

ORDINANCE No. 2013-105

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROANOKE, TEXAS, ON APPROXIMATELY 18.228 ACRES OF LAND LOCATED IN THE T. KELLY SURVEY, ABSTRACT NO. 704, CITY OF ROANOKE, DENTON COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED AND OR DEPICTED IN EXHIBIT "A" WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES, BY CHANGING THE ZONING ON THE APPROXIMATELY 18.228 ACRES TRACT OR TRACTS OF LAND FROM PLANNED DEVELOPMENT (PD) DISTRICT NO. 2011-111 TO PLANNED DEVELOPMENT (PD) DISTRICT NO. 2013-15 (PD # 2013-15); PRESCRIBING THE PERMISSIBLE USES; PRESCRIBING THE DEVELOPMENT STANDARDS; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, after public notice and public hearing as required by law, the Planning and Zoning Commission for the City of Roanoke, Texas, has recommended that the official zoning map of the City of Roanoke, Texas, be amended to reflect that the zoning on the approximately 18.228 acres of land, located within the T. Kelly Survey, Abstract No. 704, City of Roanoke, Denton County, Texas, and being more particularly described and depicted in *Exhibit A* of this Ordinance, which is attached hereto and incorporated herein for all purposes, be changed from Planned Development District (PD-2011-111) to Planned Development District No. 2013-15 (PD # 2013-15), to allow single-family residential uses on said property; and

WHEREAS, the Planning and Zoning Commission of the City of Roanoke, Texas, and the City Council of the City of Roanoke, Texas, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council of the City of Roanoke, Texas, is of the opinion and finds that said changes should be granted and that the Comprehensive Zoning Ordinance should be amended.

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

Section 1. FINDINGS INCORPORATED

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2.

That the approximately 18.228 acres of land, located within the T. Kelly Survey, Abstract No. 704, City of Roanoke, Denton County, Texas, and being more particularly described and depicted in *Exhibit A* of this Ordinance, which is attached hereto and incorporated herein for all purposes, and presently zoned Planned Development District (PD-2011-111) is changed to Planned

Development District No. 2013-15 (PD # 2013-15) with residential uses, as more fully described herein.

Section 3.

That the property described in *Exhibit A* of this Ordinance, which is attached hereto and incorporated herein for all purposes, shall be subject to the Development Standards attached hereto as *Exhibit B* of this Ordinance, which is attached hereto and incorporated herein for all purposes.

Section 4. PENALTY CLAUSE

Any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined a sum not to exceed \$2,000.00 for each offense, and each and every violation or day such violation shall continue or exist, shall be deemed a separate offense.

Section 5. SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 6. REPEALER CLAUSE

Any provision of any prior ordinance of the City whether codified or uncodified, which are in conflict with any provision of the Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City whether codified or uncodified, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 7. EFFECTIVE DATE

This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Roanoke, Texas, on this the 14th day of **May, 2013**.

APPROVED:



Carl E. Gierisch, Jr., Mayor

ATTEST:



April S. Hill

April S. Hill, City Secretary

APPROVED AS TO FORM:

Jeff Moore

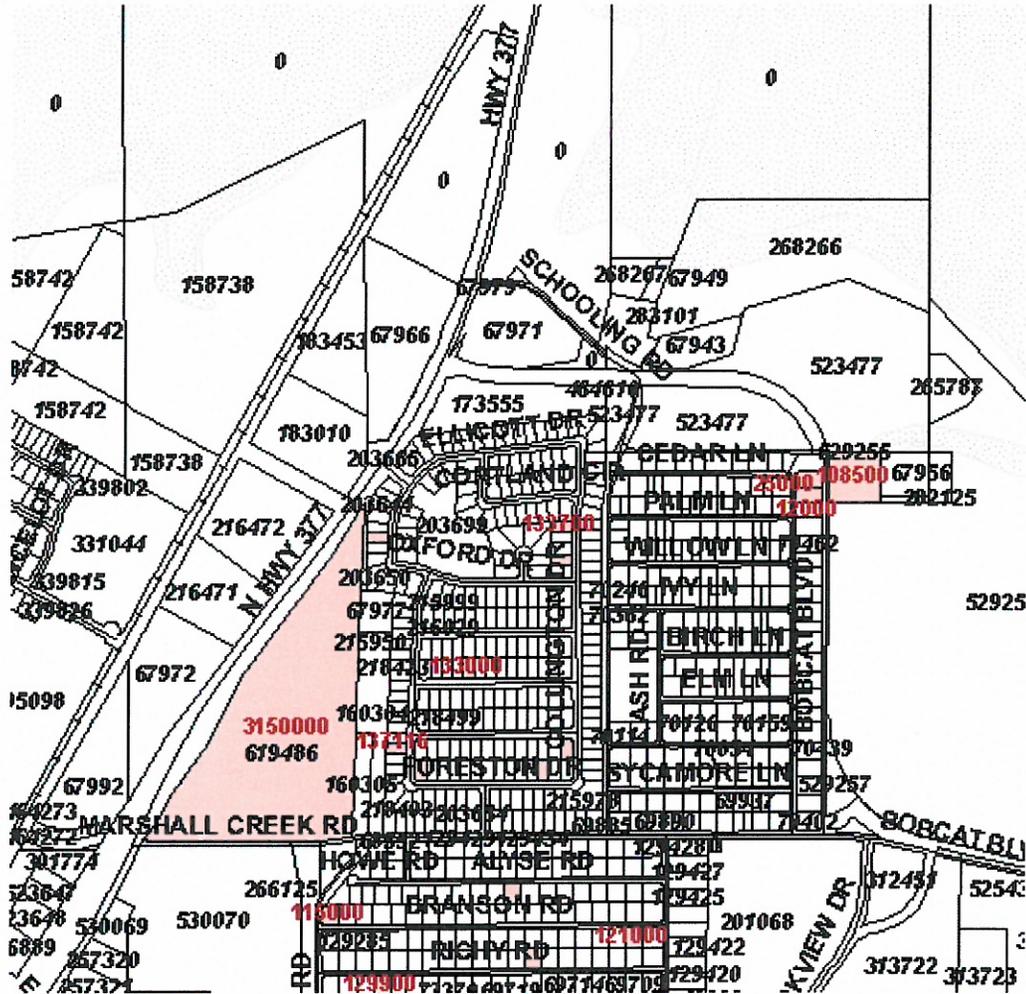
Jeff Moore, City Attorney

Revised DRAFT 5-14-13

**EXHIBIT "B"
DEVELOPMENT STANDARDS**

I. PROJECT LOCATION

The proposed development is located adjacent to the northeast City limits, on the North side of Bobcat Boulevard between S.H. 377 and Marshall Creek Road.



II. PURPOSE AND INTENT

A. Purpose:

The purpose of the district is to create a Planned Development featuring a mixture of Single-Family Detached and Commercial uses focused on neighborhood services. This Development will create a Limited Access Community located on the north side of Bobcat Lane and a non-gated community on the south with Commercial uses to the west that will encourage sustainable development and attract investment to the area.

B. Applicability:

This ordinance shall apply to all development within the PD boundary. Unless otherwise stated herein, all ordinances of the City shall apply to the Planned Development District

III. ZONING DISTRICTS:

A.1 Single Family Clustered Housing (PD-SF)

1. General Purpose and Description

This Planned Development district is intended to provide for planned residential development of detached, single-family residences on smaller and more compact lots of not less than 5,000 square feet in size with an amenity center and gated entrances. Areas zoned for the PD district shall have, or shall make provision for, City of Roanoke water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved concrete streets as per the approved PD site plan. This plan will account for logical and efficient vehicular circulation patterns, proper buffering from non-commercial uses and protection from pollution and undesirable environmental and noise impacts.

2. Permitted Uses

Those listed for the SF-7 district in Article VI of the City of Roanoke Comprehensive Zoning Ordinance as "P" or "S" are authorized uses permitted by right or specially permitted uses, respectively. The amenity center with pool, as shown in the approved PD site plan, shall be a permitted ("P") use. Special uses must be approved utilizing procedures set forth in Article V of the City of Roanoke Comprehensive Zoning Ordinance.

3. Height Regulations

(a) Maximum Height

- (1) Two and one-half (2 ½) stories, or thirty-five feet (35') for any building/house.
- (2) One story, or sixteen (16') for other accessory buildings, including detached garages, garden shed, gazebo, etc.

- (3) Other requirements (see article VII, City of Roanoke Comprehensive Zoning Ordinance)

4. Area Regulations

(a) Size of Lot/Tract

- (1) Minimum Lot/Tract Area. Five Thousand (5,000) square feet per approved site plan
- (2) Minimum Lot/Tract Width. Fifty feet (50') per approved site plan.
- (3) Minimum Lot/Tract Depth. One hundred feet (100') per approved site plan.

(b) Size of Yards

- (1) Minimum Front Yard. Twenty feet (20') per approved site plan.
- (2) Minimum Side Yard. Five feet (5') per approved site plan.
 - A) There shall be a minimum side yard setback of five feet (5') on the street side of all corner lots; except those corner lots along the side of the street that other lots may front onto, shall be a minimum side yard setback of twenty feet (20');
- (3) Minimum Rear Yard. Five feet (5') per approved site plan.

- (c) Maximum Lot Coverage. Seventy percent (70%) by main buildings and accessory buildings.

5. Gutters and Drainage.

- 1) All structures will be guttered. All guttered downspouts will be tied into underground drainage.
- 2) Residents will NOT be allowed to modify existing grade or drainage after the final building inspection unless authorized by the HOA and a licensed Engineer.

6. Fencing

- 1) A proposed screening wall along Bobcat Lane will be provided per the requirements listed in the City of Roanoke Code of Ordinances.
- 2) Rear yard fencing for lots along the alleys shall be set back a minimum of two feet (2') from the alley edge of pavement.

A.2 Single Family Detached (PD-SFD)

1. General Purpose and Description

This Planned Development district is intended to provide for planned residential development of detached, single-family residences on lots not less than 6,000 square feet in size. Areas zoned for the PD district shall have, or shall make provision for, City of Roanoke water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved concrete streets as per the approved PD site plan. This plan will account for logical and efficient vehicular circulation patterns, proper buffering from non-commercial uses and protection from pollution and undesirable environmental and noise impacts.

2. Permitted Uses

Those listed for the SF-7 district in Article VI of the City of Roanoke Comprehensive Zoning Ordinance as "P" or "S" are authorized uses permitted by right or specially permitted uses, respectively. Special uses must be approved utilizing procedures set forth in Article V of the City of Roanoke Comprehensive Zoning Ordinance.

3. Height Regulations

(a) Maximum Height

- (1) Two and one-half (2 ½) stories, or thirty-five feet (35') for any building/house.
- (2) One story, or sixteen (16') for other accessory buildings, including detached garages, garden shed, gazebo, etc.
- (3) Other requirements (see article VII, City of Roanoke Comprehensive Zoning Ordinance)

4. Area Regulations

(d) Size of Lot/Tract

- (1) Minimum Lot/Tract Area. Six Thousand (6,000) square feet per approved site plan
- (2) Minimum Lot/Tract Width. Fifty feet (50') per approved site plan.
- (3) Minimum Lot/Tract Depth. One Hundred feet (100') per approved site plan.

(c) Size of Yards

- (1) Minimum Front Yard. Twenty feet (20') per approved site plan.
- (2) Minimum Side Yard. Five feet (5') per approved site plan.

A) There shall be a minimum side yard setback of five feet (5') on the street side of all corner lots; except those corner lots along the side of the street that other lots may front onto, shall be a minimum side yard setback of twenty feet (20');

- (3) Minimum Rear Yard. Five feet (5') per approved site plan.

- (d) Maximum Lot Coverage. Forty percent (40%) by main buildings and accessory buildings.

5. Gutters and Drainage.

- 1) All structures will be guttered. All guttered downspouts will be tied into underground drainage.
- 2) Residents will NOT be allowed to modify existing grade or drainage after the final building inspection unless authorized by the HOA and a licensed Engineer.

6. Fencing

- 1) A proposed screening wall along Bobcat Lane will be provided per the requirements listed in the City of Roanoke Code of Ordinances.

EXHIBIT "D"
CONCEPT PLAN AND ELEVATIONS

