

Appendix M
River Development District

CITY COUNCIL AGENDA
November 3, 2009

ITEM/SUBJECT: Ordinance Amending Sections 3700 Through 3750 Of Appendix B Of The Code Of Ordinances Of The City Of Wichita Falls To Modify Zoning Regulations Governing The River Development District, And Providing A Penalty Of Up To \$2000 Upon Violation

INITIATING DEPT: Community Development/Planning

COMMENTARY: The River Development District (RDD) was created when zoning went into effect in the mid 1980's. The purpose of the RDD was for "recreation, leisure and to enhance tourism." However, the perimeters of this special district encompass non-river development activities such as single family housing, the Riverside Cemetery, a daycare use, and several commercial uses. Planning staff feels that the state of this current zone may be too restrictive since the zone extends past areas that have little connection to the river and the Multi Purpose Event Center (MPEC).

To accommodate potential expansions of existing uses, and to reflect the manner in which this area is developing, an amendment to the permitted uses category within the district is deemed necessary by adding new uses to the district.

This proposal went before the Planning and Zoning Commission on October 14, 2009, and they recommended approval by a unanimous vote.

Director of Community Development

CITY MANAGER'S REMARKS: Community Development staff, as well as the Planning and Zoning Commission, is recommending approval of the attached amendment to the River Development District (RDD) of our zoning ordinance. This change will accommodate potential expansions of existing uses, and will reflect the manner in which this area is developing.

City Manager

ASSOCIATED INFORMATION: Excerpt from P&Z Minutes; RDD Map Ordinance

BUDGET CERTIFICATION (Account No./ Amount) (- -) / ()

Budget Office Review

LEGAL CERTIFICATIONS:

APPROVED AS TO FORM:

CODIFICATION:

YES NO

City Attorney

Excerpt

Planning and Zoning Commission Minutes

October 14, 2009

TA 09-05

Proposed Text Amendment Adding Various Uses as Permitted Uses within the River Development District

Mr. Odom stated that staff is recommending an amendment to the ordinance by adding certain uses under the permitted use category within the River Development District (RDD). This is a specialized zoning district that extends along the Big Wichita River from the west side of Lucy Park to just past the Bridge Street.

The original purpose of RDD was for an area along the river that would promote recreation, leisure activities, and tourism. Staff feels that the district may be too restrictive, particularly those properties where the zone extends into areas that have little connection to the river or MPEC.

He reviewed the uses that would be added to the permitted uses.

Councilor Elmore commented that he is in favor of a greenway along the River. He also stated that the RDD may extend a little further that it should but it doesn't go as far as it should. He expressed that he really wanted a river park in Wichita Falls. We have an asset in this community that most cities would like to have and he doesn't want to see it ignored any more. Councilor Elmore stated that he wanted to see a flood plain map including the River.

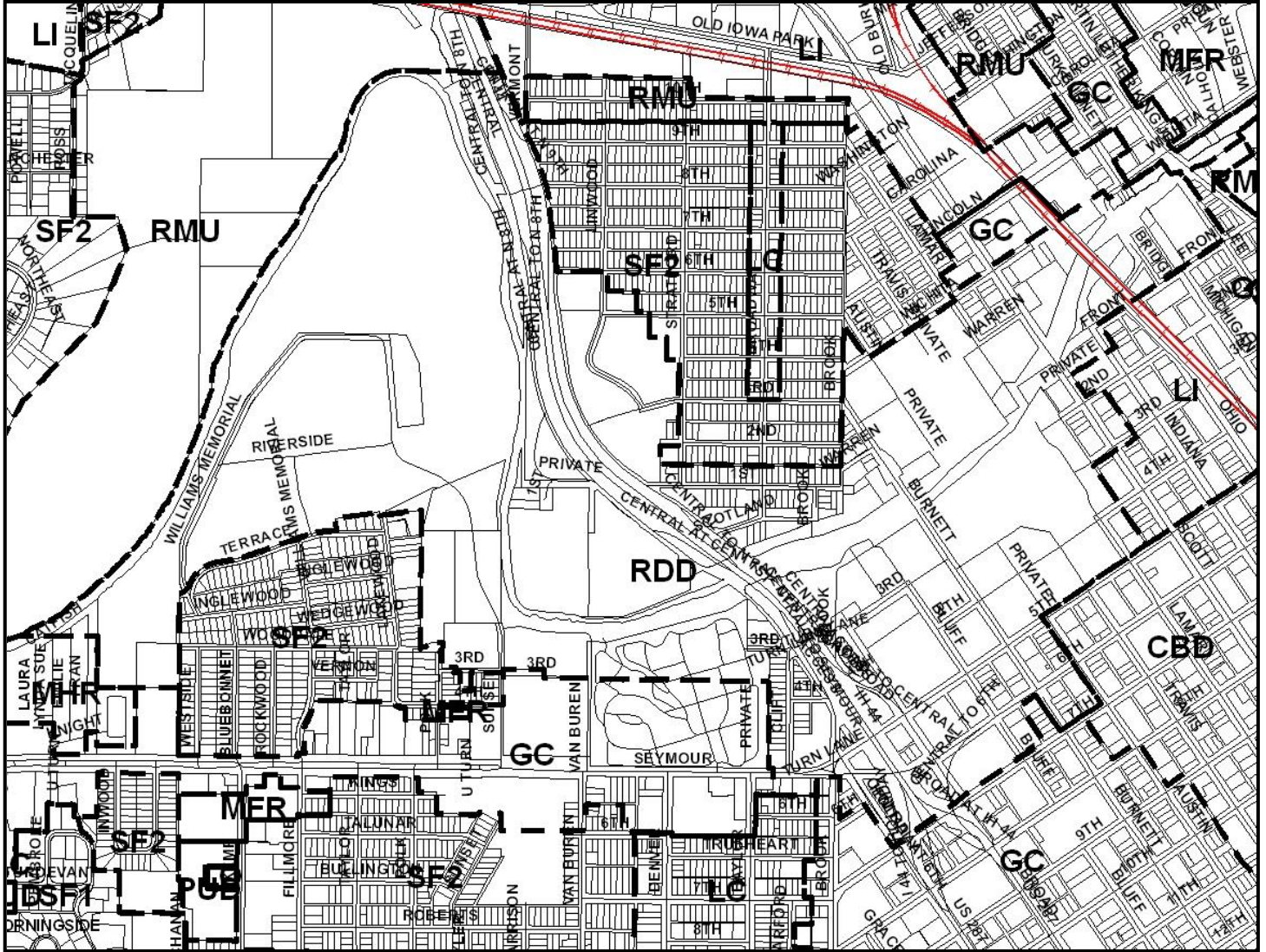
Mr. Clark stated that some of these proposed uses are currently in business and are not in the flood plain. This amendment is more of a language cleanup than fringe uses.

Mr. Stephenson inquired about Riverbend. Mr. Clark replied that it is and it should be included as a Nature Center.

Chairman Tate stated that he was in accordance with Councilor Elmore that we should take the steps toward developing the River in a tourist-type manner because it would certainly benefit the City.

Mr. Ash made a motion to recommend approval to City Council for this text amendment with the addition of Nature Center as a Permitted Use; Mr. Gardner seconded. The motion carried.

Figure 1 - River Development District



ORDINANCE NO. 85-2009

**Ordinance Of The City Council Of The City Of Wichita Falls, Texas,
Amending Sections 3700 Through 3750 Of Appendix B Of The Code Of
Ordinances To Modify Zoning Regulations Governing The River
Development District, And Providing A Penalty Of Up To \$2000 Upon
Violation**

WHEREAS, the Planning and Zoning Commission has reviewed this proposal and recommends approval of the amendments to Section 3700 River Development District, Subsection 3720 Permitted uses; and

WHEREAS, the City Council concurs with the Commission's recommendation to amend Section 3700 River Development District, Subsection 3720 Permitted uses.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

Sections 3700 through 3750 of Appendix B of the Code of Ordinances of the City of Wichita Falls is hereby amended by adding the underlined text and deleting text denoted by strikethrough:

3700. RDD river development district.

3710. Purpose.

The purpose of a River Development district is to provide a facility for recreation and leisure and to enhance tourism. The district shall incorporate uses that will upgrade the river environment into a permanent recreational and commercial facility.

3720. Permitted uses.

A. The following uses are permitted in the RDD district:

Residential uses:

Dwelling, duplex two family

Dwelling, single family detached

B. The following uses are permitted in the RDD district subject to the Site Plan Review provisions of Section 7100:

Residential uses:

Condominium residential

Dwelling, multifamily

Dwelling, zero lot line single family, subject to the provisions of Section 5200
Townhouse residential, subject to the provisions of Section 5300
Group Homes

Civic uses:

Cemetery
Convention center
Daycare, limited & commercial
Library, public
Nature Center
Park
Public safety services
Religious assembly
Schools, primary and secondary
Utility service

Commercial uses:

Alcoholic beverage sales, subject to the provisions of Section 5400
Art gallery/museum
Bed & breakfast Inn
Clinic
Club
Convenience store
Hotels
Indoor sports & recreation
Medical office
Motels
Movie theater
Nursery
Offices
Recreation Vehicle Park
Restaurants
Retail trade
Services, except repair services
Shopping center
~~Trailer park or court~~

3730. Conditional uses.

The following uses are permitted in the RDD district subject to the approval process provided in Section 7200:

Outdoor Entertainment and Recreation
Personal Care Home

3740. Development regulations.

Each site in the River Development District shall be subject to the same development regulations as provided for in Section 3490, the general commercial district.

3750. Special conditions.

1. Each site, except residential uses not subject to site plan review, within the RDD district must meet substantial landscaping requirements to meet the purpose of a linear park system.
2. Conservation of existing trees and natural areas shall be given consideration.
3. Dedication of open-space easements may be required to install a linear trail system.
4. To the greatest extent possible, businesses and other public facilities must orient the buildings to face the river.
5. Signs must be approved through the site plan review process.
6. No repair services or outdoor storage/display shall be permitted

2. Violations of this ordinance shall be punishable by a penalty of up to \$2000 and as provided by Section 1-14 of the Wichita Falls Code of Ordinances.

PASSED AND APPROVED this the 3rd day of November, 2009.

MAYOR

ATTEST:

City Clerk