ORDINANCE NO. 16-10-1023

AN ORDINANCE OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 30 OF THE CITY OF MURPHY CODE OF ORDINANCES, AS AMENDED, BY CHANGING THE ZONING CLASSIFICATION ON APPROXIMATELY 10 ACRES OF LAND LOCATED AT 900 NORTH MURPHY ROAD, MURPHY MANORS ADDITION, LOT 2 IN THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, FROM SINGLE FAMILY RESIDENTIAL–20 (SF-20) TO PLANNED DEVELOPMENT DISTRICT FOR SINGLE FAMILY RESIDENTIAL–9 (SF-9) USES WITH A MINIMUM LOT SIZE OF 9000 SQUARE FEET FOR SINGLE RESIDENTIAL LOT AND MINIMUM LOT SIZE OF 18000 SQUARE FEET FOR TWO RESIDENTIAL LOTS COMBINED INTO A SINGLE FAMILY RESIDENTIAL LOT AND ADDITIONAL DEVELOPMENT STANDARDS; PROVIDING A CUMULATIVE/ REPEALER CLAUSE, A SEVERABILITY CLAUSE, A PENALTY CLAUSE, A SAVINGS CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the landowners of approximately 10 acres of land located at 900 North Murphy Road, Murphy Manors Addition Lot 2 in the City of Murphy, Collin County, Texas, have requested a change in the zoning for the property described in this ordinance from Single Family Residential–20 (SF-20) to PD (Planned Development) District for Single Family Residential–9 (SF-9) uses with a minimum lot size of 9000 square feet for a single residential lot and minimum lot size of 18000 square feet for two residential lots combined into a single residential lot and additional development standards consistent with the Comprehensive Plan; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Murphy, 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 full and fair hearings to all property owners generally and to all persons interested in this regard; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Murphy, in considering the application for a change in zoning of the property to a planned development district, have determined that the proposed use and development is consistent and compatible with the goals and objectives of the City of Murphy and is in the best interest of the health, safety, morals and general welfare of the City of Murphy, and, accordingly, the City Council of the City of Murphy is of the opinion and finds that said zoning change is in the public interest and should be granted and that the Comprehensive Zoning Ordinance should be amended accordingly as set forth herein.

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

Section 1. That all of the above recitals are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

Section 2. That the Comprehensive Zoning Ordinance and Map of the City of Murphy, Texas, be, and the same are hereby amended so as to change the zoning (designation) from Single Family Residential– 20 (SF-20) to PD (Planned Development) District for Single Family Residential-9 (SF-9) uses with a minimum lot size of 9000 square feet for a single residential lot and minimum lot size of 18000 square feet for two residential lots combined into a single residential lot and additional development standards for the property, being an approximately 10.359 acre tract of land located at 900

N. Murphy Road, Murphy Manors Addition, Lot 2 in the City of Murphy, Collin County, Texas, and more particularly described in **Exhibit A**, attached hereto and incorporated herein by reference.

Section 3. That the Development Conditions and Standards for this planned development district are attached hereto as **Exhibit B** and incorporated herein by reference, and the same are hereby approved by the City Council for said planned development district as required by Section 30.04.033, of the City of Murphy, Texas, Code of Ordinances.

Section 4. That the concept plan for this planned development district is attached hereto as **Exhibit C**, and the same are hereby incorporated herein by reference and approved for said planned development district as required by Section 30.04.034, of the City of Murphy, Texas, Code of Ordinances.

Section 5. That Chapter 30 of the City of Murphy Code of Ordinances, as amended, shall be and remain in full force and effect save and except as amended by this ordinance, and that said property shall in all other respects be subject to all applicable regulations of the City of Murphy.

Section 6. Cumulative/Repealer Clause. This ordinance shall be cumulative of all provisions of state or federal law and all ordinances of the City of Murphy, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

Section 7. Severability Clause. If any word, section, article, phrase, paragraph, sentence, clause or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect for any reason, the validity of the remaining portions of this ordinance or the Comprehensive Zoning Ordinance, Chapter 30 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 8. Penalty Clause. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, in the municipal court of the City of Murphy, Texas, shall he punished by a fine not to exceed the sum of two thousand dollars ($2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

Section 9. Effective Date. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and City Charter in such cases provide.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Murphy, Texas, on this 4th day of October, 2016.

CITY OF MURPHY SEPTEMBER 29, 1958

Eric Barna, Mayor
City of Murphy

ATTEST:

Susie Quinn, City Secretary

APPROVED AS TO FORM:

Andy Messer

Wm. Andrew Messer, City Attorney

EXHIBIT A

(LEGAL DESCRIPTION: Murphy Manors Lot 2, 10.351 Acres)

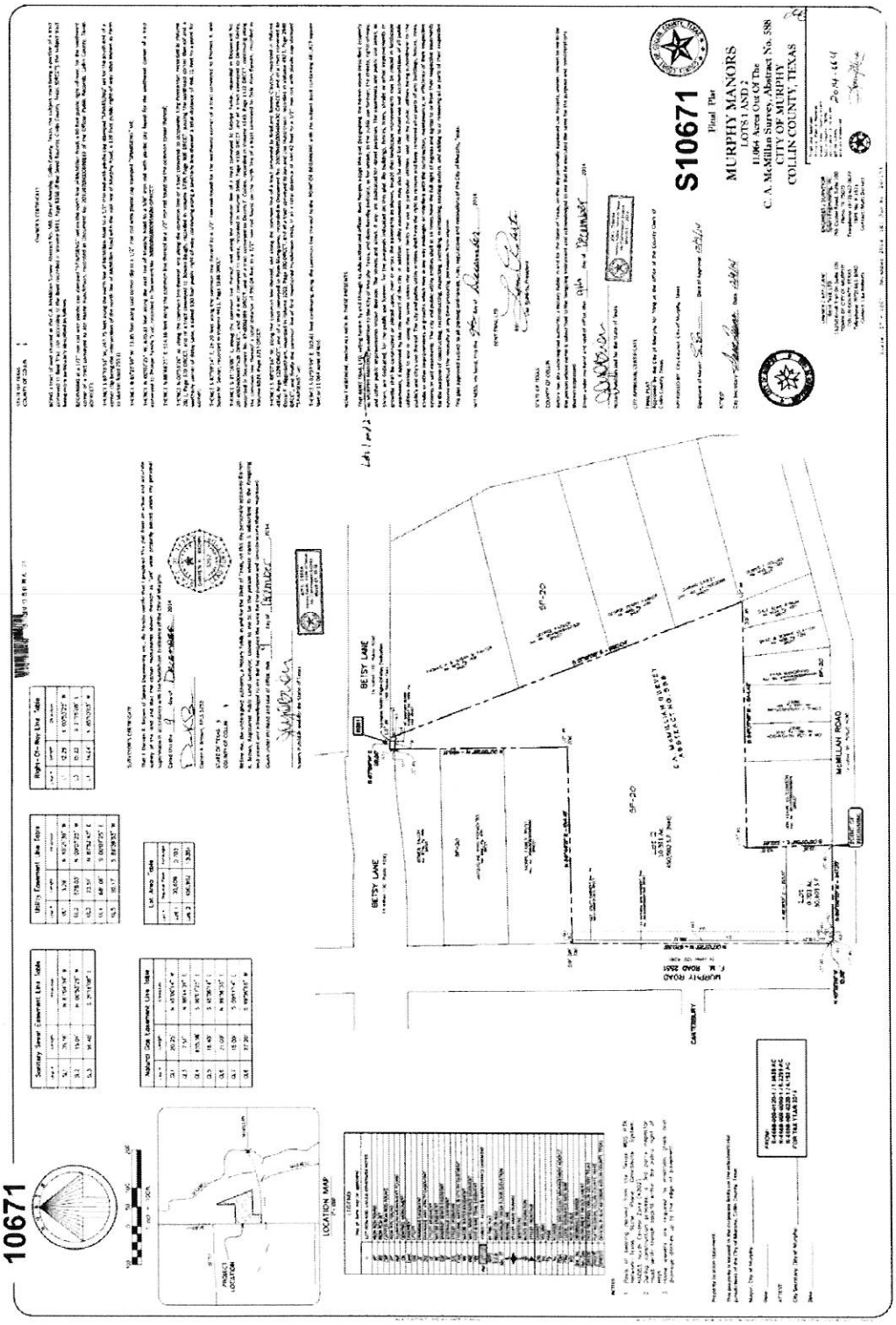


EXHIBIT A

EXHIBIT B
Planned Development Requirements
OASIS SPRINGS MANORS

1.0 PLANNED DEVELOPMENT DISTRICT-SINGLE FAMILY RESIDENTIAL

1.01 General Description: This Planned Development District (PD) is intended to accommodate a low density single family residential use. Development standards for this district are outlined within this text.

1.02 Statement of Purpose: The purpose of this PD is to establish a concept plan and specific conditions for the development of the properties known as Oasis Springs Manors. The intent of this PD is to achieve a quality residential community while providing a variety of lot sizes, dwelling unit sizes and additional open space amenities.

1.03 Statement of Effect: This PD shall not affect any regulation found in the City of Murphy Comprehensive Zoning Ordinance, as amended, except as otherwise specified herein.

1.04 Development Plans: Development shall be in accord with the concept plan and exhibits as attached. However, in the event of conflict between the concept plan and the written conditions, the written conditions shall control. The concept plan shall also serve as the land use plan.

1.05 Development Regulations:

A. Minimum Standards for Lot Size:

1. The approximate square footage of each lot as shown below and on the attached concept plan:

Block A:

a. Lot 1 = ~10,896 Square Feet
b. Lot 2 = ~9,992 Square Feet
c. Lot 3 = ~9,039 Square Feet
d. Lot 4 = ~12,231 Square Feet
e. Lot 5 = ~10,956 Square Feet
f. Lot 6 = ~9,552 Square Feet
g. Lot 7 = ~9,580 Square Feet
h. Lot 8 = ~12,524 Square Feet

Block B:

a. Lot 1 = ~9,810 Square Feet
b. Lot 2 = ~9,863 Square Feet
c. Lot 3 = ~9,801 Square Feet
d. Lot 4 = ~9,781 Square Feet
e. Lot 5 = ~9,781 Square Feet
f. Lot 6 = ~9,993 Square Feet

g. Lot 7 = ~9,807 Square Feet
h. Lot 8 = ~9,792 Square Feet
i. Lot 9 = ~9,779 Square Feet
j. Lot 10 = ~9,806 Square Feet
k. Lot 11 = ~9,850 Square Feet
l. Lot 12 = ~10,016 Square Feet

Block C:

a. Lot 1 = ~11,169 Square Feet
b. Lot 2 = ~9,253 Square Feet
c. Lot 3 = ~9,227 Square Feet
d. Lots 4 through 8 =~9,132 Square Feet
e. Lot 9 = ~9,071 Square Feet
f. Lots 10 through 11 =~9,000 Square Feet

Lot A and Highlighted Lots of Block "C": The Lot "A" of approximately 26,000 SQFT as shown in the concept plan shall remain Zoned as SF-20 for the uses permitted in the section 30.03.091, in articles 30.05 and 30.06 of the Murphy Code of Ordinance, and shall not be a part of the planned development of the Oasis Springs Manors plat.

a. Lots 10, and 11 of Block "C" may be combined with Lot "A" into a single re-platted lot of approximately 44,000 SQFT as shown in the concept plan marked by highlighted grid.

b. The combined lots 10 and 11 of Block "C" and Lot "A" may be re-platted for the purpose of SF-20 authorized uses as specified above and shall not be a part of the planned development of the Oasis Springs Manors plat.

2. Lot Width: The minimum width of any lot, shall be seventy (70) feet as measured at the front building line.

3. Lot Depth: The minimum depth of any lot, except lots 1 and 2 of Block "C" and lot 7 of Block "A" shall be One Hundred Twenty (120) feet. The one side of these lots 1 and 2 of Block "C shall be one hundred sixteen (116) feet and one side of lot 7 of Block "A" shall be one hundred fifteen (115) feet.

4. Front Yard Setback: The minimum setback shall be Twenty (20) feet.

5. Side Yard Setback: The minimum setback shall be Six (6) feet.

6. Rear Yard Setback: The minimum setback shall be Twenty (20) feet.

7. Maximum residential building height shall be 2½ stories with a height not to exceed 35 ft.

8. Lot coverage shall be not more than 40 percent.

9. The main structure of any house must be within a building area between 20 feet from the front property line and no deeper than 100 feet from the front property line.

B. Dwelling Area:

1. Single Lot: The minimum area of a residential dwelling constructed on a single lot for all lots shown on the Concept Plan shall be 2,500 square feet, exclusive of eaves, porches, garages, patios and breezeways.

2. Combined Lot:

a. Minimum Dwelling Area: The minimum area of a residential dwelling constructed on a combined lot (for example lots 1 and 2 of Block "B") as shown on the Concept Plan shall be 3,500 square feet, exclusive of eaves, porches, garages and breezeways.

b. Definition of Combined Lot: No more than two (2) residential lots (excluding Lot A and Highlighted lots of Block "C" criteria specified above) as shown on the Concept Plan may be allowed to be combined into a single lot ("Combined Lot"), and only adjacent lots which both face the same street may be combined. Lots facing different streets may not be combined. By way of example only, Lots 1 and 7 of Block "B" may not be a Combined Lot, and Lots 1 and 2 of Block "B" may be a Combined Lot.

A maximum of fourteen (14) lots may be combined into seven (7) Combined Lots.

The following are the only allowed combination of lots, or Combined Lots:

1) Block A: Lots 1 and 2, Lots 2 and 3, Lots 4 and 5, Lots 5 and 6, Lots 6 and 7

2) Block B: Lots 1 and 2, Lots 2 and 3, Lots 3 and 4, Lots 4 and 5, Lots 5 and 6, Lots 7 and 8, Lots 8 and 9, Lots 9 and 10, Lots 10 and 11, Lots 11 and 12

3) Block C: Lots 1 and 2, Lots 2 and 3, Lots 3 and 4, Lots 4 and 5, Lots 5 and 6, Lots 6 and 7, Lots 7 and 8, Lots 8 and 9, Lots 9 and 10, Lots 10 and 11

Lot coverage for Combined Lot shall be not more than 40 percent.

The minimum lot size for the Combined Lot shall be 18000 Square Feet.

For homes exceeding 5,000 square feet in area (excluding eaves, porches, garages, patios & breezeways), a minimum of three (3) enclosed parking spaces must be provided.

Approval of Combined Lot shall be from Developer/Architectural Control Committee with final re-plat approval from the City.

C. Exterior Construction Standards: City of Murphy standards for SF-9 residential zoning except below.

1. Chimney and Exterior Walls: Wooden framing (siding) on exterior wall is prohibited. Fireplace chimneys shall be of either 100% masonry construction or stucco cladding material. Hardy board or other similar material shall not be allowed.

2. Stucco as exterior cladding material: Up to fifteen (15) homes may use stucco as an exterior cladding material for up to 100% of total exterior. The remaining homes may use a combination of up to 50% stucco and the remaining exterior portion shall be of standard masonry construction (brick, native stone, cast stone and masonry material that complies with City's Code of Ordinances.). EIFS is not allowed.

3. Roofing Material: Up to 100% of the residential dwellings may use tile roof as roof material. Roof materials shall be limited to tile or asphalt shingles or any good quality material that complies with City's Code of Ordinances.

D. Landscape Requirements:

1. Minimum Tree Requirements: Two, five (5) inch caliper trees spaced a minimum of thirty (30) feet apart, located in the front yard at least ten feet behind each lot property line. The species of the trees shall be Red Oak, Live Oak or Cedar Elm.

2. City of Murphy minimum landscape requirements, as amended, shall apply to all lots. In addition all shrub beds shall install a dual system sprinkler system with both drip and spray connections. All lots shall have fully functional sprinkler systems that will accommodate any landscaping installed by the builder prior to the completion of construction of a residence on the lot. All sprinkler systems shall have freeze and rain sensors that shut the system off in such events.

3. The required trees and landscaping shall be installed prior to the issuance of a final inspection for the premises, and shall be maintained in a living and growing condition by the owner of the property. Any plant material that dies shall be replaced within 6 months unless a written extension is granted by the City of Murphy.

2.1 PLANNED DEVELOPMENT, GENERAL CONDITIONS:

2.2 Procedure: Procedure to be followed throughout the development of the Planned Development District:

A. Zoning Exhibit: A zoning plan is hereby attached and made part of the approval for this Planned Development District. This plan, indicated as **Exhibit C** sets forth: (1) the overall property boundary description; and (2) the designation of the Planned Development District, which corresponds to this **Exhibit B**.

B. Conceptual Plan: A conceptual plan is hereby attached made part of the approval for this Planned Development District. This plan indicated as **Exhibit C** is drawn to scale and illustrates: (1) land use; (2) proposed street layouts; (3) general layout of the development; and (4) other features which geographically explain the standards and conditions set forth in this **Exhibit B** and the proposed development.

2.02 Landscaped Open Space: Open space shall be provided as indicated on the concept plan and maintained by the Oasis Springs Manors Homeowner's Association ("HOA").

2.03 Screening: An Eight foot masonry wall shall be constructed adjacent to Murphy Road in an HOA lot area along the north-south lot lines of Lots 1 and 7 of Block B. The common area west of the screening wall along the Murphy Road will be a landscape area as shown in the concept plan.

2.04 Garages Access: All garage door exterior façade finishes shall be constructed of treated wood product. Garages shall be swing entry garages, except for front entry garages subject to the following conditions:

A. For front facing garages, garage doors shall be set back a minimum of twenty (20) feet from the front façade of the home.

B. No more than three (3) garage spaces shall face the front property line.

2.05 Sidewalks: Sidewalks along Murphy Road shall conform to the Parks Master Plan or as approved by City Council.

2.06 Fences:

A. Fences may be constructed of wood, masonry, decorative metal (e.g., Wrought Iron or Aluminum) and other good quality materials that complies with City's Code of Ordinances are allowed.

B. All fencing must be behind the front yard building set back line.

C. No fence shall be lesser than six foot (6") nor greater than eight foot (8') in height.

D. Gates designed for vehicular access shall be set back from the property line a minimum of Thirty (30) feet except for the gates covering the front/swing entry garages which shall match the front facade of the dwelling.

E. All fences require permits from the City of Murphy.

F. Fences around swimming pools shall be in conformance with this Subsection and the City of Murphy Code of Ordinances.

G. Any fencing that borders an existing property not included in the Oasis Springs Manors neighborhood must be cedar wood butt joint or board on board design with metal posts. The height shall be a minimum of 6 feet and maximum of 8 feet. Further, each property owner shall at all times maintain such fencing so that all sections are kept within ¾" of vertical as shown on a four foot level. The fence stain shall be Manufacturer Ready Seal, color Pecan. No poles or hardware on the fence shall face existing adjacent property located outside of Oasis Springs Manors or roadway. A masonry column shall be installed in the fence line at a distance of every 200 feet.

3.0 Neighborhood Amenities:

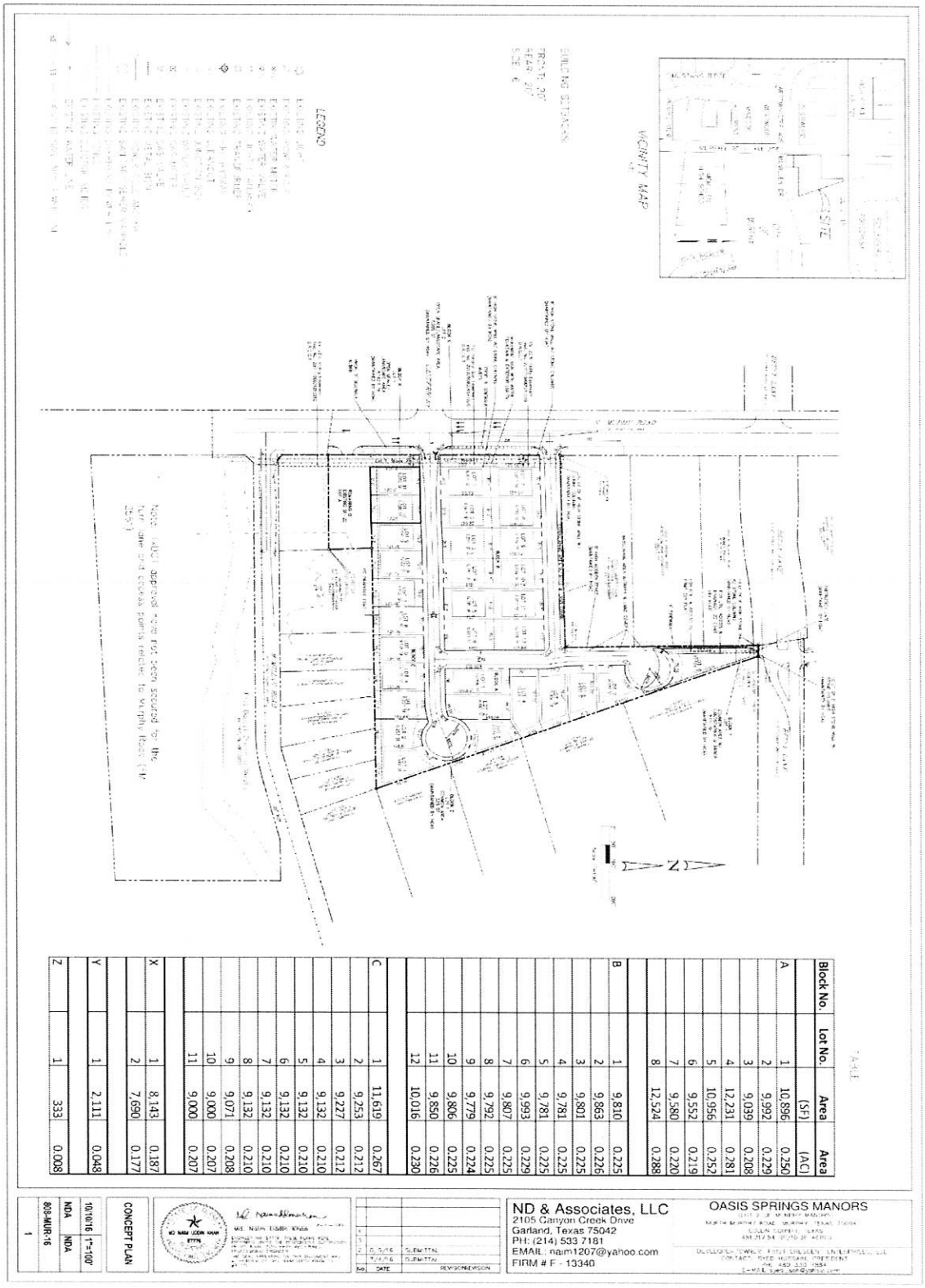
3.01 A Monument Sign shall be erected in the area known as Block X Lot 2 on the concept plan (**Exhibit C**). The sign shall be constructed out of masonry with a cast stone signage stating "Oasis Springs Manors".

3.02 An arbor constructed of wood shall be located on Block Y Lot 1 on the concept plan (**Exhibit C**). The arbor shall have a solid rock floor walkways leading to the area that the arbor is located.

4.0 Homeowners' Association: The HOA shall be duly incorporated in the State of Texas and each lot/homeowner shall be a mandatory member. The HOA shall be established so as to ensure the proper maintenance of all common areas, either public or private, as desired, to be maintained by the association. The bylaws of the HOA shall establish a system of payment of dues, a system of enforcement of its rules and regulations; a clear and distinct definition of the responsibility of each member, and such other provisions as are reasonably deemed appropriate to secure a sound and stable association. The bylaws shall be submitted to the Director of Planning for review and approval prior to construction.

EXHIBIT C

(CONCEPT PLAN / ZONING EXHIBIT)



Block No.	Lot No.	Area (SF)	Area (AC)
A	1	10,896	0.250
	2	9,992	0.229
	3	9,039	0.208
	4	12,231	0.281
	5	10,956	0.252
	6	9,552	0.219
	7	9,580	0.220
	8	12,524	0.288
B	1	9,810	0.225
	2	9,863	0.226
	3	9,801	0.225
	4	9,781	0.225
	5	9,781	0.225
	6	9,993	0.229
	7	9,807	0.225
	8	9,792	0.225
	9	9,779	0.224
	10	9,806	0.225
	11	9,850	0.226
	12	10,016	0.230
C	1	11,619	0.267
	2	9,253	0.212
	3	9,227	0.212
	4	9,132	0.210
	5	9,132	0.210
	6	9,132	0.210
	7	9,132	0.210
	8	9,132	0.210
	9	9,071	0.208
	10	9,000	0.207
	11	9,000	0.207
X	1	8,143	0.187
	2	7,690	0.177
Y	1	2,111	0.048
Z	1	333	0.008