

**ORDINANCE NO. 12-12-933**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES, BY CHANGING THE ZONING CLASSIFICATION FROM SINGLE-FAMILY RESIDENTIAL PLANNED DEVELOPMENT SF-9/SF-11 TO PARKS/OPEN SPACE (PK) FOR THE PORTION OF THE 1302 RODEO DRIVE PROPERTY COMMONLY KNOWN AS NORTH HILL PARK, THE BOUNDARIES OF WHICH ARE DEPICTED IN EXHIBIT "A," PART A-1; BY CHANGING THE ZONING CLASSIFICATION FROM SINGLE-FAMILY RESIDENTIAL PLANNED DEVELOPMENT SF-9/SF-11 TO PUBLIC/SEMI-PUBLIC (P/PS) FOR THE PORTION OF THE 1302 RODEO DRIVE PROPERTY COMMONLY KNOWN AS MURPHY CITY WATER TOWER, THE BOUNDARIES OF WHICH ARE DEPICTED IN EXHIBIT "A," PART A-2; BY CHANGING THE ZONING CLASSIFICATION FROM SINGLE-FAMILY RESIDENTIAL PLANNED DEVELOPMENT SF-9/SF-11 TO PRIVATE RECREATION (PPK) FOR THE PORTION OF THE 1302 RODEO DRIVE PROPERTY COMMONLY KNOWN AS NORTH HILL AMENITY CENTER AND POOL, THE BOUNDARIES OF WHICH ARE DEPICTED IN EXHIBIT "A," PART A-3; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.**

**WHEREAS**, during the process of reviewing and updating the Comprehensive Zoning Map of the City of Murphy ("City"), City staff determined that several areas of the City depicted on the map do not reflect the current development of the property; and

**WHEREAS**, the City desires to amend its Ordinances and Comprehensive Zoning Map to reflect the current developed conditions; and

**WHEREAS**, the 1302 Rodeo Drive Property depicted in Exhibit "A," Parts A-1, A-2 and A-3 are currently zoned as Single-Family Residential Planned Development SF-9/SF-11; and

**WHEREAS**, the portion of the 1302 Rodeo Drive Property commonly known as North Hill Park, the boundaries of which are depicted in Exhibit "A," Part A-1 is currently used for park purposes; and

**WHEREAS**, a City water tower is currently developed on the portion of the 1302 Rodeo Drive Property commonly known as Murphy City Water Tower, the boundaries of which are depicted in Exhibit "A," Part A-2; and

**WHEREAS**, a private recreational facility is currently developed on the portion of the 1302 Rodeo Drive Property commonly known as North Hill Amenity Center, the boundaries of which are depicted in Exhibit "A," Part A-3; and

**WHEREAS**, the Planning and Zoning Commission of the City of Murphy 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 a full and fair hearing to all property owners generally and to all persons interested, and the City Council of the City of Murphy is of the opinion and finds that said changes should be granted and that the Comprehensive Zoning Ordinance and Map should be amended;

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

**Section 1.** The Zoning Classification for and the Comprehensive Zoning Map depicting the portion of the 1302 Rodeo Drive Property commonly known as North Hill Park, the boundaries of which are shown in Exhibit "A," Part A-1 is hereby changed from Single-Family Residential Planned Development SF-9/SF-11 to Parks/Open Space (PK).

**Section 2.** The Zoning Classification for and the Comprehensive Zoning Map depicting the portion of the 1302 Rodeo Drive Property commonly known as Murphy City Water Tower, the boundaries of which are shown in Exhibit "A," Part A-2 is hereby changed from Single-Family Residential Planned Development SF-9/SF-11 to Public/Semi-Public (P/SP).

**Section 3.** The Zoning Classification for and the Comprehensive Zoning Map depicting the portion of the 1302 Rodeo Drive Properties commonly known as North Hill Amenity Center, the boundaries of which are shown in Exhibit "A," Part A-3 is hereby changed from Single-Family Residential Planned Development SF-9/SF-11 to Private Recreational Park (PPK).

**Section 4.** Chapter 86 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.

**Section 5.** 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 the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

**Section 6.** 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 be 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 7.** This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED, AND ADOPTED on this the 11<sup>th</sup> day of December, 2012.

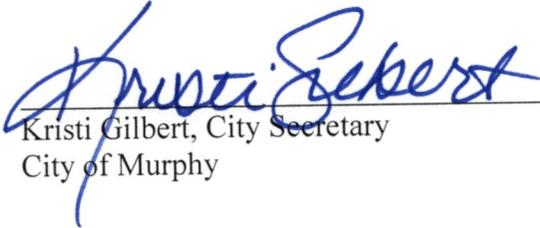
**APPROVED:**



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John Daugherty, Mayor Pro Tem  
City of Murphy

**ATTEST:**



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Kristi Gilbert, City Secretary  
City of Murphy



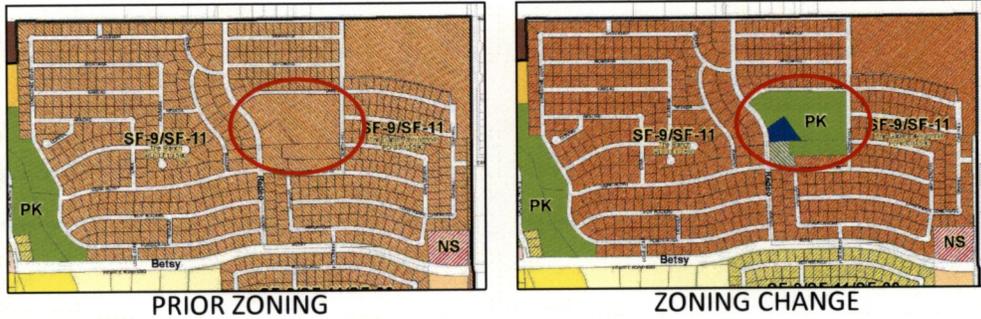
**APPROVED AS TO FORM:**

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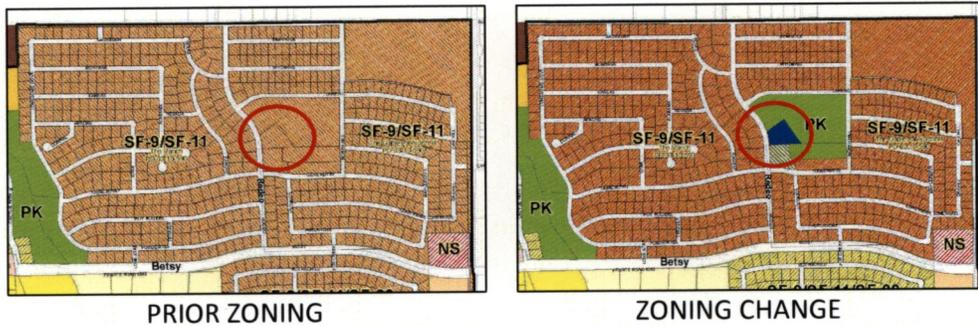
Wm. Andrew Messer,  
Attorney for the City of Murphy

## EXHIBIT "A"

A-1 The following maps show the location for zoning category change for 1302 Rodeo Drive, **North Hill Park** – from Single-Family Residential Planned Development SF-9/SF-11 to Parks/Open Space (PK)



A-2 The following maps show the location for zoning category change for 1302 Rodeo Drive **City Water Tower** – from Single-Family Residential Planned Development SF-9/SF-11 to Public/Semi-Public (P/SP)



A-3 The following map show the location for zoning category change for 1302 Rodeo Drive, **North Hill Amenity Center and Pool** – from Single-Family Residential Planned Development SF-9/SF-11 to Private Recreation (PPK)

