

ORDINANCE NO. 20-G

AN ORDINANCE AMENDING CHAPTER 21, SUBDIVISIONS AND PROPERTY DEVELOPMENT SECTION 110, PLANNED UNIT DEVELOPMENTS, OF THE CODE OF ORDINANCES, CITY OF ALVIN, TEXAS FOR THE PURPOSE OF REVISING THE REQUIREMENTS FOR PLANNED UNIT DEVELOPMENTS; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

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

Section 1. That Section 21-110 of the Code of Ordinances, City of Alvin, Texas, is hereby amended by revising the requirements for Planned Unit Developments as follows:

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ARTICLE VI. - PLANNED UNIT DEVELOPMENTS

Sec. 21-110. - Planned unit developments.

- (a) Where a developer desires to construct a project with a diversification of types of lots the planned unit development (PUD) criteria may be used.
- (b) The following will be required in order for the development to be built as a PUD:
 - (1) The minimum size of a PUD shall be ten (10) acres, and not less than seven (7) percent of the total area shall be set aside for common areas, contiguous green space or PUD park areas centrally located in each section as described below;
 - (2) Utility easements, drainage easements, or pipeline easements shall not be used in calculating the seven (7) percent requirement;
 - (3) No more than two (2) percent of the greenspace requirement shall come from the amenitization of a wet or dry stormwater detention basin;
 - (4) Each lot shall be a minimum of five thousand five hundred (5,500) square feet in size;
 - (5) Each section must maintain an average lot width of sixty (60) feet as measured at the front building setback line with no lot to be less than fifty (50) feet wide;
 - (6) Twenty-five (25) foot front building set back;
 - (7) Ten (10) foot street side building set back on corner lots; and
 - (8) All streets shall have a minimum right-of-way width of sixty (60) feet.

- (c) Approved amenities to satisfy the seven (7) percent common area requirements are as follows:
- (1) In order for land not part of a lot, street, easement or other specific dedicated purpose not normally considered as common, accessible areas to be considered as part of the seven (7) percent common area/greenspace it must contain two (2) of the following amenities:
 - a. Walking trails area that is only adjacent to a street or detention areas.
 - b. Fountain(s), lighted or unlighted.
 - c. Landscaping with benches and/or gazebos.
 - d. Aesthetic lighting.
 - (2) A PUD park designation does not replace or contribute to the requirements for satisfying the park land dedication and development fee article. In order for a PUD park designation to be acquired and to count toward the seven (7) percent requirement, it must contain at least three (3) of the following amenities:
 - a. Swimming pool with restrooms.
 - b. Clubhouse.
 - c. Basketball and/or tennis courts.
 - d. Playground with equipment.
 - e. Benches and/or gazebos.
 - f. Aesthetic lighting.
 - (3) Other amenities will be considered on a case-by-case basis, but must be approved by the planning commission.
 - (4) All amenities must satisfy the intent of this criterion, which is to maintain the spirit of the conformance with this regulation.
 - (5) Construction details are required for each amenity provided.
 - (6) All amenities are required to be constructed prior to plat recordation.
- (d) In addition to compliance with the requirements for subdivision development set forth in article III, (with the exception of lot dimension requirements, set backs and street rights-of-way set forth in subsection 21-37(b)) and the design criteria, the developer of a proposed PUD shall submit an outline development plan with the preliminary plat. This plan, at a scale of not less than one inch equaling two hundred (200) feet, shall show all the proposed

surface features to be developed. This plan shall include all paving and open space areas with typical layouts.

- (e) All PUD's shall have protective covenants that require a homeowner's association (or other legal entity) to be formed and to be legally responsible for the maintenance of all common areas, easements of any kind, PUD parks, detention areas and private amenities in the PUD. The covenants shall require that sufficient funds be collected and set aside for the proper maintenance of the facilities. Sale or transfer of properties dedicated for common use shall not be permitted without the replatting of the property according to legal requirements.
- (f) A final plan for each section to be developed (with restrictive covenants attached) shall be submitted for review and approval of the planning commission and city council. The approved plan and documents shall be maintained on file by the planning and development department and all future building permits shall be reviewed for conformance with the plan and accompanying documents.

The plan at a scale of not less than one inch equaling two hundred (200) feet (fifty (50) feet or larger) shall include the following:

- (1) All proposed streets, alleys, drives, walkways and trails with a clear designation of those to be public and private.
- (2) All lots or parcels and a clear definition of areas to be retained as common areas with dimensions and bearings.
- (3) In other than single family areas, plot plans for each building site with approximate dimensions of existing and proposed structures with landscaping, amenities and improvements. Indications of the structure heights and elevational features shall be provided.
- (4) In other than single family areas, details of trash collection areas and permanent screening matching the character of the area shall be provided.

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Section 2. That except as amended herein, all other provisions of Chapter 21 of the Code of Ordinances, City of Alvin, Texas, shall remain in full force and effect. To the extent of any conflict or inconsistency between the provisions of this Ordinance and any other ordinance, the provisions of this Ordinance shall control.

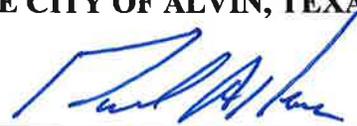
Section 3. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

Section 4. Effective Date. This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of Chapter 52, Texas Local Government Code and the City of Alvin Charter.

Section 5. Open Meetings Act. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and the 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. Notice was also provided as required by Chapter 52 of the Texas Local Government Code and the City of Alvin Charter.

PASSED and APPROVED on the 5th day of March 2020.

THE CITY OF ALVIN, TEXAS

By: 
Paul A. Horn, Mayor

ATTEST

By: 
Dixie Roberts, City Secretary