

ORDINANCE NO. 2498

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING THE OFFICIAL COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN, ORDINANCE NO. 2118 ADOPTED ON SEPTEMBER 3, 2003, IN ORDER TO ESTABLISH NEW RESIDENTIAL DENSITY MODELS TO ENCOURAGE HIGH QUALITY RESIDENTIAL NEIGHBORHOODS IN THE EXTRATERRITORIAL JURISDICTION (ETJ) AND CITY LIMITS OF TERRELL, KAUFMAN COUNTY, TEXAS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN UPDATE TO THE OFFICIAL THOROUGHFARE MAP.

ARTICLE I.

WHEREAS, the Planning and Zoning Commission of the City of Terrell, Texas, and the governing body of the City of Terrell, Texas, in compliance with the Charter of the City of Terrell, Texas and State law with reference to granting of changes to the Comprehensive Plan and Future Land Use Plan, Ordinance No. 2118 have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Terrell, Texas, is of the opinion that said amendments to the official Comprehensive Plan and Future Land Use Plan are in the best interest of the general welfare of the public and should be made in order to promote high quality residential developments that are aesthetically pleasing, yet meet the diverse housing market needs of the City of Terrell, Kaufman County, Texas; and

WHEREAS, the Comprehensive Plan, Section 3, Goals and Objectives, Goal 3 states: "To encourage development of high quality residential neighborhoods that are aesthetically pleasing, yet meet the diverse housing market needs of the community." ; and

Whereas, Objective 3.01 states, "Consider development of design guidelines for future single-family and/or multi-family developments to ensure provision of safe, attractive places for people to live." Objective 3.02 states, "Identify areas on the Future Land Use Plan that are appropriate for a variety of residential densities (e.g., low, medium, and high) and lot sizes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Terrell, Texas:

THAT the official Comprehensive Plan and Future Land Use Plan, Ordinance No. 2118, of the City of Terrell, Texas, be, and the same is hereby amended so as to delineate the new recommended housing densities (see Exhibit 'A') and their preferred locations as shown on the revised Future Land Use Plan and other being shown on Exhibit 'B', hereinafter provided. It is directed that the

Comprehensive Plan and Future Land Use Plan of the City of Terrell, Texas, be changed to reflect the amendments established by this Ordinance.

That the above amendments shall be used only in the manner and for the purposes allowed by the Comprehensive Plan to guide future land development as amended heretofore, and as amended herein.

ARTICLE II.

All ordinances or part of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

ARTICLE III.

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 phrase, clause, sentence, paragraph, or section 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 phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

ARTICLE IV.

This Ordinance will take effect immediately from and after its passage and the publication of the caption, as the law in such case provides.

PASSED AND APPROVED this the 16th day of August, 2011.

PASSED AND ADOPTED this the 6th day of September, 2011.

APPROVED:

Hal Richards, Mayor

ATTEST:

John Rounsavall, City Secretary

APPROVED AS TO FORM:

Mary Gayle Ramsey, City Attorney

EXHIBIT A

SECTION 5, BEGINNING ON PAGE 5-10 OF THE COMPREHENSIVE PLAN, ORDINANCE 2118, IS AMENDED AS FOLLOWS:

Low Density Residential (Single-Family) – (second paragraph shall read):

“The recommended density for the ‘Low Density Residential’ category should not exceed 2.7 dwelling units per acre with a recommended minimum lot size of 16,000 square feet. Low density single-family residential development is considered to be the transitional area between urban development and rural development where infrastructure, such as, roadways, water and sewer services are limited and cannot support higher density development without severe constraints on available capacity. Higher densities can only be supported if a developer’s agreement is executed with the City in which major upgrades to the existing infrastructure is proposed in order to mitigate the increased demand on such services created by the development or if such services are extended over time as a natural outgrowth of the urban center of the city into a new undeveloped area.”

Medium-Low Density Residential (Single-Family) – (new category):

“The recommended density for the ‘Medium-Low Density Residential’ category should not exceed 5.8 dwelling units per acre with a recommended minimum lot size of 7,500 square feet. Medium-Low density single-family residential development is considered to be an integral part of a neighborhood center surrounding local retail, professional office, or other local services typically located in the proximity of an intersection of two thoroughfares. A neighborhood center is described as approximately a ten minute walk to the local retail center or approximately within a 1,500 foot radius of the thoroughfare intersection. The purpose of this density model is to create long term sustainable economic viability and stability for both the residential and nonresidential land uses. Easy access to the thoroughfares and close proximity to water and sewer services provides for efficient delivery of services, safe traffic and pedestrian oriented neighborhoods which further reduces traffic on local streets.”

Medium Density Residential (Single-Family) – (revise entire section as follows):

“The recommended density for the ‘Medium Density Residential’ category should not exceed 7.2 dwelling units per acre with a recommended minimum lot size of 6,000 square feet. Medium density single-family residential development is considered to be an infill single-family detached residential land use ideally suited for neighborhood revitalization of older neighborhoods in which the housing has begun to decline and numerous vacant lots present an opportunity for development of affordable housing to stabilize the neighborhoods. Constraints of existing lot size, vested land uses, block length and the character of the surrounding neighborhoods dictate that a smaller minimum lot size is required to efficiently redevelop these areas and incentivize revitalization. New development utilizing this density model should be located within the current city limit

boundaries in close proximity to larger regional retail centers, schools, and churches or used as a transition between high density residential such as multi-family or townhouse development and medium low density single-family residential in order to help balance the demand on the public infrastructure.”

Medium-High Density Residential (Single-Family) – (new category):

“The recommended density for the ‘Medium-High Density Residential’ category should not exceed 12 dwelling units per acre with a recommended minimum lot size of 3,000 square feet. Medium-High density single-family residential development is an attached single-family residential also known as Townhouse development which also includes duplexes. Medium-High Density Townhouse development is ideally suited to be located near the Central Business District, new town centers, employment centers, schools (especially colleges), golf courses, parks or other amenities whose success is dependent upon pedestrian oriented traffic. Live-work units, mixed development, transit oriented development and other expressions of this Medium-High Density design model utilizing Urban SMART growth principles should be considered in future planned developments or infill development proposals.”

High Density Residential (Multi-Family) – (revise section as follows):

“The recommended maximum density for the ‘High Density Multi-family Residential’ category is 22 dwelling units per acre with a maximum project size of 15 acres for apartments and a maximum density of 10 dwelling units per acre with a maximum project size of 15 acres for a manufactured home park. Under the original 1961 Zoning Ordinance uses were cumulative which meant the more intense the land use district the more uses were allowed in the district including many uses which are incompatible. Most of the existing multi-family units in Terrell were built in nonresidential districts in which the multi-family use is no longer allowed. New areas need to be identified which are suitable for multi-family uses which are in close proximity to other uses which would benefit from the higher density development, such as, retail, employment centers or educational campuses. The amount of land that has been developed for multi-family land use is similar to that which has been for duplex and townhomes - that is, approximately one percent. It is recommended that the City generally continue to maintain its existing land use percentage and housing unit percentage of high density residential use. In terms of future multi-family development, the following guidelines should be applied:

- High Density Multi-Family Residential Uses are intended to be a direct support to large retail, employment or education centers and apartment complexes should be located in close proximity to such uses. Free standing traditional apartment complexes are to be discouraged where pedestrian connections to retail, employment or schools are difficult or impossible which creates high traffic impacts on the local street system.
- Multi-family complexes should be designed to accommodate ground floor businesses, such as, small retail, office, service uses or live/work units in which the owners or employees of such businesses can live in the same

complex where they are employed. Parking for the patrons of the first floor businesses should be located in the front of the buildings with convenient access to the adjacent streets while resident parking is located in the interior or rear of the complex.

- SMART Growth urban design elements should be considered in any development plan in which multi-family residential uses are considered in order to help create a sustainable, efficient and economically viable project.
- The proposed multi-family tract should be located along a collector or major thoroughfare (i.e., not directly along local residential streets).
- The tract should not be less than approximately ten acres in size; this will help to ensure that the complex is large enough to have an office on-site and that the complex will be well-maintained.
- If the tract is adjacent to single-family residential dwellings, transition areas (green space, buffer areas, medium density development, etc.) should be incorporated into the project.
- Based upon the density of the complex, an appropriate amount of usable open space should be required of such developments.
- The average number of dwelling units for high density residential areas should be approximately 15, with a maximum of 22 units per acre. The City may also want to incorporate “density bonuses”, allowing a higher number of units per acre for specific amenities, such as garages and landscaping, live/work units, or mixed uses as part of a large retail development.

Future Land Use Legend

-  **Low Density Residential**
-  **Medium Low Density Residential**
-  **Medium Density Residential**
-  **Medium High Density Residential**
-  **High Density Residential**
-  **Manufactured Homes**
-  **Public/Semi-Public**
-  **Parks & Open Space**
-  **Retail**
-  **Central Business District**
-  **Mixed Use**
-  **Commercial**
-  **Office**
-  **Industrial**
-  **Highway Corridor**
-  **Floodplain**

-  **Terrell City Limits**
-  **Terrell ETJ**