

CITY OF ROCKWALL

ORDINANCE NO. 21-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 92 (PD-92) FOR SINGLE-FAMILY 8.4 (SF-8.4) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 196.009-ACRE TRACT OF LAND IDENTIFIED AS TRACT 6 OF THE J. A. RAMSEY SURVEY, ABSTRACT NO. 186, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Kevin Harrell of the Skorburg Co. on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses, on a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

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

SECTION 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 3. That development of the *Subject Property* shall generally be in accordance with the *Density and Development Standards*, outlined in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of

approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'C'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

SECTION 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance [*including Subsections 5(b) through 5(g) below*], shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.
- (b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for a *Master Parks and Open Space Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
 - (1) Master Parks and Open Space Plan
 - (2) Master Plat
 - (3) Preliminary Plat
 - (4) PD Site Plan
 - (5) Final Plat
- (c) *Master Parks and Open Space Plan.* A *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, prepared in accordance with this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.
- (d) *Master Plat.* A *Master Plat* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Master Parks and Open Space Plan* application for the development.
- (e) *Preliminary Plat.* A *Preliminary Plat* for each phase of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted in accordance with the phasing plan established by the *Master Plat* and shall include a *Treescape Plan* for the phase being *Preliminary Platted*. A *Preliminary Plat* application may be processed by the City concurrently with a *Master Plat* and a *Master Parks and Open Space Plan* application for the development.
- (f) *PD Site Plan.* A *PD Site Plan* for each phase of the development of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat* application for the development.
- (g) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, shall be submitted for approval.

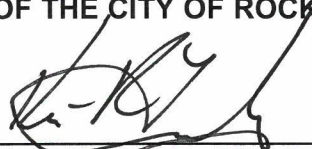
SECTION 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 9. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF JULY, 2021.



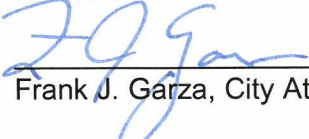
Kevin Fowler, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: June 21, 2021

2nd Reading: July 6, 2021

Exhibit 'A':
Legal Description

Being a tract of land situated in the John A. Ramsey Survey, Abstract No. 186 and in the Abner Johnson Survey, Abstract No. 123, in the City of Rockwall, Rockwall County, Texas, being part of a called 200 acre tract described as Tract 1 and part of a called 1.417 acre tract described as Tract 2, in a deed to Klutts Farm, LLC, (50% undivided interest), as recorded in *Document No. 20160000019783*, of the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.), and being part of a called 200 acre tract described as Tract 1 and part of a called 1.417 acre tract described as Tract 2, in a deed to Klutts Farm, LLC, (50% undivided interest), as recorded in *Document No. 20160000019784*, O.P.R.R.C.T., said tract being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northeast corner of a tract of land conveyed to the State of Texas, as recorded in *Document No. 20200000013574*, O.P.R.R.C.T., being in the east line of FM-549 (*variable width right-of-way*) and in the north line of said Klutts Farm;

THENCE North 88 degrees 26 minutes 14 seconds East, with the north line of said Klutts Farm, a distance of 2,790.07-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set the northeast corner of said Klutts Farm;

THENCE South 01 degree 01 minute 34 seconds East, with the east line of said Klutts Farm and the west line of a called 17.07 acre tract described in a deed to Bobby H Butler and Sarah J. Butler, as recorded in *Volume 1381, Page 266*, in the Deed Records of Rockwall County, Texas (D,R,R,C,T.), a distance of 309.76-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set the southwest corner of said Butler tract and the northwest corner of Hillview Acres, an addition to Rockwall County, as recorded in *Volume F, Page 1*, of the Plat Records of Rockwall County, Texas;

THENCE South 00 degrees 31 minutes 05 seconds East, continuing with the east line of said Klutts Farm and with the west line of said Hillview Acres, a distance of 1,446.49-feet to a 1-inch iron pipe found at the southwest corner of said Hillview Acres, being the northwest corner of a called 15.00 acre tract described in a deed of trust for James J. Fuxa and Deborah A. Fuxa, as recorded in *Volume 1741, Page 70, D.R.R.C.T.*;

THENCE South 00 degrees 10 minutes 07 seconds East, continuing with the east line of said Klutts Farm and with the west line of said Fuxa tract, a distance of 792.29-feet to a 1/2-inch iron rod found at the southwest corner of said Fuxa tract, being in the north line of FM-1139 (80-foot right-fo-way);

THENCE South 88 degrees 46 minutes 40 seconds West, with the north line of said FM-1139, a distance of 2,230.29-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

THENCE South 88 degrees 42 minutes 10 seconds West, continuing with the north line of said FM-1139, a distance of 710.99-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the east line of said FM-549;

THENCE North 00 degrees 22 minutes 42 seconds West, with the east line of said FM-549, a distance of 2.77-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set on a curve to the right, having a radius of 293.00-feet and a central angle of 29 degrees 52 minutes 15 seconds;

THENCE with said curve to the right, an arc distance of 152.75-feet (Chord Bearing North 70 degrees 30 minutes 42 seconds West – 151.03 feet), to a 5/8-inch iron rod with TXDOT cap found at the point of tangency;

THENCE North 55 degrees 34 minutes 29 seconds West, continuing with the east line of said FM-549, a distance of 6.30-feet to a 5/8-inch iron rod with TXDOT cap found;

THENCE North 10 degrees 34 minutes 29 seconds West, continuing with the east line of said FM-549, a distance of 18.30-feet to a 5/8-inch iron rod with TXDOT cap found on a non-tangent curve to the left, having a radius of 1,310.00-feet and a central angle of 15 degrees 44 minutes 31 seconds;

Exhibit 'A':
Legal Description

THENCE continuing with the east line of said FM-549 and with said curve to the left, an arc distance of 359.92-feet (*Chord Bearing North 24 degrees 24 minutes 53 seconds East – 358.79 feet*), to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the west line of a called one acre tract described in a deed to General Public of the State of Texas, as recorded in *Volume L, Page 15, D.R.R.C.T.*;

THENCE South 00 degrees 22 minutes 48 seconds East, departing the east line of said FM-549 and with the west line of said one (1) acre tract, a distance of 214.30-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southwest corner of said one (1) acre tract;

THENCE North 89 degrees 11 minutes 43 seconds East, with the south line of said one (1) acre tract, a distance of 167.02-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southeast corner of said one (1) acre tract, being in the west line of a 50-foot Easement for Right-Of-Way to North Texas Municipal Water District, as recorded in *Volume 5054, Page 202, O.P.R.R.C.T.*;

THENCE North 00 degrees 49 minutes 16 seconds West, with the east line of said one (1) acre tract and west line of said 50-foot Easement, a distance of 267.69-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northeast corner of said one (1) acre tract;

THENCE South 89 degrees 11 minutes 43 seconds West, departing said west line and with the north line of said one (1) acre tract, a distance of 125.09-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the east line of said FM-549;

THENCE North 00 degrees 56 minutes 06 seconds West, with the east line of said FM-549, a distance of 112.36-feet to a 5/8-inch iron rod with TXDOT cap found on a curve to the left, having a radius of 1,310.00-feet and a central angle of 10 degrees 00 minutes 46 seconds;

THENCE continuing with the east line of said FM-549 and with said curve to the left, an arc distance of 228.93-feet (*North 04 degrees 04 minutes 22 seconds East – 228.64 feet*), to a 5/8-inch iron rod with TXDOT cap found at the point of tangency;

THENCE North 00 degrees 56 minutes 00 seconds East, continuing with the east line of said FM-549, a distance of 908.25-feet to a 5/8-inch iron rod with TXDOT cap found;

THENCE North 55 degrees 22 minutes 09 seconds East, continuing with the east line of said FM-549, a distance of 48.05-feet to a 5/8-inch iron rod with TXDOT cap found;

THENCE North 00 degrees 45 minutes 51 seconds East, continuing with the east line of said FM-549, a distance of 50.21-feet to a 5/8-inch iron rod with TXDOT cap found;

THENCE North 52 degrees 46 minutes 08 seconds West, continuing with the east line of said FM-549, a distance of 50.86-feet to a 5/8-inch iron rod with TXDOT cap found;

THENCE North 00 degrees 56 minutes 00 seconds West, continuing with the east line of said FM-549, a distance of 1,098.56-feet to a 5/8-inch iron rod with TXDOT cap found;

THENCE North 89 degrees 05 minutes 09 seconds East, continuing with the east line of said FM-549, a distance of 29.97-feet to a 5/8-inch iron rod with TXDOT cap found;

THENCE North 00 degrees 54 minutes 51 seconds West, continuing with the east line of said FM-549, a distance of 48.05-feet to the *POINT OF BEGINNING* and containing 196.008 acres of land.

Exhibit 'B': Survey

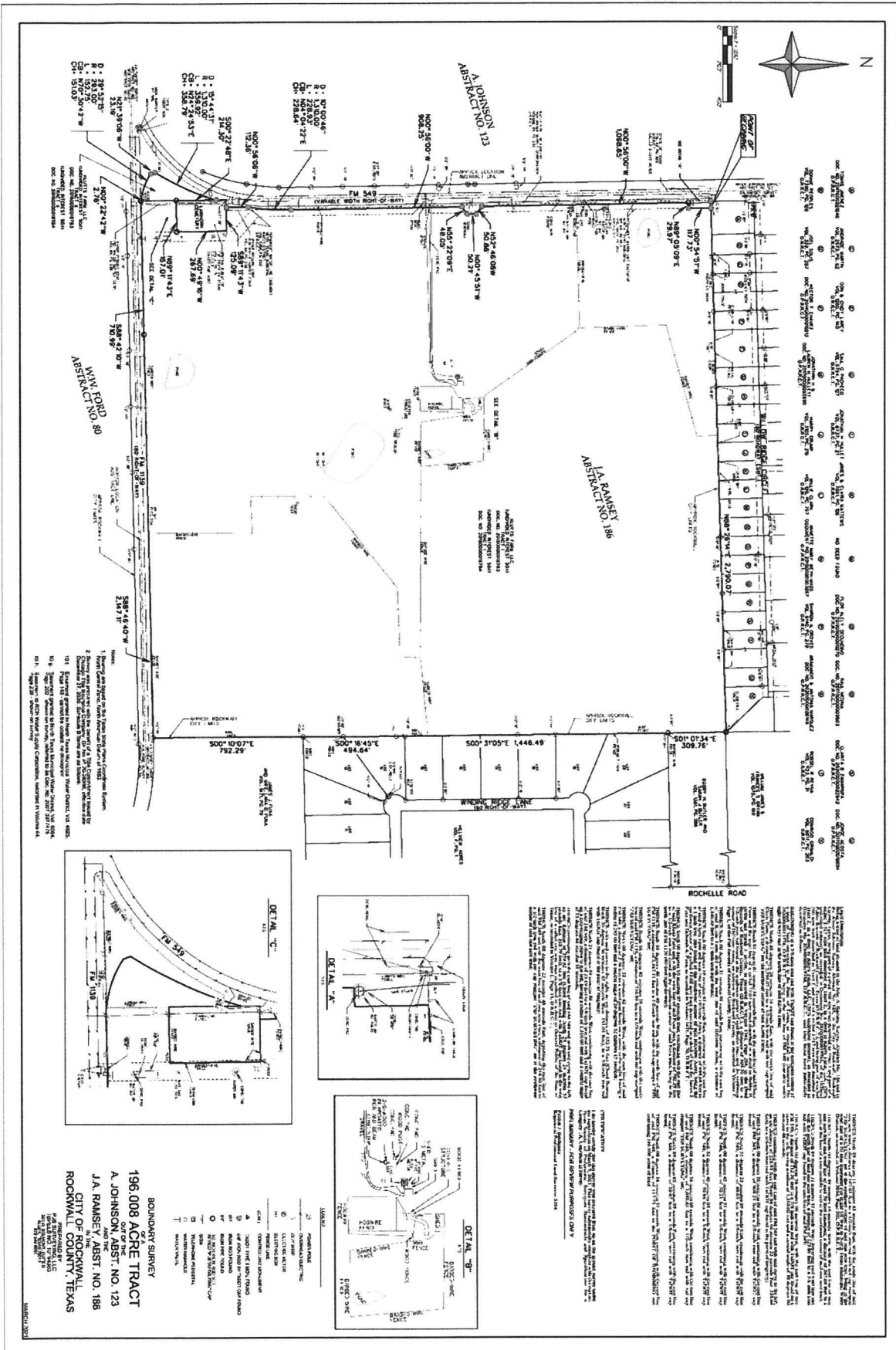
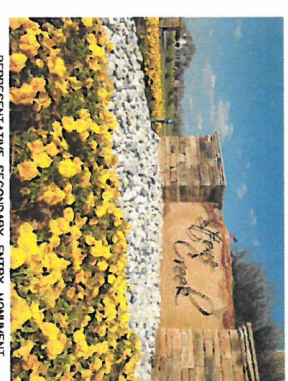
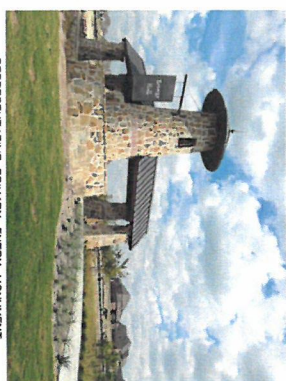


Exhibit 'C': Concept Plan



TOTAL ACRES 396,009
TOTAL RESIDENTIAL LOTS 480
RESIDENTIAL DENSITY 2.499



CONCEPT PLAN
HOME STEAD
SITUA TO BE IN THE
J.A. RAMSEY SURVEY, ABSTRACT NO. 185
N.
CITY OF ROCKWALL,
ROCKWALL COUNTY, TEXAS
CORWIN ENGINEERING, INC.
209 W. BENDON AVENUE E
ROCKWALL, TX 75087
714.286.2233
OWNER
KLUTTS & FARM, L.L.C.
11111 W. BENDON AVENUE E
ROCKWALL, TX 75087
APRIL 27, 2021 SCALE = 25%
CASE NO. XXXX

Exhibit 'D':
Density and Development Standards

Density and Development Standards.

- (1) Permitted Uses. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single-Family 8.4 (SF-8.4) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.
- (2) Lot Composition and Layout. The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	62' x 120'	7,440 SF	226	46.12%
B	72' x 120'	8,640 SF	249	50.82%
C	100' x 120'	12,000 SF	15	03.06%
<i>Maximum Permitted Units:</i>			490	100.00%

- (3) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single-Family 8.4 (SF-8.4) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 2.49 dwelling units per gross acre of land; however, in no case should the proposed development exceed 490 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Lot Type (see <i>Concept Plan</i>) ▶	A	B	C
<i>Minimum Lot Width</i> ⁽¹⁾	62'	72'	100'
<i>Minimum Lot Depth</i>	120'	120'	120'
<i>Minimum Lot Area</i>	7,440 SF	8,640 SF	12,000 SF
<i>Minimum Front Yard Setback</i> ^{(2), (5) & (6)}	20'	20'	20'
<i>Minimum Side Yard Setback</i>	6'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2) & (5)}	20'	20'	20'
<i>Minimum Length of Driveway Pavement</i>	25'	25'	25'
<i>Maximum Height</i> ⁽³⁾	36'	36'	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'	10'	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,200 SF	2,600 SF	2,800 SF
<i>Maximum Lot Coverage</i>	65%	65%	65%

General Notes:

- ¹: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may have the front lot width reduced by 20% as measured at the front property line provided that the lot width will be met at the *Front Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line.
- ³: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ⁴: The location of the *Rear Yard Building Setback* as measured from the rear property line.
- ⁵: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.

Exhibit 'D':
Density and Development Standards

⁶: *Type 'A' Lots* that incorporate a *flat-front entry* garage configuration shall be required to have a minimum setback of 25-feet.

(4) *Building Standards*. All development shall adhere to the following building standards:

(a) *Masonry Requirement*. The minimum masonry requirement for the exterior façade of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard (*e.g. HardiBoard or Hardy Plank*) in a horizontal lap-siding, *board-and-batten* siding, or a decorative pattern (*see examples below*) may be used for up to 50% of the masonry requirement; however, a Specific Use Permit (SUP) may be requested for housing plans that utilize cementitious fiberboard in excess of 50% of the masonry requirement.

Examples of Cementitious Fiberboard



(b) *Roof Pitch*. A minimum of an 8:12 roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a 4:12 roof pitch.

(c) *Garage Orientation and Garage Doors*. This development shall adhere to the following garage design and orientation requirements

(1) *Type 'A' Lots*. The *Type 'A' Lots* (*i.e. the yellow lots depicted in Exhibit 'C'*) may be oriented in a *traditional swing (or j-swing)* garage configuration -- where the two (2) car garage is stated facing the side property line and the driveway swings into the garage in a 'J' configuration. In a *traditional swing (or j-swing)* garage configuration, a second (single or double) garage door facing the street is permitted if it is behind the width of the double garage door in the *traditional swing (or j-swing)* configuration. A maximum of 43.36% of these lots (*i.e. 98 Lots or 20.00% of the total lots*) shall be permitted to be oriented in a *flat-front entry configuration* -- allowing the garage to be flush with the front façade of the primary structure -- pending the front yard setback is increased to a minimum setback of 25-feet.

(2) *Type 'B' & 'C' Lots*. The *Type 'B' & 'C' Lots* (*i.e. blue and tan lots depicted in Exhibit 'C'*) may be oriented in a *traditional swing (or j-swing)* garage configuration -- where the two (2) car garage is stated facing the side property

Exhibit 'D':
Density and Development Standards

line and the driveway swings into the garage in a 'J' configuration. In a traditional swing (or j-swing) garage configuration, a second (single or double) garage door facing the street is permitted if it is behind the width of the double garage door in the traditional swing (or j-swing) configuration.

All garage configurations not conforming to the aforementioned garage configurations shall meet the requirements stipulated by Article 09, *Parking and Loading*, of the Unified Development Code (UDC). In addition, all garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Wood Garage Door



- (5) Anti-Monotony Restrictions. The development shall adhere to the Anti-Monotony Matrix depicted in *Table 3* below (for spacing requirements see *Figures 3 & 4* below).

Table 3: Anti-Monotony Matrix

<u>Lot Type</u>	<u>Minimum Lot Size</u>	<u>Elevation Features</u>
A	62' x 120'	(1), (2), (3), (4)
B	72' x 120'	(1), (2), (3), (4)
C	100' x 120'	(1), (2), (3), (4)

- (a) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.
- (b) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or FM-549 shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

- (1) Number of Stories

Exhibit 'D':
Density and Development Standards

- (2) Permitted Encroachment Type and Layout
 - (3) Roof Type and Layout
 - (4) Articulation of the Front Façade
- (c) Permitted encroachment (*i.e. porches and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.
- (d) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

Figure 3: Properties line up on the opposite side of the street. Where **RED** is the subject property.

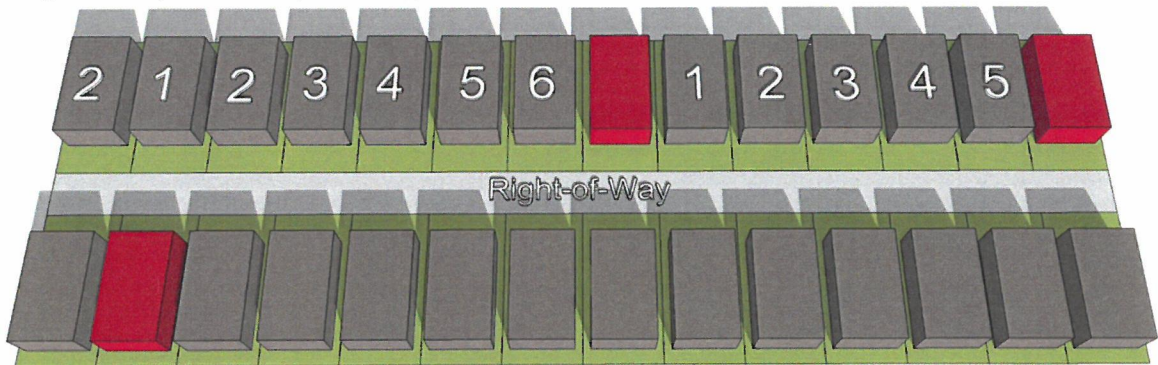
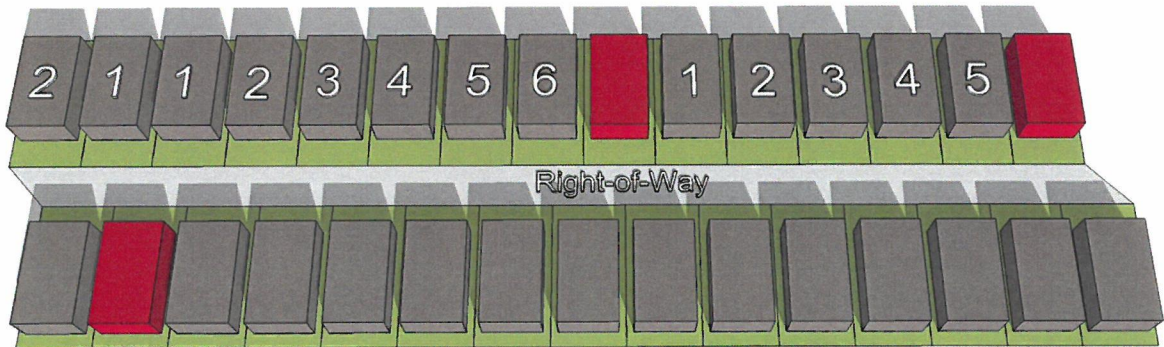


Figure 4: Properties do not line up on opposite side of the street. Where **RED** is the subject property.



- (6) Fencing Standards. All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:
- (a) Front Yard Fences. Front yard fences shall be prohibited.
 - (b) Wood Fences. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel.

Exhibit 'D':
Density and Development Standards

All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

- (c) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways (*i.e. FM-549*), abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.
 - (d) Corner Lots. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.
 - (e) Solid Fences (including Wood Fences). All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.
- (7) Landscape and Hardscape Standards.
- (a) Landscape. Landscaping shall be reviewed and approved with the *PD Site Plan*. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).
 - (b) Landscape Buffers. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
 - (1) Landscape Buffer and Sidewalks (FM-549). A minimum of a 30-foot landscape buffer shall be provided along FM-549 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering six (6) foot trail shall be constructed within the 30-foot landscape buffer to the edge of the *Public Park*. This landscape buffer shall terminate at the *Longhorn Cemetery*, which is identified as *Cemetery* on *Exhibit 'C'*. The general location of this landscape buffer permitted on the *Public Park* is depicted in the crosshatched area on *Exhibit 'C'*.

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- (2) Landscape Buffers (Northern Property Line). A minimum of a 30-foot landscape buffer shall be provided along the northern property boundary. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning --*, a minimum of four (4) caliper inches in size, that will be planted on ten (10) foot centers along the entire northern property boundary. An alternative screening plan proposing the use of existing trees, for the area directly adjacent to northern property line, may be submitted by the developer with the PD Site Plan. This alternative plan can be approved at the discretion of the Planning and Zoning Commission upon a finding that the proposed plan will provide adequate screening that is equal to or exceeds the standards stated in this section.
- (3) Landscape Buffer (Adjacent to the Properties Along the Northern Boundary). A heavy landscape area (*i.e. indicated in dark pink in Exhibit 'C' and labeled as a "62' x 120' Heavy Landscape Area" and "20' Heavy Landscape Area"*) shall be provided adjacent to the northern properties. This landscape area shall consist of a minimum of canopy trees, accent trees, and shrubs and shall be reviewed for conformance with the *PD Site Plan*.
- (c) Street Trees. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-foot vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.
- (d) Residential Lot Landscaping. Prior to the issuance of a Certificate of Occupancy (CO), all residential lots depicted on *Exhibit 'C'* shall be landscaped with a minimum of two (2), three (3) inch caliper canopy trees (*as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]*) within the front yard. In addition, corner lots shall be required to add a minimum of two (2), three (3) inch caliper canopy trees (*as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]*) within the side yard facing the street.
- (e) Irrigation Requirements. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).
- (f) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (8) Street. All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards.
- (9) Lighting. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

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- (10) Sidewalks. All sidewalks adjacent to a street shall be a maximum of two (2) feet inside the right-of-way line and be five (5) feet in overall width.
- (11) Buried Utilities. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
- (12) Open Space/Public Park. The development shall consist of a minimum of 20% open space (or a minimum of 39.2018-acres -- as calculated by the formula stipulated in the *Comprehensive Plan*), and generally conform to the Concept Plan contained in *Exhibit 'C'* of this ordinance. In addition, the following shall apply to the proposed open space and public park areas:
- (a) Public Park. The development shall incorporate a minimum of a 50-acre contiguous tract of land to the City of Rockwall -- identified as "Regional Park" in *Exhibit 'C'* -- for the provision of a public park. The proposed dedication of land shall be in lieu of the required cash-in-lieu of land fees required by Article II, *Parkland Dedication*, of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances; however, the developer shall be required to pay the pro-rata equipment fees as required by the ordinance, which shall be used to amenitized the proposed public park. To accommodate the development, the City shall grant temporary grading and permanent drainage and detention easements as necessary to develop the residential portions of the property in accordance with City requirements. The City shall have the right to relocate said easements granted in connection with the residential development -- at no cost to the residential developer -- such that the City may develop the public park in accordance with the City's desired use. Performance of the obligations under this subparagraph shall be deemed fully to satisfy the City's open space requirements stipulated by the OURHometown Vision 2040 *Comprehensive Plan*.
- (b) Open Space. All open space areas not dedicated as part of the public park (including *landscape buffers*) shall be included in the open space calculation, and maintained by the Homeowner's Association (HOA).
- (13) Amenity Center. An amenity center shall be constructed in generally the same area as depicted in *Exhibit 'C'* of this ordinance, and shall be maintained by the Homeowner's Association (HOA). The design and layout of the amenity center shall be approved with the *PD Site Plan* and may incorporate materials from the historic farmhouse -- which currently situated on the property -- without requiring variances to the material requirements contained in this ordinance or the Unified Development Code (UDC).
- (14) Dog Park. The proposed dog park shall provide two (2) separate areas for large dogs and small dogs. A six (6) foot, vinyl coated chain link fence shall be required around the perimeter of the dog park and separating the two (2) areas. A double gate system shall be installed to reduce the chance of dogs escaping owners when leaving or entering the

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off-leash area. Self-closing gates shall be used to aid in keeping dogs from escaping owners. Waste disposal stations shall be provided for the two (2) separate areas. All areas of the dog park including restocking the waste disposal stations shall be the responsibility of the Homeowner's Association (HOA). In addition, all activities in the proposed dog park shall be subject to Article X, *Dog Parks*, of Chapter 6, *Animals*, of the Municipal Code of Ordinances.

- (15) *Trails and Trailhead*. A concrete trail system and trailhead shall be constructed generally in the same location as the trail system depicted in *Exhibit 'C'* of this ordinance, and shall provide connectivity to the proposed *Public Park*. The proposed trailhead should be of a similar design and quality as the trailhead depicted in *Exhibit 'C'*.
- (16) *Neighborhood Signage and Enhancements*. Permanent subdivision identification signage shall be required at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*; however, the signage should be equal to or better than the representative signage depicted in *Exhibit 'C'*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.
- (17) *Homeowner's Association (HOA)*. A Homeowner's Association (HOA) shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (*including drainage facilities*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development. In addition, the HOA shall be responsible for maintaining any drainage areas on the public park that are necessary to provide sufficient stormwater detention for the residential lots. These areas are required to be delineated on the *PD Site Plan*.
- (18) *VariANCES*. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.