

CITY OF CROWLEY, TEXAS: CHAPTER 106 - ZONING ORDINANCE

ARTICLE 1: GENERAL PROVISIONS

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CITY OF CROWLEY, TEXAS: CHAPTER 106 - ZONING ORDINANCE

ARTICLE 1: GENERAL PROVISIONS

106.1 TITLE

This document is Chapter 106 of the Code of Ordinances of the City of Crowley, Texas. It shall be officially known as the Zoning Ordinance of the City of Crowley, Texas, and is referred to throughout this document as “this Chapter.”

106.2 EFFECTIVE DATE

This Chapter shall be effective on May 6, 2022.

106.3 AUTHORITY

This Chapter is adopted under the authority of the Constitution and laws of the State of Texas, including but not limited to, Chapters 211 and 212 of the Texas Local Government Code and the Charter of the City of Crowley, Texas.

106.4 APPLICABILITY & JURISDICTION

A. Within the City Limits

- (1) This Chapter shall apply to all land, buildings, structures, and uses thereof located within the corporate boundaries of the City of Crowley, unless an exemption is provided under the terms of this Chapter.
- (2) No building or structure shall be erected and no existing building or structure shall be moved, altered, expanded, or extended, nor shall any land, building, or structure be used, designated to be used, or intended to be used for any purpose or in any manner other than as provided for in the regulations for the zoning district in which such land, building, or structure is located and in accordance with other applicable regulations of the City of Crowley, as they may be amended.
- (3) No lot of record that did not exist on the effective date of this Chapter shall be created, by subdivision or otherwise, that does not conform to the applicable requirements of this Chapter, except as expressly exempted from the provisions of this Chapter.

B. Within the Extra Territorial Jurisdiction (ETJ)

This Chapter shall not apply to the subdivision and development of land within the City of Crowley’s ETJ under LGC Chapter 212, but to the extent there are any references to Chapter 98, Subdivision Ordinance, such standards shall apply in the city’s ETJ.

C. Annexed Property

When any property is brought into the jurisdiction of the City of Crowley, by annexation or other means, it shall default to the AG Agricultural zoning classification. The Crowley City Council may designate the zoning district(s) applicable to such property at the time of annexation. This provision shall not preclude subsequent rezoning of such property by amendment in the manner set forth in this Chapter.

D. Application to Public Agencies

To the extent allowed by law, this Chapter shall apply to all land, buildings, structures, and uses owned and/or controlled by any municipal, county, state, or federal government agencies in the City of Crowley. Where the provisions of this Chapter do not legally control such land, buildings, structures, and uses, such agencies are encouraged to meet the provisions of this Chapter.

106.5 PURPOSE & INTENT

A. Generally

The general purpose and intent of this Zoning Ordinance is to protect the public health, safety, and general welfare, and to implement the policies and objectives in the City of Crowley comprehensive plan, other adopted plans, and design criteria as may be amended from time to time. The Zoning Ordinance is intended to:

- (1) Secure safety from fire, panic, and other natural and man-made dangers;
- (2) Protect life and property in areas subject to floods, landslides, and other natural disasters;
- (3) Provide adequate light and air;
- (4) Lessen congestion in the streets while enhancing pedestrian and vehicular movement with the least detriment to environmental quality;
- (5) Facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements to avoid transportation and public service and facility demands that cannot be satisfied; provide for orderly growth of the community and of government services and facilities;
- (6) Ensure that development and resource decisions are sustainable not only for the current residents of Crowley but for future residents and generations;
- (7) Preserve the viability of Crowley as a location to conserve and enhance the value of the investments of the people living and/or investing in Crowley;
- (8) Promote the economic stability of existing and compatible land uses that are consistent with the comprehensive plan and protect them from intrusions by incompatible land uses; and
- (9) Encourage the conservation of energy by encouraging the use of products and materials that maximize energy efficiency.

B. Reasonable Consideration

This Chapter is drawn with reasonable and able consideration, among other things, as to the character of each zoning district and its peculiar suitability for particular structural designs and uses, and with a view to conserving the value of buildings and property and encouraging the most appropriate structural designs and uses of land throughout the City of Crowley.

106.6 RELATIONSHIP TO THE COMPREHENSIVE PLAN

The Crowley City Council intends for this Chapter to implement the planning policies in the comprehensive plan and other adopted plans and policies, as amended. While the City Council reaffirms its commitment that this Chapter be in conformity with the comprehensive plan and adopted planning policies, the City Council hereby expresses its intent that neither this Chapter nor any amendment to it may be challenged based on any alleged nonconformity with any planning document.

106.7 FEE SCHEDULE

The Crowley City Council shall establish a schedule of fees, charges, and expenses and a collection procedure for the administration, review, and processing of applications regarding the issuance of building permits, certificates of occupancy, zoning change requests, plats, Zoning Board of Adjustment appeals, and other matters pertaining to this Chapter. The fees shall be set periodically by City Council and shall be posted in the Community Development Department. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

106.8 TRANSITIONAL PROVISIONS

A. Continuity of Provisions

This section is intended to clarify the status of properties with pending applications, recent approvals, or outstanding violations, as those terms are used below, at the time of the adoption of this Chapter.

- (1) **Violations Continue:** Any violation of the previous zoning and subdivision regulations will continue to be a violation under this Chapter and be subject to enforcement and penalties under **Article 2: Procedures and Administration**, unless the use, development, construction, or other activity complies with the provisions of this Chapter. The enactment of this Chapter shall not abate any pending prosecution and/or lawsuit or prevent any prosecution and/or lawsuit from being commenced for any violation of a previously existing ordinance occurring before the effective date of this Chapter.
- (2) **Legal Nonconformities Under Prior Regulations:** Any legal nonconformity under the previous zoning and subdivision regulations will also be a legal nonconformity under this Chapter, as long as the situation that resulted in the nonconforming status under the previous Ordinance continues to exist. If a nonconformity under the previous zoning and subdivision regulations becomes conforming because of the adoption of this Chapter, then the situation will no longer be a nonconformity.
- (3) **Uses, Lots, Structures, and Sites Rendered Nonconforming**
 - a. When a lot is used for a purpose that was a lawful use before the effective date of this Chapter and this Chapter no longer classifies such use as either a permitted use or special use in the zoning district in which it is located, such use shall be considered nonconforming and shall be controlled under the provisions of **Article 9: Nonconformities**.

- b. Where any building, structure, lot, or development site that legally existed on the effective date of this Chapter does not meet all standards set forth in this Chapter, such building, structure, lot, or site shall be considered nonconforming and shall be controlled under the provisions of **Article 9: Nonconformities**.
- (4) Pending Applications
- a. Any complete application subject to Texas Local Government Code § 245 that has been submitted for approval, but upon which no final action has been taken by the appropriate decision-making body prior to the effective date of this Chapter, shall be reviewed in accordance with the regulations in effect on the date the application was deemed complete unless the applicant requests otherwise pursuant to paragraph (b) below. If the applicant fails to comply with any applicable time-frame for re-submittal or other procedural requirements, the application shall expire, and subsequent applications shall be subject to the requirements of this Chapter. If no procedural re-submittal or application period is specifically set forth in the relevant provision, any application that requires action from the applicant shall be deemed expired if the applicant has failed to act within 10 days of the date the action was required.
 - b. An applicant with a complete application subject to Texas Local Government Code § 245 that has been submitted for approval, but upon which no final action has been taken prior to the effective date of this Chapter, may request review under this Chapter.
- (5) Approved Applications: Any use permits, site plans, building permits, specific use permits, variances, and Planned Development Districts that are valid on the effective date of this Chapter shall remain valid until their expiration date (if any). Projects with valid approvals or permits shall be completed pursuant to the development standards in effect at the time of approval, or in the case of Planned Developments, pursuant to the standards in the Planned Development District ordinance at the time it was approved. If the Planned Development regulations do not contain or are silent to certain standards, then the standards of this Chapter shall apply. If the approval or permit expires, future development shall comply with the requirements of this Chapter.
- (6) Conversion to New Zoning Districts: Upon the effective date of this Chapter, land that is zoned with a zoning district classification from the previous zoning regulations shall be re-classified or converted to one of the new zoning district classifications set forth in this Chapter. **Table 106.7-1: Zoning District Conversions** summarizes the conversion or re-classification of the zoning districts in the previous zoning regulations to the new zoning districts pursuant to this Chapter.
- (7) Zoning Map Interpretations: Questions or disputes regarding zoning designations on the City of Crowley Zoning Map resulting from adoption of this new Chapter shall be submitted in writing along with the applicable fee to the Administrator for written interpretation.

Table 106.7-1: Zoning District Conversions	
Old Zoning Categories	New Zoning District Classifications
Residential Districts	
Agricultural (AG)	AG – Agricultural
Single-Family 20 (SF-20)	R-1 Single Family Residential
Single-Family 9.6 (SF-9.6)	R-2 Single Family Residential
Single-Family 8.4 (SF-8.4)	
Single-Family 7.2 (SF-7.2)	R-3 Single Family Residential
Single-Family 6.0 (SF-6.0)	R-4 Single Family Residential
Two-Family (2F)	MR – Mixed Residential
Multifamily (MF)	MF – Multifamily
Manufactured Homes (MH)	MH – Manufactured Home
Nonresidential Districts	
Commercial Districts	
Restricted Commercial (RC)	OC – Office Commercial
General Commercial (GC)	GC – General Commercial
Industrial (I)	I – Industrial
Community Services Districts	
-	CP – Civic-Public
Special Districts	
Planned Development (PD)	PD – Planned Development
Mixed-Use	
-	MU-C – Mixed-Use Core
-	MU-T – Mixed-Use Transition
-	MU-N – Mixed-Use Neighborhood
Downtown	
	DT-C – Downtown Core
	DT-G – Downtown General
	DT-E – Downtown Edge
General/Overlays	
Industrial Overlay	-
Downtown Overlay	-

106.9 MINIMUM REQUIREMENTS

This Chapter establishes minimum requirements for the establishment of public health, safety, and welfare.

106.10 CONFLICTING PROVISIONS

A. Harmonious Development

The City of Crowley intends that all provisions of this Chapter be construed harmoniously. When two or more provisions of this Chapter may appear to be in conflict, the Administrator shall construe such provisions in such a manner, if possible, as to give effect to both by harmonizing them with each other. In cases of conflict, the Administrator shall make an interpretation as to which provision governs.

B. Conflict with Other Public Laws, Ordinances, Regulations, or Permits

This Chapter is intended to complement other city, state, and federal regulations that affect land use. This Chapter is not intended to revoke or repeal any other public law, ordinance, regulation, or permit. However, where conditions, standards, or requirements imposed by any provision of this Chapter are either more restrictive or less restrictive than comparable standards imposed by any other public law, ordinance, or regulation, the provisions that are more restrictive or that impose higher standards or requirements shall govern, as long as the City of Crowley is not preempted by such laws, as determined by the Administrator.

C. Conflict With Agreements Between Private Parties

This Chapter is not intended to revoke or repeal any easement, covenant, or other agreements between private parties. However, where the regulations of this Chapter are more restrictive or impose higher standards or requirements than such easement, covenant, or other agreements between private parties, then the requirements of this Chapter shall govern. Nothing in this Chapter shall modify or repeal any private covenant or deed restriction, but such covenant or restriction shall not excuse any failure to comply with this Chapter. In no case shall the City of Crowley be obligated to enforce the provisions of any easements, covenants, or agreements between private parties, unless the city is a party to such agreements and only if the city decides, in its sole discretion, to pursue enforcement action.

106.11 SEVERABILITY

A. Generally

It is expressly declared that this Chapter and each section, subsection, sentence, and phrase would have been adopted regardless of whether one or more portions of this Chapter is declared invalid or unconstitutional.

- (1) If any section, subsection, sentence, or phrase of this Chapter is held to be invalid or unconstitutional by a court of competent jurisdiction for any reason, the remaining portions of this Chapter shall not be affected.

- (2) If any court of competent jurisdiction invalidates the application of any provision of this Chapter, then such judgment shall not affect the application of that provision to any other building, structure, or use not specifically included in that judgment.
- (3) If any court of competent jurisdiction judges invalid any condition attached to the approval of an application for development, then such judgment shall not affect any other conditions or requirements attached to the same approval that are not specifically included in that judgment.

106.12 – 106.30: RESERVED