

#14

ORDINANCE NO. 2022-01

**AN ORDINANCE OF THE COMMISSIONERS COURT OF NAVARRO COUNTY, TEXAS, AMENDING TABLE A- SCHEDULE OF USES OF ARTICLE IV "REGULATION OF USES" BY DELETING PLANNED DEVELOPMENT USES; AMENDING SECTION F "PLANNED DEVELOPMENT DISTRICTS" OF ARTICLE XIII "CHANGES AND AMENDMENTS" OF THE RICHLAND CHAMBERS LAKESHORE AREA ZONING ORDINANCE TO ALLOW FLEXIBILITY FOR PLANNED DEVELOPMENT ZONING DISTRICTS; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CUMULATIVE CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to the exercise of their local authority granted by the Texas Local Government Code (the "Code"), Chapter 231, Subchapter E, the voters of Navarro County have elected to permit the exercise of zoning authority within the Richland Chambers Lakeshore Area for the purpose of protecting public health, safety, welfare and morals; and

**WHEREAS**, pursuant to such authority the Commissioners Court of Navarro County, Texas, has adopted the Lakeshore Area Zoning Ordinance of the County of Navarro, Texas, as amended; and

**WHEREAS**, the Planning & Zoning Commissioners and County Commissioners of Navarro County have determined that it is necessary and appropriate to amend the Schedule of Uses in Table A and Section F of Article XIII of the Lakeshore Area Zoning Ordinance, governing planned developments district requirements.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS COURT OF NAVARRO COUNTY, TEXAS, THAT:**

**SECTION 1.**

Table A – Schedule of Uses of Article IV "Regulation of Uses by District" of the Richland Chambers Lakeshore Area Zoning Ordinance is hereby amended by deleting PD Planned Development as a zoning district.

**SECTION 2.**

Section F of Article XIII "Changes and Amendments" of the Richland Chambers Lakeshore Area Zoning Ordinance is hereby amended to read as follows:

“Section F. Planned Development Districts:

Purpose: The purpose of this district is to provide for greater flexibility and discretion in the application of a variety of land uses than is possible under conventional district regulations. It is intended that the flexibility permitted by this zoning category extends to discretionary approval, in conjunction with development plan review, not limited to, but including such requirements as those related to building line setbacks, square footage of buildings and structures, protective screening or sign placement and other specifications in order to achieve the purposes and objectives stated in conformance with good planning practices.

Process: The County Commissioners Court of Navarro County, after public hearing and proper notice to all parties affected, after recommendation from the Planning and Zoning Commission, may authorize the creation of a Planned Development District.

Requirements: In establishing a Planned Development District in accordance with this Article, the County Commissioner Court shall require a comprehensive site plan of the proposed development at the time of application. Such site plan shall be approved and filed as part of the application prior to the issuance of any building permit in the Planned Development District. Such required plan and application shall set forth the requirements for the Planned Development Unit. The following items will be required to be shown on a comprehensive site plan:

1. A scale drawing showing any proposed public or private streets and alleys; building sites or building lots; any proposed for dedication or reserved as parks, parkways, playgrounds, utility and garbage easements, school sites, street widening, street changes; the points of ingress and egress from existing public streets on an accurate survey of the boundary of tract and topography with contour intervals of not less than five (5) feet or spot grades wherever the relief is limited.
2. A land use plan where multiple types of land use are proposed that delineates the specific area to be devoted to various uses.
3. A site plan where building complexes are proposed showing the location of each building and the minimum distance between buildings and between buildings and the property line, street line, and/or alley line.
4. A plan indicating the arrangement and provision of off-street parking and off-street loading where required, as well as any special traffic regulation facilities proposed or required to assure the safe function of the circulation plan.
5. A designation of the maximum building coverage of the site shall be indicated on the site plan.
6. Screening and landscape plan shall be required where such treatment is essential to the proper arrangement of the developments in relation to the adjacent property.

Approval: Every Planned Development District approved under the provisions of this ordinance shall be considered as an amendment to the ordinance as applicable to the property involved. In approving the Planned Development District, the County Commissioners Court may impose conditions relative to the standard of development and such conditions shall be complied with before a Permissive Inspection is made by the P & Z Administrator and a statement issued indicating compliance, which is part of the Planned Development District and such conditions shall not be construed as conditions precedent to the approval of the Zoning Amendment, but shall be construed as conditions precedent to the Permissive Inspection and issuance of statement by the P & Z Administrator.

Permitted Uses: Uses and site development in any Planned Development shall conform with all provisions of the Zoning Ordinance except as otherwise depicted in the Planned Development exhibits required by this section or as specified in the Planned Development ordinance amendment for the development.”

### **SECTION 3. PENALTY CLAUSE**

Any person or entity violating any provision of this ordinance shall be given notice in writing of such violation by the Administrator and shall be afforded a reasonable time, as determined by the Administrator, to remedy such violation. In the event that such person or entity continues to violate any provision of this ordinance, after notice and expiration of the time afforded for remedy of the violation, such person or entity shall be criminally responsible for such conduct or omission and may be prosecuted for such criminal violation in the appropriate court. Upon conviction of such criminal conduct, the Court shall impose a penalty consistent with that defined for punishment of Class C misdemeanors in the Texas Penal Code. Each day during which such violation exists shall be deemed a separate offense.

Additionally, if any violation of this ordinance is brought to the attention of the Commissioners Court, that Court shall be authorized to request that the Criminal District Attorney’s Office proceed with appropriate criminal prosecution or civil proceedings for the enforcement hereof. In the alternative the Commissioners Court shall be authorized to retain other counsel for the prosecution of such civil proceedings as may be necessary for the enforcement of this ordinance by injunctive or other relief.

### **SECTION 4. SEVERABILITY CLAUSE**

If any provision, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the County in adopting this Ordinance that no portion hereof or provision shall be inoperative or fail by reason of any unconstitutionality or invalidity of any other portion, provision, or regulation, and to this end, all provisions of this Ordinance are declared to be severable.

### **SECTION 5. CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all provisions of all ordinances of the County except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 6.  
EFFECTIVE DATE**


This Ordinance shall be effective on JANUARY 10TH, 2022, following its passage.

PASSED, APPROVED AND ADOPTED THIS 10TH day of JANUARY, 2022.

  
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H. M. Davenport, County Judge

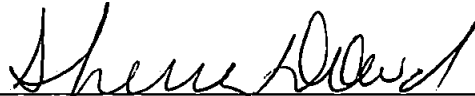
  
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Jason Grant, Commissioner Precinct 1

  
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Eddie Perry, Commissioner Precinct 2

  
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Eddie Moore, Commissioner Precinct 3

ABSENT  
\_\_\_\_\_  
James Olsen, Commissioner Precinct 4

ATTEST:

  
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Sherry Dowd, County Clerk

