROVIDED BY THE CITY OF SAN BENITO AND PROVIDING FOR AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN BENITO, TEXAS:**

**This ordinance is for the purpose of amending sections of the Code of Ordinances that pertain to Building Yard Setbacks.**

**Section I**

**Amending Ordinance Number 2252 as codified in the City’s Code of Ordinances in Chapter 10, Section 5.06 Building Yard Setbacks (D):**

**Repealing the following verbiage located under (D) Building Yard Setbacks:**

- D. Any point of any exterior wall of any building structure situated on a lot in Districts OP, NS, C-1 or C-2 will require not less than: 1) sixty-five (65) feet of front yard setback; a five (5) feet rear yard setback; and 3) a five (5) feet side yard setback, with the following exception:
  - 1. Construction or expansion of existing structures in the downtown area is not subject to these building setback requirements with the exception of side yard setback requirements.

**and replacing with the following:**

- D. Any point of any exterior wall of any building structure situated on a lot in Districts OP, NS, C-1 or C-2 will require not less than: 1) twenty-five (25) feet of front yard setback; a five (5) feet rear yard setback; and 3) a five (5) feet side yard setback, with the following exception:
  - 1. Construction or expansion of existing structures in the downtown area is not subject to these building setback requirements with the exception of side yard setback requirements.

**Section II**

**Amending Ordinance No. 2252 as codified in the City's Code of Ordinances in Chapter 10, Section 5.06 Building Yard Setbacks (E):**

**Repealing the following; verbiage located under (E) Building Yard Setbacks:**

- E. Any point of any exterior wall of any building structure situated on a lot in Districts LI and HI, will require not less than: 1) sixty-five (65) feet of front yard setback: 2) a five (5) feet rear yard setback, and 3) a five (5) foot side yard setback.

**and replacing with the following:**

- E. Any point of any exterior wall of any building structure situated on a lot in Districts LI and HI, will require not less than: 1) twenty-five (25) feet of front yard setback: 2) a five (5) feet rear yard setback, and 3) a five (5) foot side yard setback.

**Section III. Effective Date**

**FIRST READING** of this ordinance before the City Commission of the City of San Benito at its Special City Commission Meeting on this the 28<sup>th</sup> day of February, 2023.


**PASSED, APPROVED, AND ADOPTED** on the Second and Final Reading at a Regular Meeting of the City Commission of the City of San Benito, Texas on this 7<sup>th</sup> day of March, 2023.

**CITY OF SAN BENITO**



Honorable Ricardo Guerra  
Mayor

**ATTEST:**

  
Ruth A. McGinnis  
City Secretary