

## CITY OF WILLOW PARK

### ORDINANCE NUMBER 2023-\_\_\_\_\_

**AN ORDINANCE OF THE CITY OF WILLOW PARK, TEXAS, PROVIDING FOR A ZONING CHANGE OF “PD” PLANNED DEVELOPMENT DISTRICT FOR RED RIVER DEVELOPMENT’S SINGLE-FAMILY DWELLING SUBDIVISION OF COUNTRY HOLLOW, 19.16 ACRES SITUATED WITHIN THE JOHN PHELPS SURVEY, ABSTRACT NO 1046, CITY OF WILLOW PARK, TEXAS; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Willow Park, Texas, is a Type A general law municipality located in Parker County, created in accordance with the provisions of Chapter 211 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, Red River Development 2020 LLC (Owner) has applied for a change in zoning for the single-family dwelling subdivision of Country Hollow, 19.16 acres situated within the John Phelps Survey, Abstract No. 1046, (the “Property”) amending the “PD/R-5” Planned Development District, Single Family Medium Density, for Country Hollow; and.

**WHEREAS**, the City has complied with all requirements of Chapter 211 of the Local Government Code and all other laws dealing with notice, publication and procedural requirements of the rezoning of the Property; and

**WHEREAS**, the City of Willow Park, Texas does hereby deem it advisable and in the public interest to grant the requested zoning.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:**

**Section 1.** The Zoning Ordinance, and the Official Zoning Map are hereby amended insofar as they relate to certain land located in Willow Park, Texas, as shown on the preliminary Zoning Site Plan attached hereto as Exhibit ‘A’, and described by metes and bounds description attached as Exhibit ‘B’, by changing the zoning of said property from R-1 Single Family to PD Planned Development district, including any other conditions and restrictions imposed and approved by the City Council, which are incorporated herein.

#### **Section 2. PD Development Standards**

##### **2.0 Planned Development - Single Family**

**2.01 Purpose:** The purpose of this Planned Development District (PD) is to allow for development of standard single-family detached housing.

**2.02 Requirements:** This Planned Development District shall be subject to the requirements of the R-5 Zoning District, except as modified below. The site plan provided shows the general schematic layout of the site and intended uses only. This site plan is subject to change, and

modifications are allowed in the planning and design process, provided that the final site plan matches the characteristic and intent of the plan provided in this ordinance as Exhibit 'A'.

**2.03 Permitted Uses:** Uses as allowed in the "R-5" zoning are allowed in this Planned Development District.

**2.04 Zoning Standards:** Standards as defined in the "R-5" zoning are required except as modified below.

- (1) Maximum height. Two (2) stories, but not to exceed thirty-five (35) feet.
- (2) Minimum lot area. Five thousand (5,000) square feet.
- (3) Maximum family dwelling units. Six (6) dwelling units per acre.
- (4) Minimum gross living area. The following ranges must be followed per each defined subdivision: 50% 1700 - 2000 square feet; 50% greater than 2000 square feet.
- (5) Front yard setback. Twenty (20) feet, from the edge of the sidewalk closest to the residence.
- (6) Rear yard setback. Ten (10) feet.
- (7) Side yard setback. Five (5) feet.
- (8) Corner lot side yard setback. Ten (10) feet.
- (9) Maximum lot coverage by structure. Average max coverage of Fifty percent (50%) with Lots 27 – 32 Block A and Lots 12-19 Block B max lot coverage of Fifty-Six percent (56%)
- (10) Required parking. Two (2) car attached garage per dwelling unit. Front entrance garages are permitted.
- (11) Required screening. Rear and rear-side yards shall be enclosed with masonry or wooden screening. Screening shall be a minimum of six (6) feet and a maximum of eight (8) foot in height. Screening poles shall be metal and set in concrete. All screening shall be uniform throughout individual subdivisions. Developments done in phases shall ensure that screening is complimentary in style and colors.
- (12) Minimum masonry coverage. One hundred percent (100%) masonry on all sides, except where prohibited by Fire Code and excluding areas over roof or that bear on foundation or considered an architectural feature.
- (13) Landscape requirements. Front and front side yards shall be sodded. The front yard shall have minimum of one (1) tree with minimum three (3) inch trunk diameter as measured twelve (12) inches above the ground and a minimum of thirteen (13) shrubs. Said shrubs shall be a minimum of two (2) ten-gallon shrubs, six (6) five-gallon

shrubs and five (5) three-gallon shrubs at the time of planting.

(14) Architectural relief required. All dwellings shall have one or more offsets in the front façade of at least 24” depth. Covered porches are included as an offset.

(15) Repetition of building form.

(A) Repetition of facade. The same floor plan with the same house elevation and brick color may not be duplicated within three (3) lots adjacent to the applicable lot on the same side of the street and on the lot directly across the street from that applicable lot.

(B) Determination by building official.

1. The building official shall have discretion to approve minor variations in the requirements of this section, so long as those variations are consistent with the overall intent of this section.

2. The following process shall be used to approve a front building elevation plan for master elevation approval for the community:

a. The applicant shall submit a dimensioned rendering of the front building elevation to the building official.

b. The building official shall determine the elevation plan's compliance with this section for use of the elevation to be built within the community.

c. The applicant shall prepare and submit construction plans and one of the elevation plans from the approved master elevation set to the building official, who shall process the plans in accordance with city ordinances and policies.

d. The master elevation plan approval shall remain in effect until the completion of all construction has been completed within the community.

f. Construction plans shall be consistent with the approved elevation plan. If construction plans are inconsistent, consistent plans shall be submitted or a new elevation plan must be approved for the construction plans under the criteria of this section.

(C) Minimum roof pitch required. A minimum 8:12 roof pitch is required for each primary structure, with the exception of garages, patios and porches, which shall have a minimum of a 4:12 roof pitch.

(D) Minimum overhang required. Each primary structure must be constructed

with a roof overhang of not less than eleven (11) inches as measured from the finished exterior building facade to the soffit.

(E) Roofing system required. Installed roofing shingles must consist of dimensional shingles with a minimum manufacturer's rating of twenty (20) years.

(16) Special regulations.

(A) Portable trailers may be used as offices or storage trailers located within a new sub-development subject to the following provisions:

1. No more than one (1) trailer per platted subdivision;
2. Trailer must be located at least one hundred fifty (150) feet from any occupied residence prior to placement of trailer.

(B) All streets shall be constructed of concrete, with curb and gutter and adjacent sidewalks.

(C) Connectivity to adjacent subdivisions or commercial areas must be provided.

(D) Amenity provisions:

1. Pocket parks or subdivision specific green space, or parkland dedication fee in lieu of either/both;
2. Benches in common areas;
3. Enhanced landscaping;
4. Enhanced lighting, where appropriate;
5. Trees planted along streets or roadways;
6. Home owner association shall maintain all common area or common to all amenities;
7. All utilities shall be buried underground.

**Section 3. Severability Clause.** This ordinance shall be cumulative of all provisions of ordinances of the City of Willow Park, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinance. in which event the conflicting provisions of such ordinances are hereby repealed. To the extent that the provisions of the City of Willow Park's various development ordinances conflict with this ordinance, the terms of this ordinance shall control.

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 judgement of 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 in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section 4. Penalty Clause.** Any person, firm, association or persons, company, corporation, or their agents, servants, or employees violating or failing to comply with any of the provision of this article shall be fined, upon conviction, not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative of other remedies provided by State Law, and the power of injunction as provided in V.T.C.A. Local Government Code 54.012 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

**Section 5. Effective Date.** This Ordinance shall become effective immediately upon its passage and publication as required by law.

**PASSED by an affirmative vote of all members of the City Council, this 12th day of September, 2023.**

**APPROVED:**

\_\_\_\_\_  
Doyle Moss, Mayor

**ATTEST:**

\_\_\_\_\_  
Crystal R. Dozier TRMC, City Secretary

\_\_\_\_\_  
Pat Chesser, City Attorney

The Willow Park City Council in acting on Ordinance 2023-\_\_\_\_\_, did on the 12 day of September, 2023, vote as follows:

	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>
Doyle Moss, Mayor	_____	_____	_____
Eric Contreras, Place 1	_____	_____	_____
Chawn Gilliland, Place 2	_____	_____	_____
Greg Runnebaum, Place 3	_____	_____	_____
Lea Young, Place 4	_____	_____	_____
Nathan Crummel, Place 5	_____	_____	_____

**EXHIBIT A**  
**PRELIMINARY PD SITE PLAN**