

ORDINANCE NO. 1463-2025

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RIVER OAKS AS AMENDED BY ORDINANCE NO, 1394-2023 AS AMENDED BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY AS SUBMITTED BY CITY OF RIVER OAKS BEING 0.6732 ACRES OF LAND LEGALLY DESCRIBED AS BEING BLOCK 4 LOT 6 E 1/2 6-7-7A BLK 4 IN THE CASTLEBERRY GARDENS ADDITION AND IS OTHERWISE KNOWN AS BEING 5550 BAYLOR AVE BY REZONING THE PROPERTY FROM "CF" COMMUNITY FACILITIES DISTRICT TO "R-4" SINGLE-FAMILY DISTRICT THAT SHALL OTHERWISE MEET THE REQUIREMENTS IN SECTION 11 "R-4" SINGLE FAMILY DISTRICT OF THE RIVER OAKS ZONING ORDINANCE # 1394-2023 TO PROVIDE FOR COMPATIBLE USES PRIMARILY ORIENTED TO LOW DENSITY RESIDENTIAL USES AND OPEN SPACE (ZONING CASE # 2025-0006); REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of River Oaks is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City of River Oaks has heretofore adopted Ordinance No. 600 as amended by Ordinance # 766-07 as amended by Ordinance # 883-2011 as amended by Ordinance # 920-2012 as amended by Ordinance # 1060-2015 as amended by Ordinance # 1158-2017 as amended by Ordinance # 1286-2020 and as amended by Ordinance # 1331-2021 and as amended by Ordinance # 1394-2023 as the Comprehensive Zoning Ordinance of the City of River Oaks; and

WHEREAS, the property being considered for rezoning is located in the Castleberry Gardens Addition being 0.6732 of an acre of land from "CF" Community Facilities to "R-4" Single Family Zoning that shall otherwise meet the requirements in Section 11 "R-4" Single Family Residential District of the River Oaks Zoning Ordinance # 1394-2023 as amended without having on record a concept plan and is recommended best suited for single-family use; and

WHEREAS, the City Council of the City of River Oaks does hereby deem it advisable and in the best interest of the city to amend the Comprehensive Zoning Ordinance to change the zoning classification of 0.6732 of an acre in the Castleberry Gardens Addition legally described as being Block 4 Lot 6E 1/2 6-7-7A and is otherwise known as being 5550 Baylor Ave specifically by rezoning the property from "CF" Community Facilities to "R-4" Single Family Zoning that shall otherwise meet the requirements in Section 11 "R-4" Single Family Residential District of the River Oaks Zoning Ordinance # 1394-2023 as amended; and

WHEREAS, the Planning and Zoning Commission of the City of River Oaks, Texas held a public hearing on September 15, 2025 recommending approving the application as requested to rezone 0.6732 of an acre in the Castleberry Gardens Addition legally described as being Block 4 Lot 6E 1/2 6-7-7A and is otherwise known as being 5550 Baylor Ave by rezoning the property from "CF" Community Facilities to "R-4" Single Family Zoning under Zoning Case # PZ-2025-0006 as submitted; and

WHEREAS, the City Council following the October 21, 2025 Public Hearing that legally met all publication and notification requirements under law, approved this ordinance by a majority vote that will rezone the before-mentioned property to a "R-4" Single Family Zoning District as herein stipulated; 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 for the rezoning of the property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVER OAKS, TEXAS, THAT:

SECTION 1.

Ordinance No. 600 as amended by Ordinance # 766-07 as amended by Ordinance # 883-2011 as amended by Ordinance # 920-2012 as amended by Ordinance # 1060-2015 as amended by Ordinance # 1158-2017 as amended by Ordinance # 1286-2020 and is amended by Ordinance # 1331-2021 and is amended by Ordinance # 1394-2023 is hereby amended by rezoning property containing approximately 0.6732 acres of land in the Castleberry Gardens Addition legally described as being Block 4 Lot 6E 1/2 6-7-7A and is otherwise known as being 5550 Baylor Ave by rezoning the property from "CF" Community Facilities to "R-4" Single Family Zoning that shall otherwise meet the requirements in Section 11 "R-4" Single Family Residential District of the River Oaks Zoning Ordinance # 1394-2023 as amended.

SECTION 2.

The official zoning map of the City of River Oaks is hereby amended, and the Zoning Administrator is hereafter directed to revise the zoning map to reflect the amendments as set forth above.

SECTION 3.

The use of the property described above shall be subject to all the applicable requirements and regulations contained in the Zoning Ordinance and shall also be subject to the conditions and restrictions set forth in this ordinance. The Council finds and determines that no Concept Plan or land study is required.

SECTION 4.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of River Oaks, Texas, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 5.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase 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 sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 6.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 7.

All rights and remedies of the City of River Oaks are expressly saved as to any and all violations of the provisions of Ordinance No. 600 as amended by Ordinance # 766-07 as amended by Ordinance # 883-2011 as amended by Ordinance 920-2012 as amended by Ordinance # 1060-2015 as amended by Ordinance # 1158-2017 as amended by Ordinance # 1286-2020 as amended by Ordinance # 1331-2021 adopted and became effective on December 12, 2021 as amended by Ordinance # 1394-2023 as adopted and was effective on December 11, 2023 and since was codified into the River Oaks Code of Ordinances in Chapter 14 Exhibit A or of any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 8.

The City Secretary of the City of River Oaks is hereby directed to publish in the official newspaper the caption, penalty clause, and effective date clause of this ordinance one (1) time after the adoption of this ordinance in accordance with Chapter 5, Section 5.02(c) of the Charter of the City of River Oaks.

SECTION 9.

This ordinance shall be in full force and effect from and after its passage and publication as required by law and it is so ordained.

PASSED AND APPROVED ON THE 21st DAY OF OCTOBER 2025.


MAYOR DARREN HOUK

ATTEST.


CITY SECRETARY