

CITY OF WILLOW PARK

ORDINANCE NO. 515-04

AN ORDINANCE AMENDING CHAPTER 12 "ZONING" ARTICLE 12.200 "ESTABLISHMENT OF REGULATIONS AND RESTRICTIONS" BY ADDING A NEW SECTION 12.207 "EXTERIOR CONSTRUCTION REQUIREMENTS AND STANDARDS" PROVIDING FOR DEFINITIONS, CONSTRUCTION STANDARDS FOR RESIDENTIAL AND NON-RESIDENTIAL STRUCTURES, ALTERNATIVE EXTERIOR MATERIALS AND EXTERIOR DESIGN STANDARDS AND AN EFFECTIVE DATE

WHEREAS, the City of Willow Park is a municipal corporation organized under the laws of the State of Texas; and

WHEREAS, it is intent of the City of Willow Park to protect the health, safety and welfare and well being of its citizens; and

WHEREAS, the City is pursuant to §211.002 delegated the authority to adopt, amend or repeal zoning regulations that provide for the health, safety and general welfare of the City; and

WHEREAS, authority has been delegated to the municipality pursuant to §211.016 TEX. LOCAL GOVT. CODE to regulate through uniform rule construction standards, materials and landscape that relate to structures within the municipality; and

WHEREAS, the Planning and Zoning Commission of the City of Willow Park conducted a public hearing consistent with §211.006(a), Tex. Local Govt. Code providing for the amendment of zoning regulations including notices required by law.

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

SECTION 1. AUTHORITY

The Mayor, or appropriate City Official or Mayor's designee is hereby authorized and directed to implement the applicable provisions of this Ordinance.

SECTION 2. AMENDMENT

The following Chapter is hereby amended:

Chapter 12, "ZONING REGULATIONS" Article 12.200 "ESTABLISHMENT OF REGULATIONS AND RESTRICTIONS" is amended, by adding the following section :

§12.207 EXTERIOR CONSTRUCTION REQUIREMENTS AND STANDARDS

A. DEFINITIONS - For the purpose of this Section, the following definitions shall apply:

1. "Masonry" construction shall include all construction of stone material, brick material, concrete masonry units, or concrete panel construction, which is composed of solid, cavity, faced, or veneered-wall construction.

The standards for masonry construction types are listed below:

- a. "Stone" material - Masonry construction using stone material may consist of granite, marble, limestone, slate, river rock, and other hard and durable naturally occurring all weather stone. Cut stone and dimensioned stone techniques are acceptable.
- b. "Brick" material - Brick material used for masonry construction shall be hard fired (kiln fired) clay or slate material which meets the latest version of ASTM standard C216, Standard Specification for Facing Brick (Solid Masonry Unit Made of Clay or Shale), and shall be Severe Weather (SW) grade, and Type FBA or FBS or better. Unfired or underfired clay, sand, or shale brick are not allowed.

c. "Concrete" masonry units - Concrete masonry units used for masonry construction shall meet the latest version of the following applicable specifications; ASTM C90, Standard Specification for Hollow Load Bearing Concrete Masonry Units; ASTM C145, Standard Specification for Solid Load Bearing Masonry Units; ASTM C129, Standard Specification for Hollow and Solid Nonload Bearing Units. Concrete masonry units shall have an indented, hammered, split face finish or other similar architectural finish as approved by the City Council. Lightweight concrete block or cinder block construction is not acceptable as an exterior finish.

d. "Concrete panel" construction - Concrete finish, pre-cast panel, tilt wall, or cementitious composition reinforced panel construction shall be painted, fluted, or exposed aggregate. Smooth or untextured concrete finishes are not acceptable unless painted.

2. Glass and Metal Standards are as follows:

a. "Glass walls" shall include glass curtain walls or glass block construction. Glass curtain wall shall be defined as an exterior wall which carries no structural loads, and which may consist of the combination of metal, glass, or other surfacing material supported in a metal framework.

b. "Metal walls" shall include profiled panels and deep ribbed panels. Exterior finish shall be film laminated or baked on enamel painted to the wall manufacturer's standards.

(1) The use of corrugated metal, plastic, or fiberglass panels is prohibited.

(2) The use of galvanized, aluminum coated, zinc-aluminum coated or unpainted exterior metal finish is prohibited.

B. CONSTRUCTION STANDARDS:

1. Construction Standards - The standards and criteria contained within this section are

deemed to be minimum standards and shall apply to all new, altered or repaired construction occurring within the City.

2. Residential:

a) All residential buildings and structures shall be of exterior fire resistant construction having at least seventy-five percent (75%) of the total exterior walls above grade level and below the first floor plate line, excluding doors and windows, constructed of brick, stone, or material of equal characteristics in accordance with the City's Building and Fire Codes. Strict adherence to this rule shall not be such as to prevent architectural creativity.

b) All principal buildings and structures located in the MF Districts shall be of exterior fire resistant construction having at least seventy-five percent (75%) of the total exterior walls, excluding doors and windows, constructed of brick, stone, or other material of equal characteristics in accordance with the City's Building and Fire Codes.

c) Concrete or metal exterior construction is not permitted on any residential structure.

d) Exemptions:

(1) Accessory buildings two hundred and forty (240) square feet or less are excluded from these provisions.

(2) Barns on property of three (3) acres or more, provided that such barns are used solely for agricultural purposes as distinguished from commercial or industrial purposes, shall be exempt from provisions of this Section.

(3) Mobile homes otherwise lawfully existing under the provisions of the Zoning Ordinance shall also be

excluded from provision of this Section.

(4) Historic structures

3. Nonresidential:

- a) All nonresidential structures shall be of exterior fire resistant construction having at least seventy-five percent (75%) of the total exterior walls above grade level, excluding doors and windows, constructed of masonry or glass wall construction, in accordance with the City's Building Fire Codes. Strict adherence to this requirement shall not be such as to prevent architectural creativity.
- b) The following materials are permitted materials for exterior construction:
 - (1) Copper
 - (2) Limestone
 - (3) Rustic wood
 - (4) Stucco
 - (5) Tile
 - (6) Granite
 - (7) Marble
 - (8) Other stone
- c) Use of other exterior construction materials may be permitted by the City Council at the time of site plan approval.

4. Temporary Construction Buildings -

Temporary buildings and temporary building material storage areas to be used for construction purposes may be permitted for a specific period of time in accordance with a permit issued by the Building Official and subject to periodic renewal by the inspector for cause shown. Upon completion or abandonment of construction or expiration of permit, such field offices/buildings and material storage

areas shall be removed at the satisfaction of the Building Official.

5. Procedure for Determining Alternative Exterior Materials:

- a) All requests for alternative exterior building materials shall be noted and described on the site plan. If requested by the City, a sample(s) of the proposed exterior finish material(s) may be required to be submitted with the site plan.
- b) The City may approve an alternative exterior material if it is determined to be equivalent or better than the exterior materials cited in §12.207 "DEFINITIONS" subparagraphs 1. (masonry) and 2. (glass and metal) above as part of the approval of the site plan.
- c) Consideration for exceptions to the above requirements shall be based only on the following:
 - 1) Architectural design and creativity
 - 2) Compatibility with surrounding developed properties

Architectural variances may be considered for, but not limited to, Gingerbread, Victorian, English Tudor, or Log designs.
- d) The request shall be reviewed by the Planning and Zoning Commission, and shall be approved or disapproved by the City Council.

C. EXTERIOR DESIGN STANDARDS:

- 1. Purpose - To ensure the aesthetic value and visual appeal of nonresidential land uses and structures.
- 2. Facade articulation (i.e., offsets) of at least five feet (5') in depth shall be required for every fifty feet (50') in surface length.
- 3. Facade offsets shall be shown, along with calculations verifying that the building elevations meet the above requirement, on a building facade/elevation plan, and shall be submitted and approved as part of the site plan approval process.

SECTION 3. SEVERANCE

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 4. RECITALS

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Resolution.

SECTION 5. PUBLICATION

The City Secretary of the City of Willow Park is hereby directed to publish in the official newspaper of the City of Willow Park the caption hereof and the effective date of this ordinance as required by §52.011 of the TEX. LOCAL GOVERNMENT CODE.

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect from and after the date of its publication as provided in Section 5 hereof.

PASSED AND ADOPTED this 20th day of April, 2004.

James H. Poythress

Mayor

ATTEST:
Andreas Weser

City Secretary/Clerk

APPROVED AS TO FORM:

/s/ _____
City Attorney

The Willow Park City Council in acting on Ordinance No. 515-04, did on the 20th day of April 2004 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
James H. Poythress, Mayor	_____	_____
Scott Rule, Place 1	_____	_____
Terry Skaggs, Place 2	<u>X</u>	_____
Brad Johnson, Place 3	<u>X</u>	_____
Jason Ellerbusch, Place 4	<u>X</u>	_____
Marvin Glasgow, Place 5	<u>X</u>	_____