



4900 River Oaks Boulevard  River Oaks, Texas  76114

Mayor
Herman D. Earwood

City Council
Mayor Pro Tem/Place 2
Steve Holland

Place 1
JoAnn Butler

Place 3
Bruce Scott

Place 4
Joe Ashton

Place 5
JoAnn Gordon

City Secretary
Marvin Gregory

Fire Chief
Russell Shelley

Police Chief
Avin Carter

Public Works Director
James Hatley

Library Director
Veronica Clark

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(817) 624-2154

Website
www.riveroakstx.com

NOTICE TO THE PUBLIC

A SPECIAL CALLED MEETING OF THE **RIVER OAKS PLANNING AND ZONING COMMISSION** SCHEDULED FOR MONDAY, FEBRUARY 23, 2015 AT 6:30 P.M. IN THE RIVER OAKS CITY COUNCIL CHAMBERS LOCATED AT 4900 RIVER OAKS BLVD. WAS POSTPONED DUE TO ICY WEATHER AND HAS BEEN RESCHEDULED FOR:

6:30 P.M., TUESDAY, MARCH 3, 2015

IN CITY COUNCIL CHAMBERS LOCATED AT 4900 RIVER OAKS BLVD.

THIS NOTICE WAS POSTED IN ACCORDANCE WITH THE OPEN MEETINGS ACT AT THE RIVER OAKS CITY HALL LOCATED AT 4900 RIVER OAKS BLVD, RIVER OAKS, TEXAS **ON TUESDAY, FEBRUARY 24, 2015 AT 8:00 A.M.**

Marvin C. Gregory III, Zoning Administrator

1. Call to Order
2. Invocation and Pledge of Allegiance
3. Approval of Minutes from the February 3, 2015 Special Called Meeting
4. **PUBLIC HEARING:** in order to receive comment and testimony on the proposed text amendments to the Comprehensive Zoning Ordinance # 920-2012, as amended (Case PZ2015-01), as herein provided:
 - i. Amend Article 14.03 "Zoning and Sign Ordinances" by revising Article 14.03 (a) "Zoning Ordinance" incorporating the current Zoning Ordinance and revising Article 14.03 (b) "Sign Ordinances" in that the Sign Code is now provided for in Section 3.12 "Signs" of the River Oaks Code of Ordinances.
 - ii. Amend Section 4 "Definitions" of the River Oaks Comprehensive Zoning Ordinance by revising the following definitions to read as follows:
 - **Breezeway:** A covered passage one story in height and 6-feet or more in width connecting a main structure and an accessory building.
 - **Carport:** A structure, attached or detached, open on a minimum of two sides designed or used to shelter not more than two vehicles.



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- **Driveway:** A hard surface which meets the requirements of Section 20 extending from the pavement in a public street at the property's drive approach to the rear of the principal structure as located on the individually platted lot in order to facilitate a minimum of two parking spaces.
- **Hard Surface (Behind Building Line):** A parking surface constructed of concrete, asphalt, brick, two inches of gravel over a base of six inches of approved stabilization material, or other commonly accepted pavement which must (1) be bordered edged and maintained free of litter, debris, weeds or other objectionable material or objects; and (2) meet NCTCOG specifications at the time of construction; and (3) be approved by the Building Official.
- **Hard Surface (Front of Building Line):** When pertaining to the construction of a new house, driveway or drive approach, a hard surface shall mean only concrete, and must be compliant with NCTCOG Specifications and the River Oaks Code of Ordinances.
- **Masonry Construction:** Exterior construction materials that conform to the applicable ASTM or other approved testing requirements for masonry products pursuant to the most recently adopted building code including but not limited to brick, stone, stucco, granite, marble, or concrete and excluding wood or metal. Hardiplank or cement fiberboard is only permitted that is installed horizontally in residentially zoned districts providing it is determined by the Building Official to be architecturally compatible within that particular zoning district with the other structures.
- **Porch:** A slab, deck or platform constructed out of concrete, wood or other code approved materials attached to the structure and may be supported on opposing sides by columns, posts or other approved supports inclusive of roof extensions or awnings and is designed for egress and ingress into the main structure. When pertaining to an existing principal structure already located on a platted lot, the porch: (1) shall be located behind the front building line; (2) shall not be enclosed, except that it may be supported on opposing sides by columns, posts or other approved supports inclusive of roof extensions or awnings; and (3) may extend 10-foot in front of the existing house across the width of the principal structure and on all sides of the principal structure providing it meets all the setback requirements in its particular zoning district.
- **Zoning Administrator:** a position appointed by the mayor and approved by city council, as specified by the Charter of the City of River Oaks to enforce and administer the terms of this Ordinance; the individual whose decisions and interpretations are appealed to the board of adjustment.

iii. Amend Section 20 "Parking and Vehicular Circulation Requirements" by revising Section 20 D "General Requirements", # 14b pertaining to the parking of major recreational vehicles in the front yard on concrete surfaces only.



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- iv. Amend Section 20 "Parking and Vehicular Circulation Requirements" by revising Section 20 D "General Requirements", # 17c requiring that the parking surface after the effective date of this ordinance in any required front yard in single-family zoning district shall be concrete.
- v. Amend Section 20 "Parking and Vehicular Circulation Requirements" by revising Section 20 D "General Requirements", # 17d requiring that for a use other than a single-family use, the surface of a parking space, maneuvering area for parking, or driveway must consist of concrete, or in the alternative, may consist of hot mix asphalt paving which meets the NCTCOG specifications. The approach shall be a minimum of 10 feet or to the property line and shall be concrete.
- vi. Amending Section 21 "Fence Regulations" by revising Section 21 B "General Requirements" in that a fence shall be constructed of metal, chain link, wood, masonry, or any other code approved material.
- vii. Amend Section 21 "Fence Regulations" specifically in Section 21.C "Use Regulations" # 3 "Placement of Fences" under 3.a "Front Yard" in that fences constructed of an ornamental material such as decorative wrought iron may be allowed to a height not greater than six (6) feet measured from the natural contour of the land providing it is at least 50% open and is determined to be architecturally compatible within that particular zoning district by the Building Official.
- viii. Amending Section 21 "Fence Regulations" specifically in Section 21.C "Use Regulations" # 5 "Screening for Residential Adjacencies and Dumpsters", revising Section 21C.5b requiring approved screening where a lot zoned for commercial uses abuts property zoned for or used for residential uses.
- ix. Amending Section 22 "Accessory Uses" specifically in Section 22.A "Authorized Accessory Uses" #2 "Accessory Buildings" under 2.b in that the accessory building may not exceed the size of the principle structure on any individually platted residential lot and must meet all other applicable requirements for accessory buildings.
- x. Amending Section 22 "Accessory Uses" specifically in Section 22.A "Authorized Accessory Uses" #2 "Accessory Buildings" incorporating 2.d requiring that an approved site plan pursuant to Section 25 of the Comprehensive Zoning Ordinance as a condition for approval of a building permit application for construction of all Accessory Buildings in any commercial, industrial, Multi-Family and Planned Zoning Districts.



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xi. Amend Section 22 "Accessory Uses" in Section 22.A "Authorized Accessory Uses" # 7 in that the design and number of gasoline delivery stations or pumps be pre-approved by the City's Fire Inspector.

xii. Amend Section 22 "Accessory Uses" in Section 22.A "Authorized Accessory Uses" # 13.5 in that Snow cone stands previously approved by the City Council shall be permitted to operate subject to City Council approval each year for a period not to exceed 180 days unless otherwise approved by City Council.

xiii. Amending Section 22 "Accessory Uses" in Section 22.A "Authorized Accessory Uses" # 19.5 requiring that existing accessory buildings designed for residential human occupation may be used for human occupation, limited to family members as defined by this Ordinance providing they existed prior to the adoption of the zoning ordinance and are registered as a legal non-conforming structure.

xiv. Amending Section 25 "Site Plans required for Multi-Family, Commercial, Industrial, Planned Districts and Zone Changes" incorporating in Section 25 B "Application" # 4 in that a person is required to submit a site plan for approval of Accessory Buildings to be constructed and expansions in excess of 25% of the accessory building size in all Multi-Family, commercial, Industrial and Planned Zoning Districts.

xv. Amending Section 27A "Landscaping Requirements" by revising Section 27A.G "Nonconforming Uses and Structures" in that all uses that were in existence at the time of the adoption of the Comprehensive Zoning Ordinance as amended which do not meet the landscape requirements will be considered legal nonconforming and will be subject to the provisions established in Section 28 of the Zoning Ordinance as a legal nonconforming use.

xvi. Amending Section 28 "Nonconformities" specifically in Section 28D "Nonconforming Structures" # 1 "Alteration in Size of Structure" in that no such nonconforming structure may be enlarged, extended, reconstructed, repaired, or altered in a way that increases its nonconformity except as provided for in section 28 H of the Zoning Ordinance, but any structure or portion thereof may be repaired or altered to decrease its nonconformity or to comply with city building codes.

5. **ACTION FROM PUBLIC HEARING:** Consider approval of recommendation to the City Council on the proposed text amendments to the Comprehensive Zoning Ordinance # 920-2012, as amended (Case PZ2015-01), as herein provided:

i. Amend Article 14.03 "Zoning and Sign Ordinances" by revising Article 14.03 (a) "Zoning Ordinance" incorporating the current Zoning Ordinance and revising



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xvi. Amending Section 28 "Nonconformities" specifically in Section 28D "Nonconforming Structures" # 1 "Alteration in Size of Structure" in that no such nonconforming structure may be enlarged, extended, reconstructed, repaired, or altered in a way that increases its nonconformity except as provided for in section 28



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6. Adjournment

This facility is wheelchair accessible and accessible parking spaces are available. Please contact City Hall at 817-626-5421 if you have any questions or additional needs.