

CITY OF HORSESHOE BAY

PLANNING AND ZONING COMMISSION



MARCH 6, 2023

3:00 P.M.

**CITY OF HORSESHOE BAY
PLANNING AND ZONING COMMISSION
NOTICE OF REGULAR PUBLIC MEETING**

March 6, 2023

Notice is hereby given to all interested members of the public that the Horseshoe Bay Planning and Zoning Commission will hold a meeting on Monday, March 6, 2023, in the City Council Chambers located at #1 Community Drive, Horseshoe Bay, Llano County, Texas. The meeting will begin at 3:00 pm.

1. Call the Meeting to Order and Establish a Quorum
2. Public Hearing, discussion, consideration, and recommendation to City Council regarding approval of the Zoning Ordinance rezoning Monarch Ridge from A-1 Recreation to Zone 19 Monarch Ridge
3. Adjournment



CITY OF HORSESHOE BAY

MARCH 6, 2023

To: Planning and Zoning Commission
Thru: Jeff Koska, City Manager
From: Sally A. McFeron, Development Services Director
RE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS, RE-ZONING APPROXIMATELY 308.36 ACRES; KNOWN AS THE MONARCH RIDGE PUBLIC IMPROVEMENT DISTRICT; FROM A-1 RECREATION TO ZONE 19 MONARCH RIDGE ZONING CLASSIFICATION AND AUTHORIZING THE NOTATION OF THE CHANGE ON THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND HEARING

The Monarch Ridge Development Agreement and our annexation ordinance, 14.02.006 Zoning Upon Annexation, requires concurrent zoning with annexation. The property was zoned A-1 Recreational on January 17, 2023.

Attached is the draft re-zoning ordinance of the of the property in line with the Master Development Agreement.

Proposed Motion: *I move to recommend to City Council the approval of the rezoning of The Monarch Ridge Public Improvement District from A-1 Recreation to Zone 19 Monarch Ridge.*

Enclosures:

Aerial Photo of Subject Property
DRAFT Ordinance 2023-_____

CITY OF HORSESHOE BAY

ORDINANCE NO. 2027-█ *(the City Secretary will assign this number)*

AN ORDINANCE OF THE CITY OF HORSESHOE BAY, TEXAS, REZONING OF APPROXIMATELY 308.86 ACRES; KNOWN AS THE MONARCH RIDGE PUBLIC IMPROVEMENT DISTRICT; FROM A-1 RECREATIONAL TO ZONE 19 MONARCH RIDGE AND AUTHORIZING THE NOTATION OF THE CHANGE ON THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND HEARING

WHEREAS, pursuant to the Monarch Ridge Development Agreement, dated October 11, 2022, ("Development Agreement"), as permitted by Section 212.172 (b)(7) of the Texas Local Government Code, the area consisting of approximately 308.36 acres of land described in Exhibit "A" has been annexed; and

WHEREAS, the City Council in its recommendation for concurrent zoning with annexation as permitted in the Horseshoe Bay Zoning Ordinance Section 14.02.006 found the temporary zoning classification of A-1 Recreation in the public interest of the City of Horseshoe Bay, Texas; and

WHEREAS, after public notice was provided and a public hearing was held on February 28th, 2023 and continued to March 6th, 2023 as required by law, the Planning and Zoning Commission voted to recommend approval of the presented zoning change; and

WHEREAS, after public notice was provided and a public hearing was held on March 21, 2023, as required by law, the City Council, in the exercise of its legislative discretion has concluded that the rezoning of The Monarch Ridge Public Improvement District from A-1 Recreation to Zone 19 Monarch Ridge is in the best interest of the City of Horseshoe Bay and should be amended as herein described.

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

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. SECTION OF THE CODE BEING ADDED OR AMENDED

§ 14.02. Zone 19 Monarch Ridge

(See section 14.02.402, standards applicable to all property in all zones.)

- (a) The following provisions and Section 14.02.402 Standards applicable to all properties in all zones shall be applicable to all land within Zone regardless of classification:**

Section 14.02.402(13)(A)(B) requiring commercial projects larger than 15,000 square feet will not apply to medical facilities include but are not limited to any public or private hospital, urgent care clinic, outpatient care center or specialized care centers, medical training facilities, health care facility, physician's office, dispensary, ambulatory surgical center, or similar facilities where medical or dental care is provided to any person.

(1) Spaces between buildings. Where more than one building or a multiple dwelling is located on a lot, the following spaces and passageways shall be provided and maintained:

(A) There shall be at least ten (10) feet between every single-family dwelling, two-family dwelling, multiple dwelling, and any other building on the same lot. These regulations do not apply to required spaces between accessory structures and other buildings on the same lot, which requirements are otherwise provided for herein.

(B) There shall be a passageway at least ten (10) feet in width extending from a street to one entrance of each dwelling unit in a multiple dwelling, unless there is an entrance to the dwelling unit open onto the street or into a hallway opening onto the street.

(C) Where dwellings or a group of dwellings are arranged around a common area, the average width of the court shall not be less than twenty (20) feet. Such a court may serve as the passageway for rear buildings or as the space between buildings.

(2) Side yard setback-reverse corner lots. In the case of a reverse corner lot, there shall be a side yard setback on the street side of the corner lot of not less than the front yard requirements for the lots in the rear of such corner lot.

(3) Flat Roofs. No visible flat roofs shall be permitted on any building or structure constructed on any lot.

(4) Image Corridor and Dark Skies. All standards applicable to the Image Corridor District Overlay and Dark Skies outdoor lighting standards.

(5) Minimum one-half acre lot size. Minimum one-half acre lot size may be reduced by ten percent (10%) for R-1 homes as long as the total number of R-1 lots does not exceed 340 and GH lots do not exceed 140.

(b) The following provisions shall be applicable to all land within Monarch Ridge classified as R-1 Single -Family Residential:

(1) Uses permitted.

(A) Single Family dwellings.

(B) Accessory structures necessary for such use are located on the same lot.

(2) Maximum building height. No Dwelling Unit erected on any Lot shall have more than two (2) stories or exceed a maximum height of thirty-five feet (35') from the highest point on the first floor slab, exclusive of towers and chimneys, or exceed a maximum height of forty-two feet (42') from the lowest point on the first floor slab, inclusive of towers and chimneys.

A sub floor, basement or similar improvement may be allowed as an addition to a two-story Dwelling Unit where necessary due to topographical considerations on such Lot.

(3) **Minimum yard requirements.** Except as specified to the contrary on an approved plat, which specification shall control, the following shall apply:

(A) Front yard setbacks shall conform to a minimum depth of twenty-five (25) feet from the front lot line to the closest structural projection, including porches, but not including eaves, overhangs, planters or fireplaces.

(B) A principal structure shall provide total side yards of not less than fifteen (15) feet with not less than five (5) feet on one (1) side. Corner lots shall maintain a minimum setback of twenty-five (25) feet from the side street line.

(C) A rear yard shall be maintained of at least twenty (20) feet from the rear lot line to the nearest building line.

(4) **Maximum area of dwelling.** Notwithstanding uses otherwise permitted herein, no more than thirty-five percent (35%) of the total Lot area may be used for the Dwelling and other structures, including garages, covered porches, covered contiguous patios or other similar structures.

(5) **Minimum dwelling unit size.** All residences located in Monarch Ridge shall require not less than the following number of square feet, excluding carport, garage, covered porches, covered contiguous patios or other similar appendages, on the lots as specified below.

(A) One Story: 2,500 sf

(B) Two Story: 2,800 sf

(6) **Garages.** All Lots shall provide for at least one garage of no less than 550 square feet per Dwelling Unit to accommodate two standard-sized vehicles and one golf cart, and such structure shall be connected to the main structure. The connection may be by a breezeway. Each garage shall have a minimum width, as measured from inside walls of ten feet (10') per car and a minimum depth for each car of twenty-one feet (21'). All garages shall be designed, erected, constructed, installed or maintained as side entry/load in such manner that the garage doors thereof shall not be located nearer than thirty-five feet (35') to any street curb. All garages shall be completely enclosed.

(c) The following provision shall be applicable to all land within Monarch Ridge classified as GH Garden Home:

(1) **Uses permitted:**

(A) Single-family dwellings.

(B) Accessory structures necessary for such use located on the same lot.

(2) **Maximum building height.** The maximum building height shall be thirty-five (35') feet above the highest natural contour of the applicable lot, exclusive of towers and chimneys,

or exceed a maximum height of forty-two (42') from the lowest point on the first-floor slab, inclusive of towers and chimneys.

(3) **Minimum yard requirements.** Except as specified to the contrary on an approved plat, which specification shall control, the following shall apply:

(A) Front yard setback shall conform to a minimum depth of twenty (20') feet from the front lot line to the closest structural projection, including porches, but not including eaves, overhangs, planters or fireplaces;

(B) A principal structure shall provide a total side yard setback of not less than ten (10') feet, with not less than five (5') feet on one (1) side. Corner lots shall maintain a minimum setback of ten (10') feet from the side street line; and

(C) A zero lot line can have a zero feet set back on one side with a ten (10') feet set back on the other side.

(D) A rear yard shall be maintained at least fifteen (15') feet from the rear lot line to the nearest building line.

(4) **Maximum area of dwelling.** Notwithstanding uses otherwise permitted herein, no more than sixty-five percent (65%) of the total Lot area may be used for the Dwelling and other structures, including garage, covered porches, covered contiguous patios or other similar appendages.

(5) **Minimum dwelling unit size.** All residences shall have not less than 1800 square feet of living space, excluding carport, garage, covered porches and contiguous patios.

(6) **Garages and carports.** All lots shall provide for at least one garage of no less than 450 square feet per dwelling unit and such structure shall be connected to the main structure. The connection may be by a breezeway.

(d) The following provisions shall be applicable to all land within Zone 19 Monarch Ridge classified as C-2 General Commercial:

(1) **Uses permitted.** Retail or wholesale stores or businesses not involving any kind of manufacture, processing or treatment of products other than that which is clearly incidental to the retail or whole-sale business conducted on the premises and which is compatible with the uses permitted below;

(A) Automobile parking areas: Shared parking is allowed in order to meet parking requirements. Further, Development Services Director may allow for a reduction in parking requirements in addition to the shared parking spaces allowance by 10% and in accordance Urban Land Institute Shared Parking 3rd Edition.

(B) Public agency facilities and structures.

(C) Restaurants, tea rooms and cafes, including those offering on and off premises sale of alcoholic beverages, where the law provides.

(D) Assisted living facility.

- (E) Office, professional and general business.
 - (F) Medical facility and associated offices.
 - (G) Health club, health spa, exercise/fitness center.
 - (H) Clubhouses, including restaurants with those offering on and off premises sale of alcoholic beverages, where the law provides, golf and tennis pro shops and attendant facilities located in and surrounded by R-1 classifications;
 - (I) Accessory structures to be located on the same Lot as may be reasonably necessary and appropriate; and
- (2) **Maximum building height.** The maximum building height shall be forty-five (45') feet above the highest natural contour of the applicable Lot and have a maximum of 3 stories.
 - (3) **Maximum area of building.** Notwithstanding uses otherwise permitted herein, no more than 85% of the total lot area may be used for improvements limiting the absorption of water by covering the natural land surface; this shall include, but not be limited to, all streets and pavement within the development.
 - (4) **Minimum area of building.** The ground floor of a building or structure shall not be less than 4,000 square feet.
 - (5) **Landscaping.** Provision of landscaping between parking areas and main access areas, except for access driveways. All parking lots must be landscaped according to the Image Corridor Overlay District.
 - (6) **Parking.** A minimum of one (1) parking space per 250 square feet of net rentable space is required. All required parking spaces are to be 10 feet wide by 20 feet long in conformance with the Image Corridor Overlay District and Dark Skies lighting ordinance.
 - (7) **Exterior Walls.** All buildings or structures must have exterior walls of fifty percent (50%) masonry covering the total of all exterior walls, excluding doors and windows. The exterior portion of all walls that are not masonry shall be painted or stained immediately upon completion or shall have color mixed in the final structural application, excepting acceptable woods that are commonly used without such finishes, so that all such materials shall have a finished appearance. No plywood, pressboard, particle board or similar type of material shall be used on any exterior wall or any structure and in conformance with the Image Corridor Overlay District.
 - (8) **Roof Construction.** All roofs on buildings and structures on any Lot shall be clay or concrete tile or standing seam metal with no visible screws or fasteners and shall be properly installed on a suitable slope.
 - (9) **Hours of operation.** Medical and long-term care facilities in this district shall be allowed to operate 24 hours a day, seven days a week.
 - (10) **Texas Accessibilities Standard.** As to any buildings within this classification which are commercial facilities open to the public, the Owner of such building shall confirm that such

construction plans have been certified as to their compliance with the Texas Accessibility Standard requirements and registered with the Texas Department of Licensing and Registration (TDLR). An inspector certified by TDLR shall conduct a final compliance inspection of the building, and such expense shall be borne by the Owner of such building.

(11) **Conditional Uses.**

(A) Convenience Store with approximately 8 gas pumps, as well as electric recharging stations.

(B) Electrical recharging stations

(e) The following provision shall be applicable to all land within Zone 19 Monarch Ridge classified as A-1 Recreational.

(1) This classification is intended to establish and preserve attractive recreational facilities including golf courses, driving ranges, natural or artificial hazards for the game of golf, tennis courts, pickleball courts, and other recreational facilities, and to protect the integrity of such areas by prohibiting the mixing of uses that are incompatible with the game of golf and other recreational uses. The site should also contain adequate space for the required off-street parking and for buffering from residential classifications.

(2) **Uses permitted.**

(A) Golf Courses including but not limited to tees, fairways, driving range, golf greens, natural and artificial hazards, golf cart repair, service and storage facilities, and golf course maintenance facilities;

(B) Golf academies, including but not limited to instructional facilities, driving ranges, golf greens, tees and fairways;

(C) Tennis courts, pickleball courts, related facilities or clubhouses;

(D) Swimming pools, gym/workout area, basketball courts, and related facilities or clubhouses;

(E) Property owners' association facilities and meeting facilities.

(F) Parks.

(G) Accessory structures and uses incidental to the permitted uses.

(3) **Minimum building setbacks.**

(A) Front: 25' setback

(B) Side: 10' except a minimum of 40' for any side(s) that adjoins residential classifications.

(C) Rear: 25' setback that adjoins residential classification.

III. REPEALER

Any ordinances or parts of ordinances in conflict are herewith repealed to the extent that they are in conflict.

IV. SEVERABILITY

If any of the provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

V. EFFECTIVE DATE

This ordinance shall take effect upon its passage and publication in accordance with the law.

VI. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

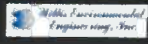
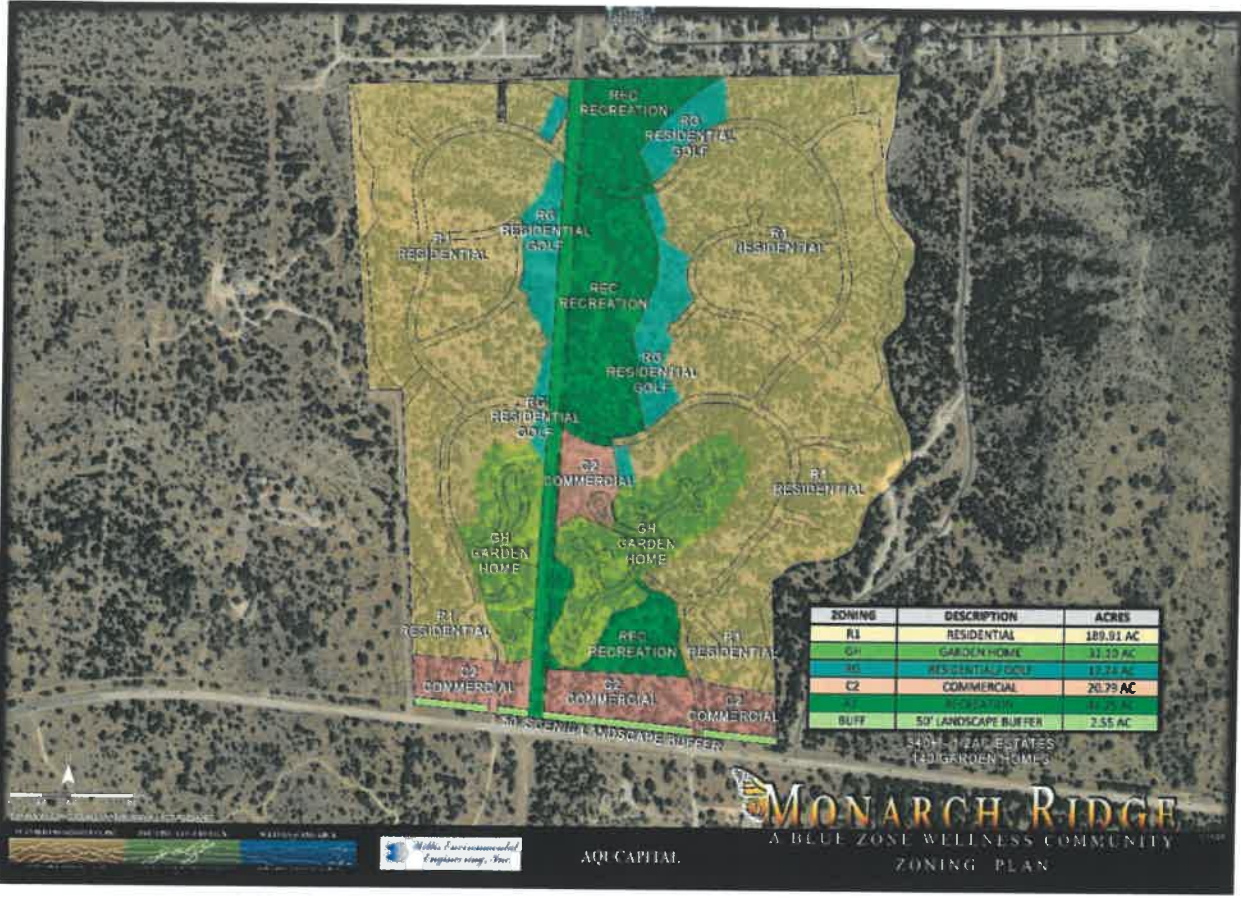
PASSED AND APPROVED on this the 21 day of March , 2023.

CITY OF HORSESHOE BAY, TEXAS

Cynthia Clinesmith, Mayor

ATTEST:

Kerri Craig, City Secretary



AQU CAPITAL

MONARCH RIDGE

A BLUE ZONE WELLNESS COMMUNITY

ZONING PLAN