

City Council  
Agenda Memo



City Council  
Meeting Date: 1/8/2015

**TO: David A. Vela, Interim City Manager**

**FROM: Jon James, AICP  
Director of Planning and Development Services**

**SUBJECT: First reading on an ordinance for Case No. Z-2014-56, a request from Southwest Housing Providers, LLC & First Baptist Church, agent EHT, to rezone property from AO (Agricultural Open Space) to PD (Planned Development) zoning, located on the south side of the 600-700 Blk of E. Stamford St; and setting a public hearing for January 22, 2015.**

**GENERAL INFORMATION**

Currently the property is zoned AO and is undeveloped. The surrounding area is developed generally with single-family residential uses to the south and proposed multi-family residential zoning to the east. The purpose of the zoning is to allow for a Vacation Travel Trailer (RV) Park. The current AO zoning requires a Conditional Use Permit in order to allow for the proposed use. In reviewing the regulations for Travel Trailer Parks, the use must be a minimum of 300 feet from residentially zoned properties. The applicant is proposing a PD zoning to request modifications to this regulation as well as regulations dealing with setbacks, paving, and duration of stay. The proposed use will have access onto E. Stamford St only.

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. The requested PD zoning will maintain the AO zoning and allow for a Travel Trailer (RV) Park. The requested zoning is compatible with the Future Land Use Map and the adjacent residential uses in the area.

**STAFF RECOMMENDATION**

Staff recommends approval of the PD with exception of the proposed paving regulation. Staff recommends that the entrance roadway from the public street to the main office plus the parking for the office and all uses accessible by the general public be paved.

**BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission recommends approval with conditions that the main drive may remain stone until development occurs on either side and that a 6-foot screen or fence shall be provided along the south property line by a vote of 5 in favor (Calk, Ellinger, Glenn, McClarty, & Famble) and none opposed.

**ATTACHMENTS**

Ordinance  
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

December 22, 2014

Item No. 6.2

Disposition by City Council

- Approved Ord/Res# \_\_\_\_\_
- Denied \_\_\_\_\_
- Other \_\_\_\_\_

\_\_\_\_\_  
City Secretary

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PD-148 A PLANNED DEVELOPMENT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, part known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 8<sup>th</sup> day of January A.D. 2015.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 26<sup>th</sup> day of November, 2014, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 p.m., on the 22<sup>nd</sup> day of January, 2015, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 22<sup>nd</sup> day of January, A.D. 2015.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY

ORDINANCE NO. \_\_\_\_\_

Exhibit "A"

PART 1: Land Title. Title to land not dedicated to public use and services or for utility purposes and not otherwise designated for development purposes shall remain in possession of the owner thereof, his heirs, assigns, lessees and successors in interest and shall not be the responsibility of the City of Abilene for any purpose.

PART 2: Development Specifications. All development in the Planned Development shall be in accordance with any maps, topographical and drainage plans, utility plans, architectural drawings, site plan, plat, and any other required plans filed in connection with this requested Planned Development, which are hereby incorporated by reference and included as part of this ordinance. All use and development within the Planned Development must be in compliance with the general Comprehensive Zoning Ordinance of the City of Abilene except as otherwise specifically provided herein.

PART 3: Building Specifications. All structures in the herein said Planned Development shall be constructed in accordance with all pertinent building and construction codes of the City of Abilene.

PART 4: Zoning. That Chapter 23, Abilene Municipal Code, part known as the Land Development Code of the City of Abilene, is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: From AO (Agricultural Open Space) to PD (Planned Development) zoning.

That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

ORDINANCE NO. \_\_\_\_\_

EXHIBIT "A"

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PART 5: Legal Description. The legal description of this PD is as follows:

Being approximately 20.2 acres: A0580 SUR 84 T & P RY CO, BLOCK 14



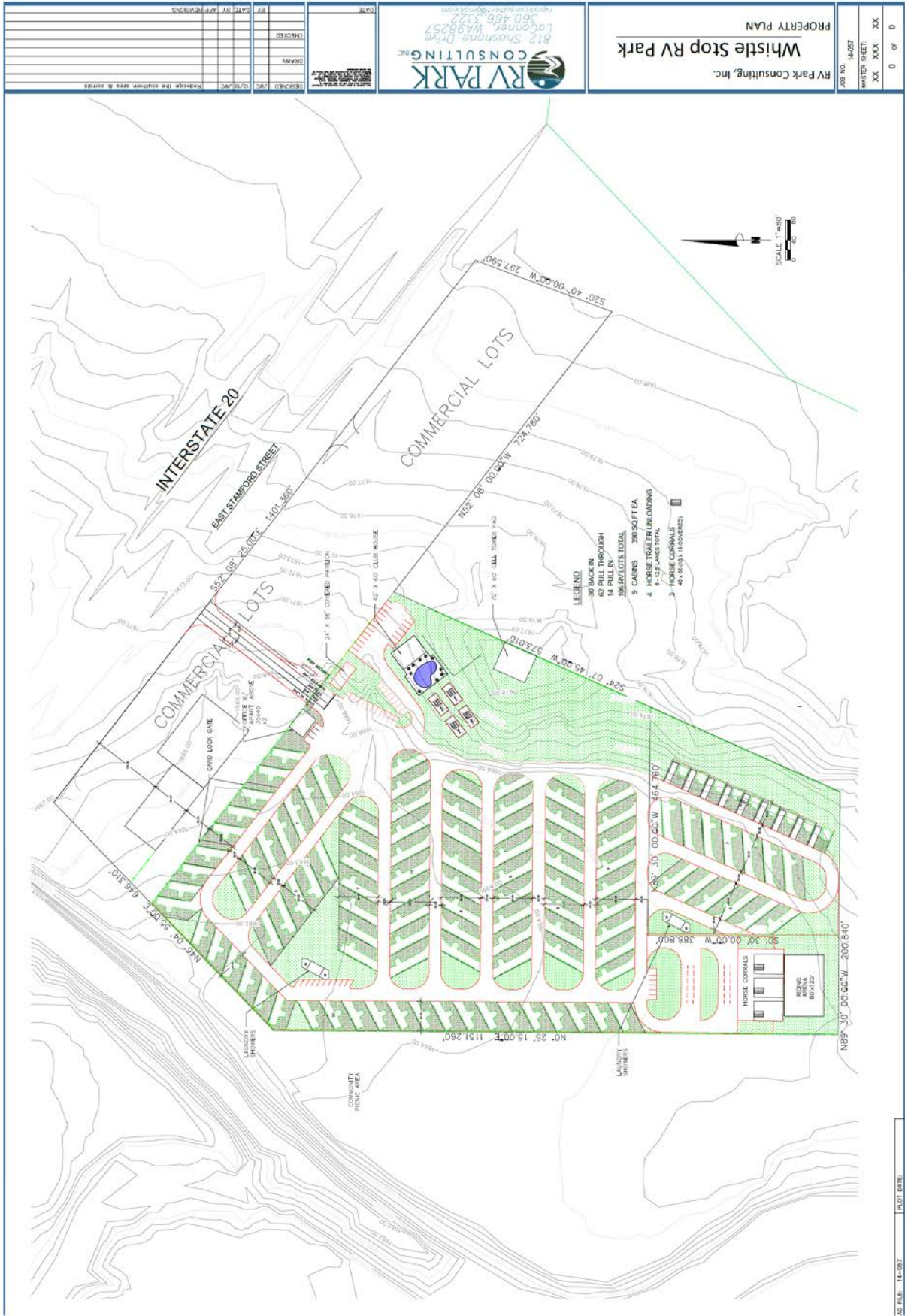
Location:

The south side of the 600-700 Blk of E. Stamford St

PART 6: Purpose. The purpose of the Planned Development (PD) request is to allow for Vacation Travel Trailer Park development and related activities.

PART 7: Specific Modifications. This Planned Development shall be subject to the requirements of the AO (Agricultural Open Space) zoning district, except as modified below:

- 1) **ADDITIONAL PERMITTED USE:** A Vacation Travel Trailer Park shall be permitted as represented on the attached concept plan.
- 2) **SITE DEVELOPMENT:** The development shall comply with the requirements of the Land Development Code and the regulations for Vacation Travel Trailer, Recreation Vehicle Parks (found in Section 4.2.11) with the following exceptions and additions:
  - a) The Vacation Travel Trailer Park use shall be exempt from the required 300' distance from any residential zoning district.
  - b) Setbacks for vacation travel trailers:
    - i) The setback from the front property line for vacation travel trailers in a Vacation Travel Trailer Park use shall be zero feet (0').
    - ii) The setback from the west property line for vacation travel trailers in a Vacation Travel Trailer Park use shall be zero feet (0').
  - c) Paving shall not be required except for the main drive into the park. However, the main drive may remain stone until development occurs on either side. Base material shall be allowed for all other drive lanes and parking.
  - d) A 6-foot screen or fence shall be provided along the south property line





**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval of the PD with exception of the proposed paving regulation. Staff recommends that the entrance roadway from the public street to the main office plus the parking for the office and all uses accessible by the general public be paved.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Planning and Zoning Commission recommends approval with conditions that the main drive may remain stone until development occurs on either side and that a 6-foot screen or fence shall be provided along the south property line by a vote of 5 in favor (Calk, Ellinger, Glenn, McClarty, & Famble) and none opposed.

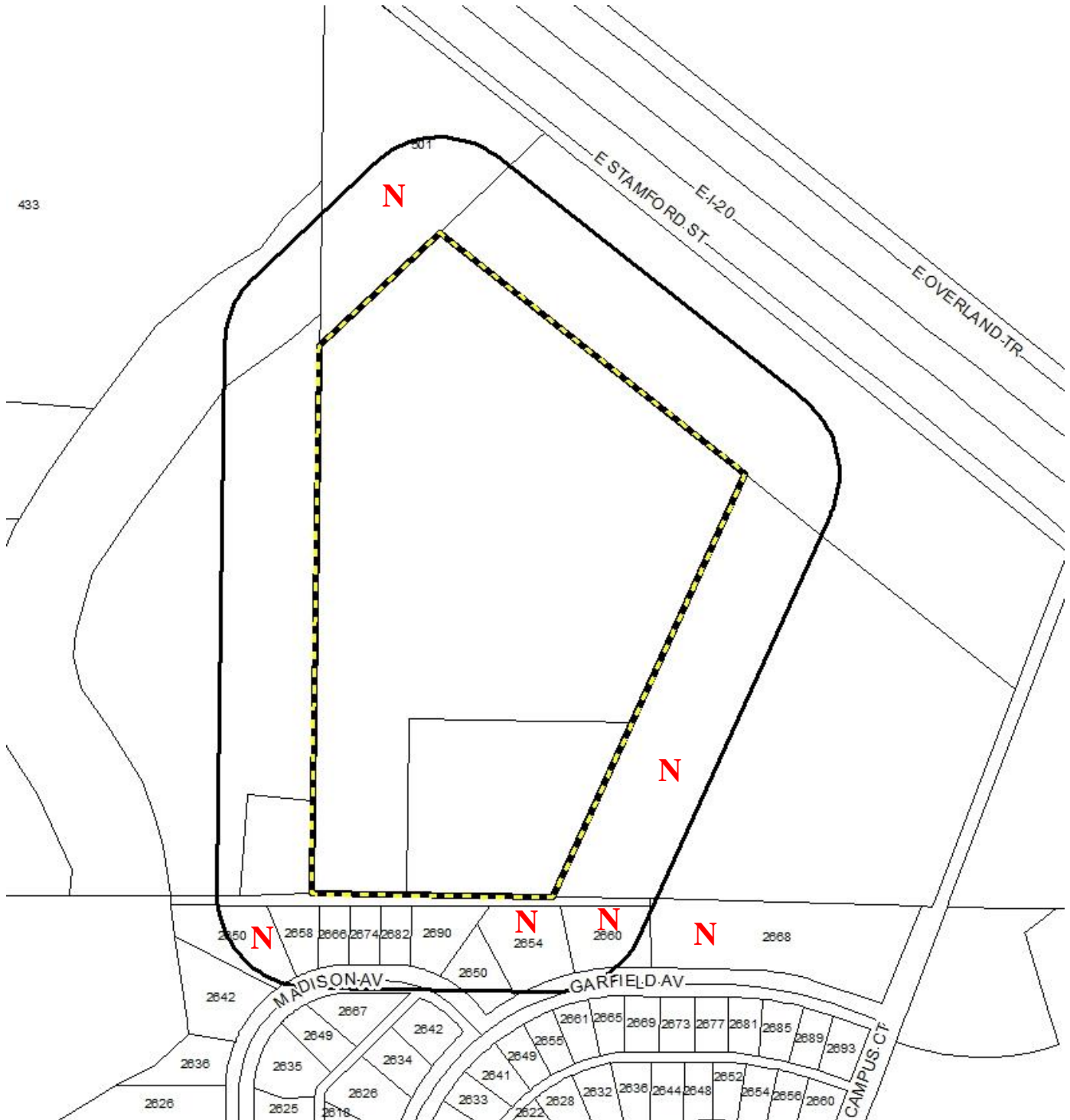
**NOTIFICATION:**

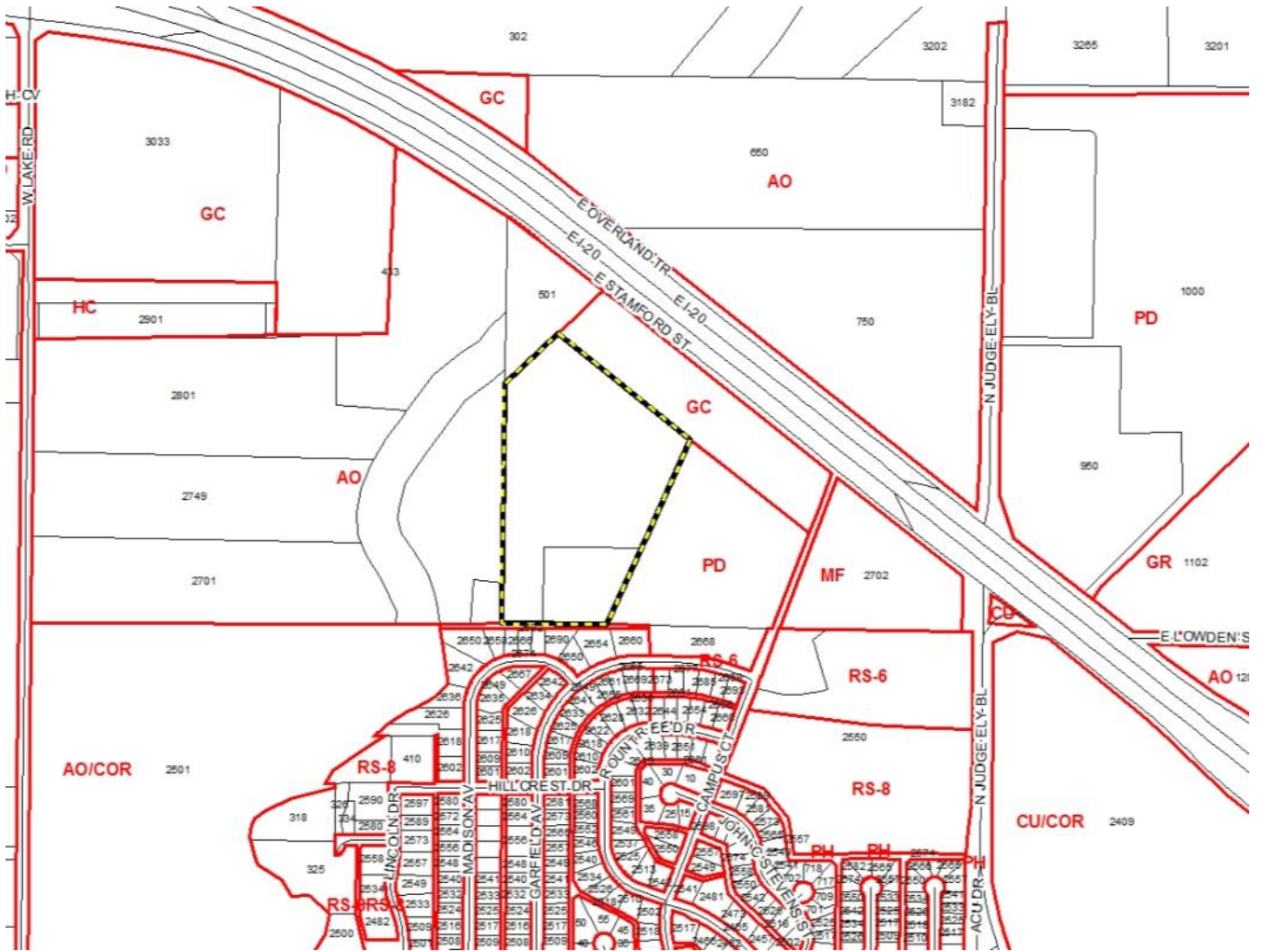
Property owners within a 200-foot radius were notified of the request.

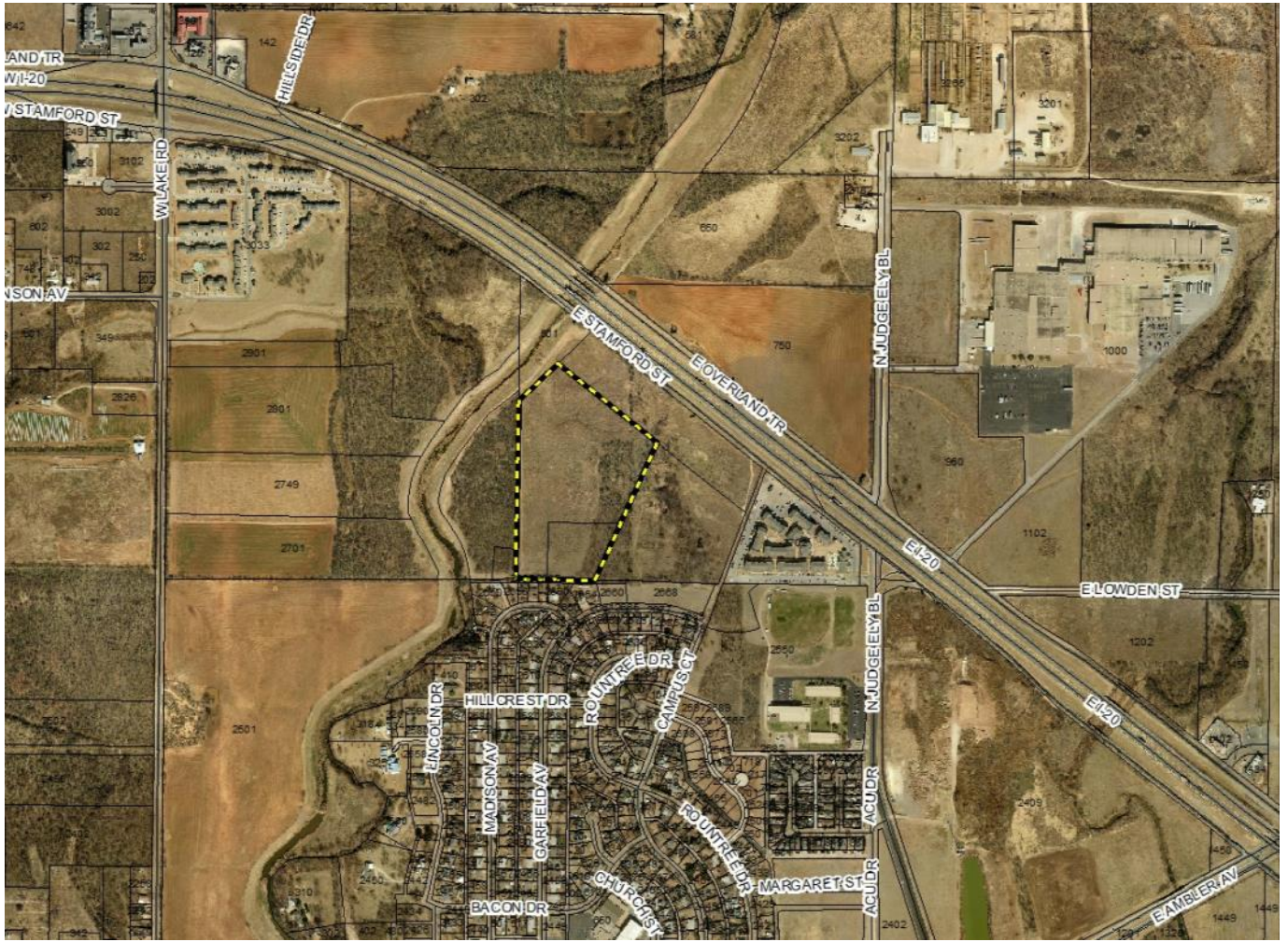
OWNER	ADDRESS	RESPONSE
HOLLOWAY PATTI LYNN JONES		
CITY OF ABILENE		
LEE BRANDON S	2666 MADISON AV	
PETERSON DEMPSEY & TERRI	2650 MADISON AV	Opposed
LEE BRANDON S	2658 MADISON AV	
HOLLOWAY PATTI LYNN JONES		
CAWOOD ELIZABETH MARION TR	2650 GARFIELD AV	
PRAIRIE SONG LLC	2660 GARFIELD AV	Opposed
BLACKBURN INC CO LLC	2674 MADISON AV	
PRAIRIE SONG LLC		Opposed
PLOCHECK RUSSELL E & SHIRLENE J	2654 GARFIELD AV	Opposed
PRAIRIE SONG LLC	2668 GARFIELD AV	Opposed
HARRISON AMY R	2682 MADISON AV	
LITTLE BETTY ANN	2690 MADISON AV	
RAMSEY LEASING INC	501 E STAMFORD ST	Opposed
SOUTHWEST HOUSING PROVIDERS LLC		
FIRST BAPTIST CHURCH		



0 in Favor- **Y**  
6 Opposed- **N**









## **Division 11 – Vacation Travel Trailer Recreational Vehicle Parks**

### **Section 4.2.11.1 Applicability & Approvals Required**

- (a) **Applicability.** This division is applicable in the City limits.
- (b) **Land Use Matrix.** For locations within the City limits, vacation travel trailer parks shall be permitted as outlined in the Land Use Matrix, Chapter 2, Article 5, Division 2.
- (c) **Site Plan Required.** For locations within the City limits, development of a vacation travel trailer park shall require submittal and approval of a Site Plan depicting the information described in Article 1, Division 1 of this chapter.
- (d) **Subdivision Required.** Vacation travel trailer parks shall be located on land formally subdivided according to the subdivision regulations within this LDC, specifically within Chapter 3.
- (e) **Annual Licensing Required.** Vacation travel trailer parks shall be required to meet annual licensing requirements with the Building Inspection Department. Issuance of the required license shall be dependent upon compliance with all applicable health, fire, building, and other City of Abilene Codes and Ordinances to ensure the safe operation of the park. The license shall be conspicuously posted in the park office.
- (f) **Conformance to Other Codes.** All facilities at vacation travel trailer parks shall conform and comply with City of Abilene health, fire, building and other such codes.

### **Section 4.2.11.2 Size, Density, Location, Setbacks**

- (a) **Maximum Site Density.** The maximum site density for vacation travel trailer parks shall be twelve (12) units per acre.
- (b) **Minimum Site Size.** The initial development of any vacation travel trailer park shall not be less than two (2) acres fully developed.
- (c) **Site Location.** Vacation travel trailer parks shall be located at least three hundred feet (300') from any residential zoning district.
  - (1) No vacation travel trailer shall be placed or erected closer than five feet (5') from the property line separating the recreational vehicle park from adjoining property, measuring from the nearest point of the vacation travel trailer.
- (d) **Size, Marking and Separation of Individual Sites.** Each individual site within the vacation travel trailer park that is reserved for the accommodation of any vacation travel trailer shall have an area of not less than one thousand (1,000) square feet, or forty feet (40') by twenty-five feet (25'), to provide adequate space for a recreational vehicle, a car, and a picnic table/grill. Each individual site shall be defined clearly by proper markers at each corner, shall be level, paved, and well drained.
  - (1) Trailers and other recreational vehicles shall be separated from each other and permanent structures by ten feet (10').
- (e) **Setback Requirements for Vacation Travel Trailers.** Setback requirements for vacation travel trailers shall be as outlined in *Table 4-4*.

**TABLE 4-4: REQUIRED SETBACKS FOR TRAVEL TRAILERS**

<b>Element From Which Setback Is Measured</b>	<b>Required Setback</b>
The edge of cul-de-sac streets	20 feet
The edge of other interior streets	10 feet
The front property line of the vacation travel trailer park	25 feet
The rear and side (exterior and interior) property lines of the vacation travel trailer park	15 feet

**Section 4.2.11.3 Ingress and Egress**

- (a) **Public Street.** All vacation travel trailer parks shall be directly linked by an entrance way with a public street.
- (b) **Width and Radius.** The entrance way shall be at least forty feet (40') in pavement width with a twenty-foot (20') curb radius on collector and arterial streets and fifteen feet (15') on local streets.
- (c) **Connection to Construction Standards.** The connection of the entrance way with the public street shall be constructed according to municipal construction standards.
- (d) **Paving.** The entrance roadway from the public street to the main office plus the parking for the office and all uses accessible by the general public shall be paved. All other surfaces intended for regular vehicular use shall have a durable surface, such as compacted base material.
- (e) **Private Streets.** Entrance ways and interior streets shall be considered private streets.
- (f) **No Access Through Residential Zoning Districts.** There shall be no entrance or exit from the vacation travel trailer park through a residential zoning district.

**Section 4.2.11.4 Miscellaneous Requirements**

- (a) **Infrastructure Systems.** Vacation travel trailer parks shall have the option of connecting to municipal water and sewage systems or of seeking appropriate waivers and installing private systems. Private sanitation facilities shall meet all State and City of Abilene health standards and regulations.
- (b) **Refuse Containers or Areas.** Refuse containers or collection sites shall be conveniently located for park residents. A central refuse collection site for the park as a whole shall be provided. Such a container shall be water tight and rodent proof. If refuse is to be collected by the City of Abilene, central refuse collection areas shall be located in conformance with City standards.

(c) **Accessory Uses.** Accessory uses such as an office, recreation facilities, toilets, dumping stations, laundries, etc., shall be permitted, subject to the following restrictions:

(1) Such establishments and the parking area primarily related to their operations shall not occupy more than ten percent (10%) of the gross area of the park.

(2) The structures housing such facilities shall not be located closer than fifty feet (50') to any public street.

(d) **Duration of Stay.**

- Up to seventy-five percent (75%) of trailer sites may be allowed as long-term stay. Long-term stay trailers may be allowed for up to 12 months and must leave for a minimum of 60 days prior to returning.
- Twenty-five percent (25%) of trailer sites must be designated as short-term stay. Short-term stay trailers may be allowed for up to 3 months and must leave for a minimum of 60 days prior to returning.

(e) **Sanitary Facilities.**

(1) Requirements: Each recreational vehicle park upon which two (2) or more recreational vehicles are erected or placed and where private conveniences for each site are not provided shall provide, at locations described in this section, toilets, urinals, washbasins, slop basins, showers or baths, water faucets or spigots in accordance with the following:

- a. One (1) toilet, sink, and shower for each sex per twenty (20) travel trailer sites or fraction thereof.
- b. All toilets, basins and showers shall be placed in properly constructed buildings located not more than three hundred feet (300') from any recreational vehicle unit served.
- c. Buildings shall be well lighted at all times, day or night, well ventilated with screened openings, and constructed of moisture-proof material to permit rapid and satisfactory cleaning, scouring and washing.
- d. The floors shall be of concrete or other impervious material, elevated not less than four inches above grade, and each room shall be provided with floor drains.
- e. Slop sinks or basins with water supply shall be provided to serve each four units and shall be constructed in accordance with design, size and material approved by the health officer.

(2) Toilet and Bathing Facilities: Toilet and bathing facilities shall be in separate rooms or partitioned apart in any manner as to provide privacy and promote cleanliness. Each toilet provided in a community toilet house shall be partitioned apart from any other toilet in the same room. The floor surface around the commode shall not drain onto the shower floor.

(f) **Register of Guests.** A register containing the name and address of each occupant of all the park, as well as the date of arrival and departure, the make, model, year, and the license number and state, of vehicles shall be kept and available for periodic inspection.