

ORDINANCE NO. 1887

AN ORDINANCE AMENDING CHAPTER 84 OF THE CODE OF ORDINANCES, IDENTIFIED AS THE UNIFIED DEVELOPMENT CODE OF THE CITY OF EULESS, TEXAS; AMENDING THE CITY OF EULESS ZONING DISTRICT MAP ON R.D. PRICE SURVEY, A-1206, TRACTS 1, 1K, AND 1K1, BY CHANGING THE ZONING FROM CUD 607 (COMMUNITY UNIT DEVELOPMENT 607) BASED ON R-3 ZONING INTO PD (PLANNED DEVELOPMENT) ZONING CONFORMING TO R-1L (SINGLE-FAMILY LIMITED DWELLING DISTRICT) ZONING EXCEPT AS DESCRIBED HEREIN AND ON THE ATTACHED EXHIBIT "A"; PROVIDING FOR A SEVERABILITY CLAUSE, PENALTY FOR VIOLATION AND AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has conducted a public hearing on August 24, 2010, in conjunction with Zoning Case No. #10-01-PD, and has rendered a recommendation to the City Council with respect to this case;

WHEREAS, the City Council has conducted a public hearing on August 31, 2010, considered the recommendation of the Planning and Zoning Commission, and has determined that the proposed change is in the best interest of the general welfare of the City of Euless;

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

SECTION 1

THAT the official zoning district map of the City of Euless, Texas, being a part of Chapter 84 of the Code of Ordinances, be amended to read so that the zoning district classification of R.D. Price Survey, A-1206, Tracts 1, 1K, and 1K1, is changed from CUD 607 (Community Unit Development 607) based on R-3 zoning into PD (Planned Development) conforming to R-1L (Single-Family Limited Dwelling District) zoning Except As Described Herein and on the Attached Exhibit "A"). Said property described above shall be subject to all the safeguards and conditions set forth on said Exhibit "A" or stipulated herein. Said Exhibit "A" shall be applicable only to the property described herein.

SECTION 2

SEVERABILITY CLAUSE. It is hereby declared to be the intention of the City Council of the City of Euless that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this

ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase.

SECTION 3

PENALTY FOR VIOLATION. Any person, firm, or corporation violating any of the terms and provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1, "General Provisions," Section 1-12, "General Penalty," Euless Code of Ordinances. Each such violation shall be deemed a separate offense and shall be punishable as such hereunder.

SECTION 4

EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, as provided by the Euless City Charter and the laws of the State of Texas.

PRESENTED AND APPROVED ON FIRST AND FINAL READING at a regular meeting of the Euless City Council on the 31st day of August 2010 by a vote of _____ ayes, _____ nays, and _____ abstentions.

APPROVED:

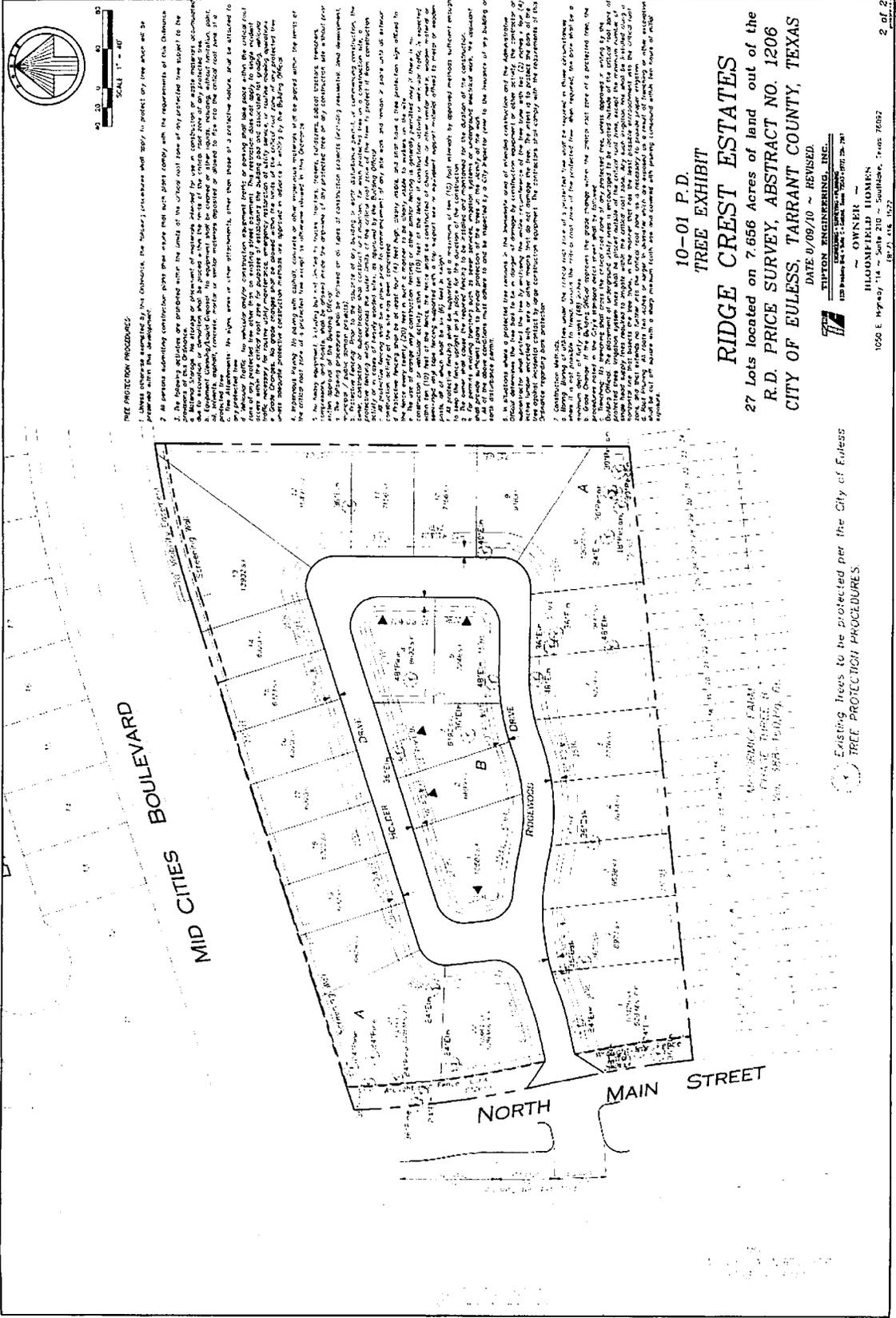
Mary Lib Saleh, Mayor

ATTEST:

Susan Crim, TRMC, City Secretary

APPROVED AS TO FORM:

William M. McKamie, Interim City Attorney



TREE PROTECTION PROCEDURES

1. Unless otherwise specified by the Ordinance, the Owner's procedures shall apply to protect any tree which will be preserved within the development.
2. All persons submitting construction plans shall assure that such plans comply with the requirements of this Ordinance and this Ordinance.
3. The following activities are prohibited within the limits of the critical root zone of any protected tree subject to the provisions of this Ordinance:
 - a. Any excavation, grading, or placement of materials intended for use in construction or other purposes, unaccompanied by a tree protection plan, or any other activity which may damage the tree.
 - b. Any excavation, grading, or placement of materials intended for use in construction or other purposes, unaccompanied by a tree protection plan, or any other activity which may damage the tree.
 - c. Any excavation, grading, or placement of materials intended for use in construction or other purposes, unaccompanied by a tree protection plan, or any other activity which may damage the tree.
4. Any person who is required to submit a tree protection plan shall also submit a tree protection plan which shall be filed with the City Engineer. The tree protection plan shall include the following information:
 - a. A description of the proposed construction project and the location of the protected tree.
 - b. A description of the proposed tree protection measures and the location of the protected tree.
 - c. A description of the proposed tree protection measures and the location of the protected tree.
5. In all instances where a protected tree remains in the boundaries, use of protected construction and the Administration shall be required to submit a tree protection plan to the City Engineer for review and approval. The tree protection plan shall include the following information:
 - a. A description of the proposed construction project and the location of the protected tree.
 - b. A description of the proposed tree protection measures and the location of the protected tree.
 - c. A description of the proposed tree protection measures and the location of the protected tree.
6. Construction shall not be permitted within the critical root zone of a protected tree, unless the tree is protected by a tree protection plan which has been approved by the City Engineer. The tree protection plan shall include the following information:
 - a. A description of the proposed construction project and the location of the protected tree.
 - b. A description of the proposed tree protection measures and the location of the protected tree.
 - c. A description of the proposed tree protection measures and the location of the protected tree.
7. Construction shall not be permitted within the critical root zone of a protected tree, unless the tree is protected by a tree protection plan which has been approved by the City Engineer. The tree protection plan shall include the following information:
 - a. A description of the proposed construction project and the location of the protected tree.
 - b. A description of the proposed tree protection measures and the location of the protected tree.
 - c. A description of the proposed tree protection measures and the location of the protected tree.

10-01 P.D.
 TREE EXHIBIT
RIDGE CREST ESTATES
 27 Lots located on 7.656 Acres of land out of the
 R.D. PRICE SURVEY, ABSTRACT NO. 1206
 CITY OF EULESS, TARRANT COUNTY, TEXAS

DATE 9/09/10 ~ REVISED
 TIPTON ENGINEERING, INC.
 1500 W. HICKORY ST. SUITE 100
 FORT WORTH, TEXAS 76104-1000
 TEL: 817-335-1111 FAX: 817-335-1112

OWNER: **OWNSER**
 1500 W. HICKORY ST. SUITE 100
 FORT WORTH, TEXAS 76104-1000
 TEL: 817-335-1111 FAX: 817-335-1112

Existing trees to be protected per the City of Euleess
 TREE PROTECTION PROCEDURES