

CITY OF COCKRELL HILL, TEXAS

ORDINANCE NO. 2006-B

AN ORDINANCE OF THE CITY OF COCKRELL HILL, TEXAS, AMENDING THE CITY OF COCKRELL HILL CODE OF ORDINANCES, CHAPTER 153 "ZONING CODE" BY ADDING SECTION 153.036 TO ESTABLISH A PLANNED DEVELOPMENT ZONING DISTRICT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City finds it necessary to adopt a Planned Development Zoning District through which one or more properties are planned as a unit with development standards tailored to the site; provide maximum flexibility and diversification in the development of the property; protect the integrity and character of both residential and non-residential areas of the City; maintain consistency with the Cockrell Hill Comprehensive Plan; provide for effective development of public facilities and services for the site; encourage use of design features to achieve development that is compatible with the area; and

WHEREAS, the City Council of the City of Cockrell Hill, Texas, finds that each Planned Development Zoning District must be designed according to a detailed site plan which must be approved as part of the Planned Development Zoning District ordinance; and

WHEREAS, the City Council has determined that it is in the best interest of the health, safety and general welfare of the public to amend Chapter 153 to add Section 153.036 of the Code to permit Planned Development Zoning Districts.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COCKRELL HILL, TEXAS:

Section 1. That all of the above premises are hereby found to be true and correct and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

Section 2. That the Code of Ordinances of the City of Cockrell Hill, Texas, is hereby amended by adding a Section to be numbered 153.036 which said Section reads as follows:

"Section 153.036 PLANNED DEVELOPMENT ZONING DISTRICT

(a) Permitted Uses.

Any use shall be permitted if such use is specified in the Ordinance granting a Planned Development (PD) District. The size, location, appearance and method of operation may be specified to the extent necessary to ensure compliance with the purpose of this ordinance.

(b) Development Requirements.

1. Development Requirements for each separate PD District shall be set forth in the Ordinance granting the PD District and may include, but not be limited to, restrictions relating to: use density, lot area, lot width, lot depth, yard depths and widths, height, building elevations, coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, lighting, and other requirements as the Council may deem appropriate.
2. The Ordinance granting a PD District shall include a statement as to the purpose and intent of the PD granted therein.
3. An application for a PD District shall include a complete list of development conditions and uses which may be incorporated into the ordinance, if approved, as set forth in subsection (a). A development plan may be included with the application. If no development plan is submitted and the Planning Commission or City Council finds one necessary, the matter shall be tabled until a development plan is submitted by the applicant. Such development plan shall not be approved or recommended for approval until it has been reviewed and a report submitted as set out in subsection (d).

(c) Development Program and Plans.

The Council may require development in conformance with a development plan as further specified herein.

1. The Council may require submission and approval of development plans showing the nature and character of the planned development, which may include location of uses, buffering and screening devices, traffic circulation, schematic area drainage map, curb cuts, utilities, refuse storage and collection, and other features necessary to depict the development. These development plans may consist of a Land Use Plan, a Concept Plan, and/or a Detail Plan. When a development plan is required, the approval of a Land Use Plan or a Concept Plan shall be deemed as incomplete for development and no development shall begin until a Detail Plan is approved for that portion for which a building permit is sought. Land Use Plans, Concept Plans, and Detail Plans shall be as set forth herein. These provisions shall apply only when development plans are required.
2. Land Use, Concept, and Detail Plans shall be accurately drawn to an appropriate legible scale and shall include title, north arrow, scale, date drawn, and necessary references to accurately locate the property. Copies in sufficient quantity and at an appropriate size for review purposes shall be submitted by the owner, applicant, or their representative.

3. A Land Use Plan shall be accurately drawn indicating boundary lines of the PD area covered, proposed use areas, topography, wooded areas, streams, existing roadways, existing utility lines and easements, general location of future roadways and utilities shown on the current approved thoroughfare and utility plans, general location of future parks and open space, schools, and other public facilities.

The Land Use Plan, or development conditions, shall indicate the approximate size of each separate use area, proposed uses, approximate density of residential uses, approximate gross floor area of nonresidential uses, parking ratios, general heights and other information required to describe the proposed development. Photographs, sketches, or drawings may accompany a Land Use Plan to illustrate the type and nature of the proposed development. When a Land Use Plan is approved, a Concept Plan shall be approved on all or a portion of the PD area prior to or in conjunction with the approval of a Detail Plan.

4. A Concept Plan may be required for any PD District when determined necessary by the Council. A Concept Plan includes all of the area of a PD District, except that a Concept Plan may cover only a part of the PD District if a Land Use Plan has been approved or is being approved in connection with the Concept Plan. All of the features required in a Land Use Plan shall be included in a Concept Plan and in addition thereto the Concept Plan shall indicate all proposed streets, alleys, drives, buildings, parking areas, landscaped areas, screening, uses of buildings and land, heights, topography, and other features of the proposed development. A Concept Plan shall be construed to be an illustration of the development concepts only and not an exact representation of the specific development proposed. No building permits shall be issued based on an approved Concept Plan. Prior to issuance of any building permit, a Detail Plan shall be approved on that portion of the area of the Concept Plan for which a building permit is sought. A Concept Plan shall be in conformance with a Land Use Plan if one has been approved for the PD District.

When a development plan is required, a Detail Plan shall be approved prior to development, and development shall be in accordance therewith. A Detail Plan shall show the features which the Council deems necessary to regulate. Features which the Council deems are not required to be regulated may be shown for informational purposes but shall be presented in a manner to distinguish them from those being regulated.

(d) Procedures.

1. The procedures for granting, modifying, amending, or revising a PD District or any of the development conditions, development plans, or permitted uses shall be the same as for any zoning district as set forth in Chapter 153, except as set forth herein. The application shall include: a

description of the property, a drawing showing the various use areas within the proposed PD area if more than one use area is expected; proposed regulations, a list of any requested variances from standard requirements of the Zoning Ordinance, and any proposed development plans.

2. An application for a PD District may only be submitted for the following zoning districts:
 - A. Residential
 - B. Commercial”

Section 3. That all provisions of ordinances of the City of Cockrell Hill in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not so in conflict shall remain in force and effect.

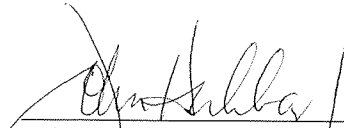
Section 4. That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

Section 5. This ordinance shall become effective, and be in full force and effect, from and after the date of its passage, and it is accordingly so ordained.

PASSED AND APPROVED this the 28th day of February, 2006.


C. P. Slayton, Mayor

ATTEST:


John Hubbard, City Secretary

APPROVED AS TO FORM:

Robert F. Brown, City Attorney