

ORDINANCE NUMBER 23-08-1317

AN ORDINANCE OF THE CITY OF MURPHY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP, CHAPTER 30, OF THE CITY OF MURPHY CODE OF ORDINANCES, AS AMENDED, BY CHANGING THE ZONING CLASSIFICATION ON APPROXIMATELY 9.577 ACRES OF LAND LOCATED ON THE NORTHWEST CORNER OF NORTH MURPHY ROAD AND BETSY LANE, IN THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, FROM AGRICULTURE (AG) TO PLANNED DEVELOPMENT (PD) DISTRICT OVERLAY OF SINGLE FAMILY - 9 (SF-9) RESIDENTIAL AND NEIGHBORHOOD SERVICES (NS) AND PROVIDING DEVELOPMENT STANDARDS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING AMENDMENTS, DEVELOPMENT CONDITIONS AND STANDARDS, AND A CONCEPT PLAN; PROVIDING FOR APPLICABLE REGULATIONS, ZONING ORDINANCE AND ZONING MAP AMENDMENT; PROVIDING A CUMULATIVE/REPEALER CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE ESTABLISHING A FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR A VIOLATION OF THE ORDINANCE FOR EACH DAY A VIOLATION EXISTS OR CONTINUES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the landowners of approximately 9.577 acres of land located on the northwest corner of N. Murphy Road and Betsy Lane, in the City of Murphy, Collin County, Texas, have requested a change in the zoning for the property described in this ordinance from Agriculture (AG) District to Planned Development (PD) District overlay of mixed use with Single Family - 9 (SF-9) Residential and Neighborhood Services (NS) with additional development standards consistent with the Comprehensive Plan; and

WHEREAS, the Planning and Zoning Commission (the "Commission"), in compliance with the laws of the State of Texas, gave the requisite notices by publication and otherwise, and have held due hearings and afforded full and fair hearings to all property owners generally and to all persons interested in this regard; and

WHEREAS, having reviewed the request for the change of zoning classification on an approximate 9.577 acre tract of land located on the northwest corner of N. Murphy Road and Betsy Lane, Murphy, Texas, as herein more particularly described in **Exhibit "A" (Legal Description)** attached hereto and made part hereof for all purposes (the "Property"), the Commission determined that the change in zoning was compatible with surrounding uses and the City's Comprehensive Plan and recommended approval of the requested amendment to the City Council; and

WHEREAS, the City Council of the City of Murphy, in compliance with the laws of the State of Texas, having given the requisite notices by publication and otherwise, having held public hearings and afforded full and fair hearings to all property owners generally and to all persons interested in this regard, and having considered the recommendation of the Planning and Zoning

Commission, has determined that the proposed amendment to change the zoning on the Property to Planned Development (PD) District Overlay of Single-Family Attached (SF-9) Residential and Neighborhood Services (NS) is appropriate and is compatible with surrounding uses and the Comprehensive Plan of the City, and the governing body in the exercise of its discretion has concluded that Chapter 30. Zoning of the City of Murphy Code of Ordinances and the Zoning Map of the City be amended as follows.

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

Section 1. Incorporation of Premises. That all of the above recitals are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

Section 2. Amendments. That the Zoning Ordinance and Zoning Map of the City of Murphy, Texas, are hereby amended so as to change the zoning (designation) on the Property described herein from Agriculture (AG) District to Planned Development (PD) District overlay of Single Family – 9 (SF-9) Residential and Neighborhood Services (NS) with additional development standards for the Property, being an approximately 9.577 acre tract of land located on the northwest corner of N. Murphy Road and Betsy Lane, in the City of Murphy, Collin County, Texas, and more particularly described in **Exhibit A (Legal Description)**.

Section 3. Development Conditions and Standards. That the Development Conditions and Standards for the Planned Development District for the Property are attached hereto as **Exhibit B** and incorporated herein, and the same are hereby approved by the City Council for the Property as required by the City of Murphy Code of Ordinances.

Section 4. Concept Plan. That the concept plan for the Planned Development District for the Property is attached hereto as **Exhibit C** (the “Concept Plan”) and incorporated herein and sets forth the Planned Development Conditions and Standards for the Property in accordance with the City of Murphy Code of Ordinances.

Section 5. Zoning Ordinance and Map Amended. Chapter 30 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, and that said Property shall in all other respects be subject to all applicable regulations of the City of Murphy.

Section 6. Cumulative/Repealer Clause. This ordinance shall be cumulative of all provisions of state or federal law and all ordinances of the City of Murphy, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

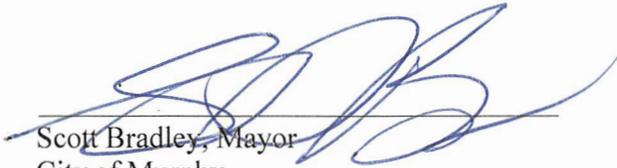
Section 7. Severability Clause. If any word, section, article, phrase, paragraph, sentence, clause or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect for any reason, the validity of the remaining portions of this ordinance or the Comprehensive Zoning Ordinance, Chapter 30 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 8. Penalty Clause. 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 9. Effective Date. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and City Charter in such cases provide.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Murphy, Texas, on this 1st day of August, 2023.




Scott Bradley, Mayor
City of Murphy

ATTEST:


Susie Quinn, City Secretary

APPROVED AS TO FORM:

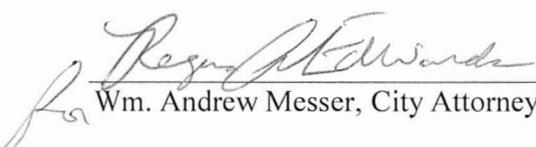

Wm. Andrew Messer, City Attorney

EXHIBIT B

Southfork Estates

PLANNED DEVELOPMENT DISTRICT STANDARDS

- I. **Statement of Purpose:** The purpose of this Planned Development District (PD) is to establish a Concept Plan and specific conditions for the development of the properties known as “Southfork Estates”. The intent of this PD is to achieve a quality high quality residential development.
- II. **Statement of Effect:** This Planned Development shall not affect any regulation found in the Murphy Code of Ordinances, Ordinance No. 15-09-1002, as amended, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Single-Family Residential - 9 (SF-9) District set forth in Article 30.03, Division 7 of the Murphy Code of Ordinances shall apply, except as otherwise specified by this ordinance.
- IV. **Development Plans:**
- A. **Concept Plan:** Development shall be in general conformance with the Concept Plan set forth in Exhibit C; however, in the event of conflict between the Concept Plan and the conditions, the written conditions shall prevail. The Concept Plan shall also serve as the land use plan.
- B. **Site Plan:** A preliminary plat/construction plat shall serve as the site plan for the property.
- V. **Permitted Uses:** Only residential single-family is permitted by right within this PD as defined by the Murphy Code of Ordinances.
- VI. **Specific Regulations:**

A. **Minimum Lot Standards for Blocks A, B and C:**

Minimum Lot Size	9,000 sq.ft
Minimum Lot Width	75 ft (65 ft on cul-de-sac/knuckle)
Minimum Lot Depth	120 ft
Minimum Front Yard Setback	25 ft
Minimum Side Yard Setback (interior)	8 ft
Minimum Side Yard (Adjacent to Street)	15 ft
Minimum Rear Yard Setback	20 ft
Maximum Building Height	35 ft
Maximum Lot Coverage	40%
Minimum Floor Area	2,000 sq.ft.
Garage Orientation	Front Entry

Minimum Driveway Length (from Property Line)	24 ft
Maximum Number of Units	27

B. Minimum Exterior Construction Standards, Building Materials and Design: Exterior Construction and Design Requirements shall comply with Chapter 26 of the City of Murphy Code of Ordinances, as amended.

1. Homes shall consist of a minimum of 50% masonry (brick or stone).
2. Chimneys: Fireplace chimneys shall be 100% masonry (brick or stone). Wood siding, hardy board or other similar material are prohibited.
3. Garage Orientation: Garages may be configured to allow a front entry; however, the garage shall not extend beyond the front façade of the home.

C. Fencing Standards:

1. Solid Screening Wall: A solid six-foot masonry (brick or stone) screening wall shall be constructed on the eastern boundary along the Murphy Road right-of-way and on the southern boundary along the Betsy Lane right-of-way. These walls shall be maintained by the Homeowners Association.
2. Board-on-Board Wood Fence: All the individual lot owners shall construct a minimum of six (6) feet and maximum of eight (8) feet board-on-board wood fence. All wood fences shall incorporate a decorative top rail or cap detailing into the design of the fence.
3. All wood fences shall be maintained by the individual property owner(s).

D. Landscaping Standards:

1. Common Areas shall consist of an arbor, sitting area and landscaping features. These areas will be fenced with aluminum/ tubular steel.
2. Each home shall have one shade tree, minimum of four (4) inch caliper, placed in the front yard.
3. Irrigation: Irrigation shall be installed for all landscaping located within private yards, common areas, landscape buffers and/or open space lots as shown on the Concept Plan. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect.
4. A minimum seven (7) foot landscape buffer along N. Murphy Road over and above the right-of-way.

VII. **Additional Special Regulations:**

- A. Utility/ Power Lines: New utility service lines for individual buildings, signs and for any other site development features shall be placed underground.
- B. Sidewalks: Existing sidewalks along N. Murphy Road and Betsy Lane shall remain.

- C. Communications Antenna/Tower: The existing tower shall be allowed to remain on Lot 16, Block A as shown on the Concept Plan.
- D. Homeowner's Association (HOA): A Homeowners Association duly incorporated in the State of Texas shall be created and each lot/homeowner shall be a mandatory member. The HOA shall be responsible for maintaining the masonry walls and aluminum/ tubular steel fencing if any on the perimeter of the development, open space, landscape buffers and common area (HOA lots) irrigation, landscaping and all common area fences associated with this development. The bylaws of this association shall establish a system of payment of dues, a system of enforcement of its rules and regulations; a clear and distinct definition of the responsibility of each member, and such other provisions as are reasonably deemed appropriate to secure a sound and stable association. The Bylaws shall be submitted to the Director of Community Development for review and approval prior to construction.

EXHIBIT B

Southfork Plaza

PLANNED DEVELOPMENT DISTRICT STANDARDS

I. **Statement of Purpose:** The purpose of this Planned Development District (PD) is to establish a Concept Plan and specific conditions for the development of the properties known as "Southfork Plaza". The intent of this PD is to achieve a quality high quality office and retail development.

II. **Statement of Effect:** This Planned Development shall not affect any regulation found in the Murphy Code of Ordinances, Ordinance No. 15-09-1002, as amended, except as specifically provided herein.

III. **General Regulations:** All regulations of the Neighborhood Services (NS) District set forth in Article 30.03, Division 13 of the Murphy Code of Ordinances shall apply to Block D, except as otherwise specified by this ordinance.

IV. **Development Plans:**

- A. Concept Plan: Development shall be in general conformance with the Concept Plan set forth in Exhibit C; however, in the event of conflict between the Concept Plan and the conditions, the written conditions shall prevail. The Concept Plan shall also serve as the land use plan.
- B. Site Plan: A Site Plan shall be submitted in accordance with the requirements set forth in the Murphy Code of Ordinances.

V. **Specific Regulations:**

- A. Permitted Uses: The following uses shall be permitted:
 - 1. Art Dealer/ Gallery
 - 2. Artist Studio
 - 3. Bike Sales/ Repair
 - 4. Child Day Care (SUP)
 - 5. Civic Club
 - 6. Clinic (medical)
 - 7. Credit Union
 - 8. Florist
 - 9. Martial Arts School
 - 10. Offices (Brokerage Services)
 - 11. Offices (Health Services)
 - 12. Offices (Legal Services)
 - 13. Offices (Medical Office)
 - 14. Offices (Professional)
 - 15. Pharmacy (SUP)
 - 16. Photo Studio

- 17. Retail Store
- 18. Travel Agency

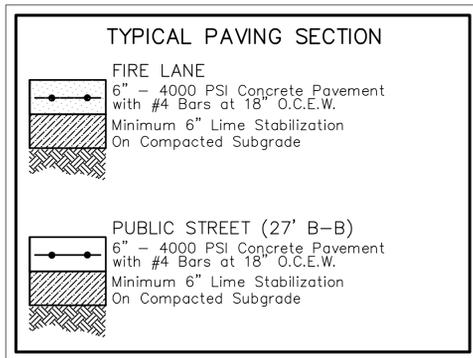
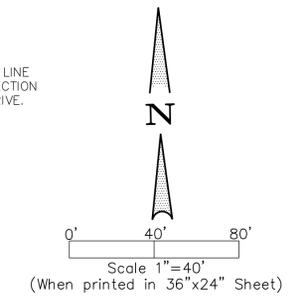
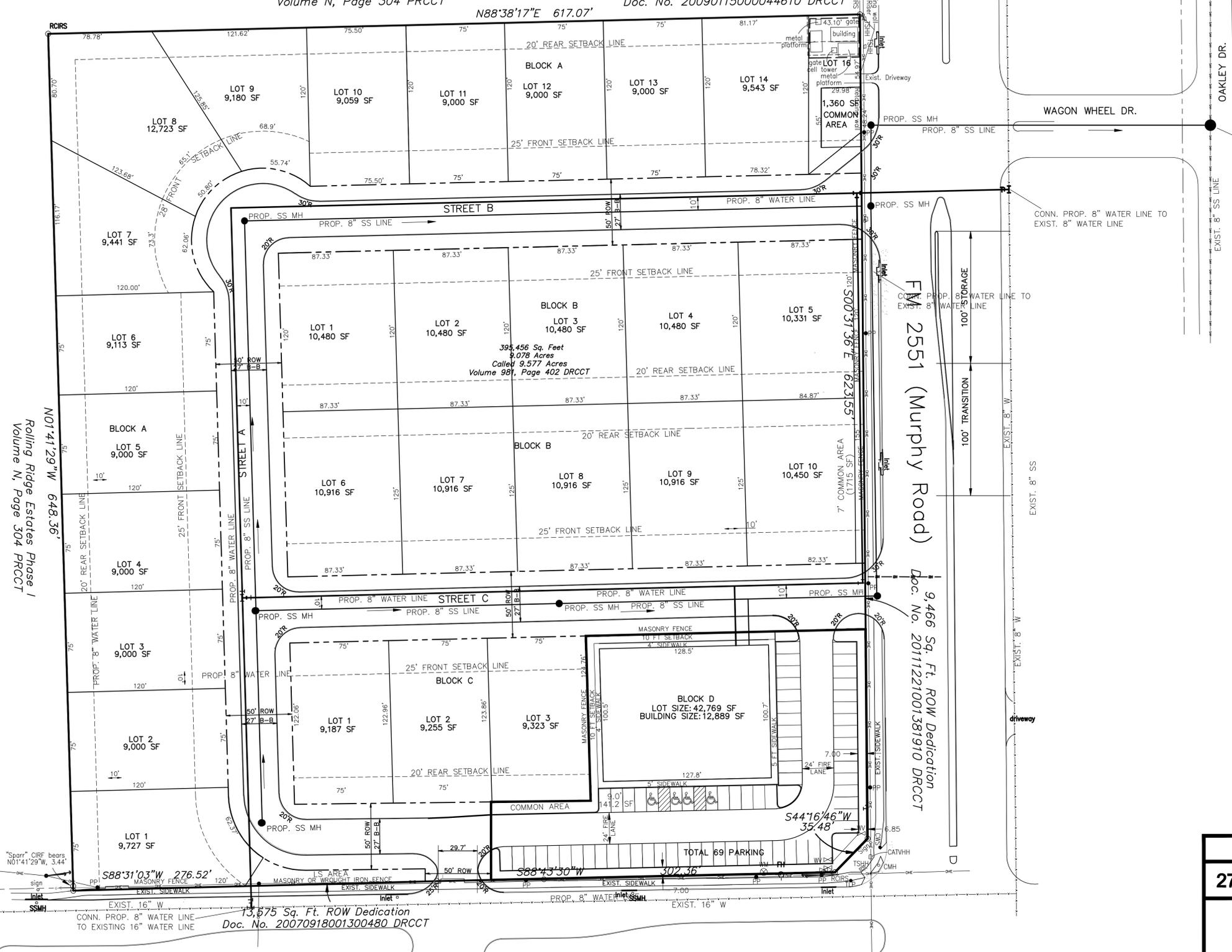
- B. Building Setbacks: No building of any kind shall be placed within the following setback lines:
 - 1. Minimum 40 feet from N. Murphy Road and Betsy Lane.
 - 2. Minimum 15 feet from adjacent single-family development.
- C. Minimum Exterior Construction Standards, Building Materials and Design: Exterior Construction and Design Requirements shall comply with Chapter 26 of the City of Murphy Code of Ordinances, as amended. All structures shall be constructed utilizing a minimum of 80% masonry (brick or stone).
- D. Landscaping Standards: Landscaping shall comply with Chapter 26 of the Murphy Code of Ordinances, as amended, subject the following exceptions:
 - 1. A minimum seven (7) foot landscape buffer along Betsy Lane and N. Murphy Road over and above the right-of-way.
- E. Screening: A minimum eight (8) foot masonry (brick or stone) screening wall shall be placed along the northern and western boundary line of the commercial development on Block D. The screening wall shall be constructed when the commercial lot is redeveloped.
- E. Signage: Signage shall comply with the standards set forth in Chapter 26 of the City of Murphy Code of Ordinances, as amended.
- F. Site Lighting. Lighting shall comply with the standards set forth in Chapter 26 of the City of Murphy Code of Ordinances, as amended.
- G. Sidewalks: Existing sidewalks along N. Murphy Road and Betsy Lane shall remain.

EXHIBIT C
Concept Plan

Rolling Ridge Estates Phase I
Volume N, Page 304 PRCT

0.0275 Acre Lease Area
Doc. No. 20090115000044610 DRCT

NOTE: SITE WILL DRAIN VIA CURB & GUTTER TOWARDS MURPHY ROAD & BETSY LANE



ALL CONCRETE FOR PAVEMENT SHALL BE 4000 PSI FOR MACHINE FINISH AND 4500 PSI IF IT IS NECESSARY FOR HAND FINISH.

CONCEPT PLAN

27 SINGLE FAMILY LOTS & 1 COMMERCIAL LOT

SOUTHFORK ESTATES & SOUTHFORK PLAZA
Isaac Herring Survey Abstract No. 403
CITY OF MURPHY, COLLIN COUNTY, TEXAS

OWNER:
FIRST CRESCENT ENTERPRISES LLC

Rolling Ridge Estates Phase I
Volume N, Page 304 PRCT

FW 2551 (Murphy Road)
9,466 Sq. Ft. ROW Dedication
Doc. No. 20111221001381910 DRCT

13,575 Sq. Ft. ROW Dedication
Doc. No. 20070918001300480 DRCT