

ORDINANCE NO. 1471-2026

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RIVER OAKS AS AMENDED BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY BEING BLOCK 1, LOT 1 IN THE RIVER OAKS PARK ADDITION OTHERWISE KNOWN AS 5641 TAYLOR ROAD AND BEING APPROXIMATELY 0.1550 ACRES OF LAND FROM A "R-3" SINGLE FAMILY ZONING DISTRICT TO A "PC" PLANNED COMMERCIAL ZONING DISTRICT THAT SHALL OTHERWISE MEET THE REQUIREMENTS IN SECTION 16A OF THE RIVER OAKS ZONING ORDINANCE AS AMENDED FOR OFFICE SPACE MEETING THE ADDITIONAL RESTRICTIONS SET FORTH IN THIS ORDINANCE (ZONING CASE RZ2026-0001-PC); 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 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 in the River Oaks Park Addition being Block 1, Lot 1 and containing approximately 0.1550 acres of land within a single-family zoning district without having on record a concept plan for future planned development and is most recently being recommended best suited for Single-Family Zoning; and

WHEREAS, the property being considered is the last lot on Taylor Street being in the vicinity of River Oaks Blvd and for that reason it was considered for additional office space by the applicant as planned commercial; and

WHEREAS, The purpose of the "P-C" Planned Commercial District is to promote and encourage opportunities for retail and commercial development within the city and to accommodate traffic in a beneficial manner; and

WHEREAS, Development within this district strongly impacts the values of surrounding properties and uniquely affects the growth and development of the city as a whole; 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 **BLOCK 1, LOT 1 IN THE RIVER OAKS PARK ADDITION** from a "R-3 Single-Family Zoning District and create an "PC" Planned Commercial Zoning District (Zoning Case # RZ 2026-0001) on the property as herein described being approximately 0.1550 acres of land (the "Subject Property") subject to the conditions and restrictions set forth in this ordinance; and

WHEREAS, the Planning and Zoning Commission of the City of River Oaks, Texas held a public hearing on February 23, 2026 denying the application under Case # RZ 2026-0001 as submitted; and

WHEREAS, the developer revised the plan and City Council of the City of River Oaks, Texas held a public hearing on March 3, 2026 with respect to the zoning change described herein; and

WHEREAS, on March 3, 2026 following the public hearing, motion was made and seconded to approve the development included in Section 1 of this Ordinance as additional requirements and restrictions in the Planned Commercial District; and

WHEREAS, the City Council following the March 3, 2026 public hearing that legally met all publication and notification requirements under law, approved this ordinance that will rezone the before-mentioned property to a PC Planned Commercial 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 as amended by Ordinance # 1331-2021 and amended by Ordinance # 1394-2023 is hereby amended by rezoning property containing approximately 0.1550 acres of land, located within the River Oaks Park Addition and being more fully described as:

BLOCK 1, LOT 1 OTHERWISE KNOWN AS 5641 TAYLOR ROAD AND BEING APPROXIMATELY 0.1550 ACRES OF LAND WITHOUT A CONCEPT PLAN BEING PROPOSED FOR FUTURE DEVELOPMENT AS A PLANNED COMMERCIAL ZONING DISTRICT MEETING THE REGULATIONS SPECIFIED HEREIN FOR SAID PLANNED DEVELOPMENT DISTRICT AND IS WITH THE ADOPTION OF THIS ORDINANCE BEING REZONED (Zoning Case # RZ2026-0001)

from a "R-3" Single-Family Zoning District to an "PC" Planned Development Zoning District meeting restrictive Development Regulations as deemed by the City Council to be Land best suited for planned commercial and is otherwise specified in the River Oaks Zoning Ordinance as adopted and amended, in Section 16A – Planned Commercial District of the River Oaks Comprehensive Zoning Ordinance with the following additional requirements and restrictions:

1. **Permitted Use.** Office Use Only (not approved for retail sales).
2. **Site Plan.** The commercial development will be exclusive for use as a commercially built Office Building not exceeding being a single story building and meeting commercial requirements specified in the International Building Code and the building shall not to exceed 3,500 square feet **in size. There shall be no windows on the east side of the building abutting residential property. A roof patio designed for scenic viewing shall not be permitted.**
3. **Amenities-** Amenities including fencing and/or landscaping must be properly permitted and kept properly maintained up to code. Building shall remain in good condition and properly maintained.
4. **Lighting:** Lights provided to illuminate any street paved area shall be designed to reflect away from any residential property.
5. **Noise or Vibration:** No noise, odor or vibration shall be emitted such that it constitutes a nuisance by substantially exceeding the general level of noise, odor or vibration emitted by uses of adjacent residential properties.
6. **Trash Disposal:** It shall be required to provide a commercial Dumpster or placed in bags or boxes to be collected at the street by the City Sanitation Department.
7. **Front Yard-** There shall be a front yard of not less than 30 feet.
8. **Side Yard-** There shall be side yards of not less than 10 feet where it abuts other lots.
9. **Rear Yard-** There shall be a rear yard of not less than 30 feet.
10. **Parking surfaces and Private Streets-** All parking and street or driving surfaces shall be constructed in accordance with the most recently adopted Standard Specifications for Public Works Construction by the North Central Texas Council of Government and be concrete as follows:
 - (a) A double 20-foot drive approach shall be constructed of concrete, a minimum of six (6) inches thick, minimum strength of 3000 psi and reinforced 6 x 6 welded wire fabric or number 3 reinforcement bar set on 24-inch centers both ways that provides 8 parking spaces off-street on private property as provided for in the site plan.
 - (b) Fire lane widths must be pre-approved by the Fire Chief.

11. **Landscaping Generally-**
 - (a) Landscaping shall be designed to maintain and preserves as many existing trees as possible.
 - (b) Ten percent (10%) of the net area of the property shall be landscaped. The designated landscape areas must be approved by the City Council.
12. **Installation and Maintenance-**
 - (a) The owner shall maintain all landscape areas and vegetation in good condition in accordance to all applicable codes and ordinances as adopted and amended by the City of River Oaks.
 - (b) In addition to all required trees and shrubs all the required landscape area must be covered with grass or live groundcover.
 - (c) Landscape areas must be kept free of trash, litter, weeds, and other materials or plants not a part of the landscaping.
 - (d) Existing trees should be preserved as much as possible.
 - (e) When possible all newly planted trees and shrubs should be native, zero-landscaping plants in order to promote water conservation.
 - (f) Synthetic or artificial lawn or plant material shall not be used to satisfy the landscape requirements.
13. **Landscaping Adjacent to Public Right-of-Way**
 - (a) An approved sidewalk may be constructed within the street right-of-way in front on Sam Calloway Rd. to provide pedestrian travel.
 - (b) Landscape area must be covered with grass, trees, shrubs, flowering and non-flowering plants.
 - (c) When Evergreen Shrubs are planted the average density of 5-gallons for each 5 lineal feet cannot exceed the 36" height requirement as provided for in the Zoning Ordinance.
 - (d) Trees and Plants must be kept behind the front property line as approved by the Police Chief in order to avoid traffic hazards.
14. **Utilities-** The Director of Public Works shall issue a determination of completeness in accordance with Article 13 of the City's adopted Subdivision Ordinance. All utilities shall be constructed according to the specifications of the utility companies. When determined applicable, the Developer is responsible for reimbursing the City for the costs of engineered studies and certification. All Plans for Utilities include but are not limited to water, sewer, drainage and streets. It is required that the building be properly connected to the city's water, sewer and municipal drainage system.
15. **Fencing-** A solid screening barrier shall be provided where the lot abuts residential properties. **Fencing that abuts property being used residentially must be of an approved type screening fence at a height not greater than 8-feet or less than 6-feet and not create a traffic obstruction as determined by the Police Chief.**
16. **Accessibility Standards-** All units, common spaces, and common area grounds must comply with ADA or TAS Accessibility Standards.

17. **Maintenance of Common Areas:** It is required that a landscape maintenance program be established to maintain all the common areas, such as open space areas and the perimeter fencing and landscaping.
18. **Drainage:** Drainage must meet the requirements of the Texas Water Code and of the City's Storm Water Management Plan. A Storm Water Pollution Prevention Plan shall be provided by the developer prior to commencement of construction that complies with the City's NOI Permit.
19. **Construction Site Stormwater Runoff Control:** Applies to all new construction and developments that impact one-acre or greater and applies to small construction sites that could impact adjacent subdivisions or developments of one-acre or more. Follow BMP Checklist for Construction Site Storm Water Runoff Control in the City's Stormwater Management Plan. A drainage plan will be required to be submitted and approved by the City prior to commencement of construction and before certificate of occupancy permit is issued.
20. **Traffic:** An approved Traffic Plan approved by the City Police Chief.
21. **Site Plan Approval:** An approved Site Plan is required prior to project commencement pursuant to Section 25 of the River Oaks Zoning Ordinance following Public Hearings that are published and notified in accordance to law.
22. **Certificate of Occupancy Permits:** Owner shall obtain an approved Commercial Certificate of Occupancy Permit for Occupancy within 12 months after the initial building permit issuance unless otherwise extended in writing by the City Council.

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 adopted and became effective on August 11, 2020 as amended by Ordinance # 1331-2021 adopted and became effective on December 12, 2021 as amended by Ordinance # 1394-2023 as adopted and became effective on December 7, 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.

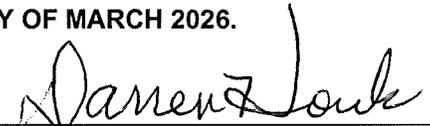
SECTION 8.

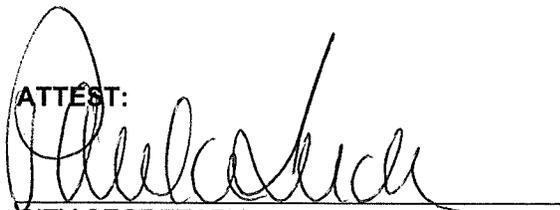
The City Secretary of the City of River Oaks is hereby directed to publish in the official newspaper the caption, penalty clause, and effective date clause of this ordinance one (1) time after the adoption of this ordinance in accordance with Chapter 5, Section 5.02(c) of the Charter of the City of River 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 THIS THE 3rd DAY OF MARCH 2026.


MAYOR DARREN HOUK

ATTEST:

CITY SECRETARY