

ORDINANCE NO. 2019-9

AN ORDINANCE OF THE CITY OF CANTON, TEXAS, AMENDING THE 1985 CITY OF CANTON ZONING ORDINANCE, AS HERETOFORE AMENDED, BY CHANGING THE ZONING FROM GENERAL BUSINESS DISTRICT (B-2) TO PLANNED DEVELOPMENT DISTRICT (PD) ON THAT APPROXIMATELY 4.15 ACRE TRACT OF LAND LOCATED AT 1521 N. TRADE DAYS BLVD. IN CANTON, TEXAS, OWNED BY STARSHIP TEXAS CITY, L.P. AND STARSHIP PASADENA, L.P. PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission of the City of Canton and the City Council of the City of Canton, in compliance with the laws of the State of Texas, with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, the City Council of the City of Canton is of the opinion and finds that a zoning change should be granted and that the Zoning Ordinance and Map should be amended;

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

SECTION 1. That the Zoning Ordinance and Map of the City of Canton, Texas, as heretofore amended, be and the same are hereby amended by changing the properties owned by Starship Texas City, L.P. and Starship Pasadena, L.P., located at 1521 N. Trade Days Blvd. in Canton, Texas, from General Business District (B-2) to Planned Development (PD) zoning classification.

SECTION 2. That the property described may be used only for the purposes set out in the Zoning Ordinance of the City of Canton, subject to the following special conditions:

- a. that the properties be developed in accordance with the City of Canton Zoning Ordinance; and
- b. that all other regulations of the Planned Development District shall apply as set forth in Exhibit "A" attached hereto.

SECTION 3. That any provisions of the ordinances of the City of Canton in conflict with the provisions of this Ordinance or the Zoning Ordinance and Map, as amended hereby, be, and the same are hereby, repealed.

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or the Comprehensive Plan, as amended hereby be adjudged or held to be

unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance or the Comprehensive Plan as a whole, or any part or provision thereof, other than the part decided to be invalid, illegal or unconstitutional.

SECTION 5. Any violation of this Ordinance shall be a misdemeanor and each day that said violation occurs shall be a separate misdemeanor and the penalty for violating the provisions of this Ordinance shall be a fine not to exceed Two Thousand and No/100 (\$2,000.00) Dollars.

SECTION 6. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

DULY PASSED by the City Council of the City of Canton, Texas, on the 21st day of May, 2019.

APPROVED:


Lou Ann Everett, Mayor

ATTEST:

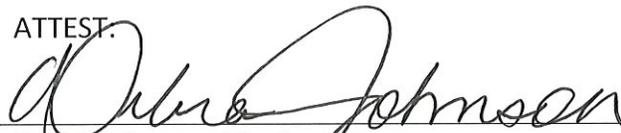

Debra Johnson, City Secretary



EXHIBIT "A"

Description: Approximately 4.15 acres of land generally west and adjacent to State Highway 19/North Trade Days Blvd. and south of Interstate I-20, and more particularly described as follows:

Being 4.15 acres, more or less, in the Q.C. Nugent Survey, Abstract No. 618, and being Lot Three (3) of STARSHIP ADDITION to the City of Canton, Texas as shown by plat recorded in Glide 285A, Plat Records of Van Zandt County, Texas, as revised by plat on Glide 288A, Plat Records of Van Zandt county, Texas

The street address of the site is 1521 North Trade Days Blvd., Canton, TX 75103.

Purpose and Intent: The purpose of this Planned Development Zoning District is to provide a quality development in an orderly fashion. Canton RV Resort (hereafter referred to as CRV) is a destination resort for RV and Park Model recreational users, for those who want to take advantage of the local attractions in Canton, for those who are seeking a get-away in a serene and pleasing setting and who want to be nearby the Canton Trade Days shopping areas, and for Trade Days' business owners who are merchants and vendors of Canton Trade Days who have a need for more stable and nearby living quarters close to their Trade Days' business location.

Procedure: The standards contained herein set forth the conceptual requirements for the development of the district. The developer had prepared a detailed site survey and plan and final plat conforming to the criteria established herein. Such plat is attached hereto as Exhibit "A" and shall be considered the zoning map for the development.

GENERAL CONDITIONS

Conformance to all applicable articles of the Canton Ordinances, Rules and Regulations.

Except as amended herein, this Planned Development shall conform to any and all applicable articles and sections of the City of Canton Zoning Ordinance as they present exist as of the approval date of this ordinance.

DEVELOPMENT CONDITIONS

1. The Development Plan

The long-term plan for CRV will provide quality and convenient RV facilities and accommodations for resort recreational vehicle users for use by the public, including tourists, shoppers, Trade Days' merchants and vendors and other RV visitors of Canton who may be staying in Canton for business, family or personal reasons. It will be an RV resort with 100 RV vehicle pad sites, with a support Guest Service Center that has a bathhouse that includes 14 showers, 14 toilets, and laundry facilities and with a

landscaped area surrounding the facility located near the center of the Resort that serves as a central control access point. The Planned Development is intended to compliment the special tourism attractions of Canton, including Canton Trade Days, the small town character and charm of Canton, local businesses and surrounding attractions. The Planned Development will be served by public utilities and private internal driveways. The land uses within this Planned Development are also intended to meet a portion of the community's transient, RV tourism demand. The Planned Development is primarily intended to create a high quality, "RV" Recreational Vehicle resort, for tourists travelling to and through the area and to serve business owners of Canton who are vendors of the Canton Trade Days, in addition to possibly associated retail development along Trade Days Blvd. The resort will provide the necessary amenities and the basic elements of a balanced and attractive neighborhood. Internal stability, attractiveness, order, efficiency, security and the maintenance of property values are encouraged by the provision of adequate light, air and open spaces for all resort sites and related facilities and through consideration of the proper functional relationships of those various elements.

2. Development Concepts

A. Recreational Vehicle Resort. The resort is and will be developed to the most modern standards to meet the needs of transient RV users. It will be equipped with full electrical (20 amp, 30 amp and 50 amp), water, sewer and cable TV. There will be ample parking, camping services, trash containers and a Guest Service Center that currently includes a bathhouse and laundry facilities surrounded by a landscaped area to accommodate all guests in the Resort. Each site will be a level paved pad.

B. Guest Service Center. This building will serve as the main building serving as the central bathhouse and laundry facility and a surrounding landscaped area. An office could be added or one RV space may be dedicated and used for an office site.

C. Development Standards

- (1) Density: maximum 100 RV Resort "spaces".
- (2) Area regulations – typical RV spaces.
- (3) Space size: A minimum site of 600 square feet in area shall be required.
- (4) Space width: each space shall have a minimum width of twelve feet at the front street line.
- (5) Space depth: each space shall have a minimum depth of fifty feet.
- (6) Pad Identification: All pad spaces shall be marked with painted stripes.

- (7) Pad Size and Parking: Each space shall provide a minimum 12 to 15 feet wide by 50 to 55 feet deep, RV paved parking pad, which will include the RV parking space. Ample parking and overflow parking areas will be provided and maintained.
- (8) Each lot will provide individual RV utility connections to water, sanitary sewer, electricity and cable.
- (9) Private rights-of-way, design and paving specifications shall conform to city standards. No public rights-of-way shall be dedicated within the Resort and all driveways and roads shall be privately constructed and maintained by the Resort.
- (10) Driveways and interior roads
 - a. Access. Access to the resort shall be designed to minimize congestion and hazards at the entrance and exit to allow for free movement of traffic on adjacent streets.
 - b. General requirements. The resort shall provide safe and convenient vehicular access from abutting public streets or roads to the Resort and all internal roads, parking areas and RV sites. All streets, driveways, and RV Pad sites shall be paved. All roadways, sidewalks and common areas shall be maintained in good and working condition, including the prompt repair of any broken paving, utility connections, lighting and landscaping.
 - c. Interior Paving Widths. Interior driveways and roadways planned for two-way traffic should be 24 feet wide. One-way roads should be 12 feet wide.
 - d. Illumination. The Resort will be furnished with pad site lighting units which direct the light downward and within the resort, and with additional lighting throughout the Resort.
- (11) Parking areas. The Resort shall have designated parking areas with ample overflow parking areas adequate to serve the Resort guests.
- (12) Manager's Quarters and Office. One RV space may be permitted for the occupancy of the Owner, Operator and/or Resident Manager(s) of the RV Resort, serving as a business office and the manager's quarters.
- (13) Pad Site Layout

- a. Pull-through and back-in parking sites shall have full hookups and shall be not less than ten feet wide and fifty feet long, constructed of concrete, asphalt or similar paving materials.
- b. Any small RV with plumbing facilities will be required to have hookups.
- c. Each site shall be supplied with an enclosed utility stand for all utility services. Spaces shall not be individually metered for utilities.
- d. Each site shall be level, with a maximum of one-inch variation for every five feet, side-to-side and end-to-end.

(14) Water and Wastewater Systems

- a. Adequately-sized circulating looped water lines are installed and connected to the City service lines, at the Owner's expense, for domestic use and fire protection as per applicable building code requirements.
- b. Adequately-sized sanitary sewer lines to dispose of sanitary wastes are installed and connected to the City sanitary sewer system at the Owner's expense.
- c. No RV shall be permanently affixed or "hard-plumbed" to the City sewer or water system.

(15) Drainage Systems. An adequate drainage system exists and all water on the site drains to the City's drainage system.

(16) Refuse Handling. The method of storage, collection and disposal of refuse in the RV Resort is through an on-site dumpster.

(17) Landscaping. The entire site is paved, except for the landscaping around the Guest Service Center, which is to be maintained by the Owner.

D. Resort Requirement. Additional Resort requirements shall include:

- (1) Access via the main entrance of the Resort.
- (2) All RV spaces will be rented by the day or week (seven days). Extended stay rental may be up to 28 consecutive days total (4 weeks). Long-term rentals of more than 28 consecutive days shall require approval by the on-site Manager, and may be granted for legitimate business or family reasons, such as, for vendors of the Canton Trade Days who desire to maintain and have an RV at

the RV Resort on a longer-term basis as part of the operation of their nearby business as a vendor at Canton Trade Days.

RV sites may be leased by the Resort to RV tenants to park and connect their RV's for variable terms not to exceed one hundred and eight (180) days. At the end of that 180 days, the tenant must vacate the premises for a minimum of fourteen consecutive days before entering into a new RV site.

- (3) Washing and mechanical maintenance of RV's is prohibited within the Resort.
- (4) US Mail service shall not be provided to RV customers.
- (5) The Resort will have an on-site or off-site management available for check-in/check-out services, day-to-day operations, custodial and emergency maintenance response and other guest services.
- (6) The Resort shall require that all RV's be not older than ten years unless otherwise approved by the Manager.
- (7) All RV paved pads shall be maintained in good and working condition, including the prompt repair of any broken paving, utility connections, lighting and landscaping.

E. Emergency and Safety Plan

Visitor and employee safety will always be of highest priority of the Resort. The Owner will work with the City and County officials to develop emergency preparedness, evacuation and safety plans.