

CITY OF ROCKWALL

ORDINANCE NO. 16-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 80 (PD-80) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 44.56-ACRE TRACT OF LAND IDENTIFIED AS TRACT 3 OF THE T. R. BAILEY SURVEY, ABSTRACT NO. 30, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A'; 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 Pat Atkins of Saddle Star Land Development, Inc. on behalf of the owner Larry Hance 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 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* 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. 04-38*] 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. 04-38*] 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 *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, 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 *Development Standards*, described 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 'B'* 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(e) 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 an *Open Space Master Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
 - (1) Open Space Master Plan
 - (2) Master Plat
 - (3) PD Site Plan
 - (4) Preliminary Plat
 - (5) Final Plat
- (c) *PD Site Plan.* A *PD Site Plan* covering all of the *Subject Property* 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 *Preliminary Plat Application* for the development.
- (d) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat Application* may be processed by the City concurrently with a *PD Site Plan Application* for the development.
- (e) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, for all of the *Subject Property* shall be submitted for approval.

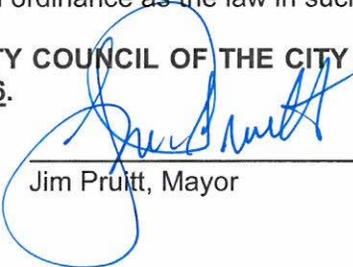
Section 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 8. 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 9. 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;

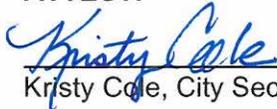
Section 10. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF JANUARY, 2016.



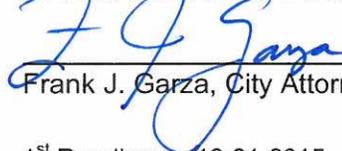
Jim Pruitt, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: 12-21-2015

2nd Reading: 01-04-2016

**Exhibit 'A':
Legal Description**

Exhibit "A"

Description of the Land

All that certain lot, tract or parcel of land situated in the T.R. Bailey Survey Abstract NO. 30, Rockwall County, Texas, and being all of a tract of land as described in a Quit Claim deed from Roy Hance and Randa Hance to Larry Hance, dated March 16, 1993 and being recorded in Volume 769, Page 168 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at ½" iron rod found for corner in the west boundary line of said Hance tract at its intersection with the north right-of-way line of F.M. 552 said point being at the southeast corner of Lot 12B HIDDEN VALLEY ESTATES NO 2 an Addition to Rockwall County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 379 of the Plat Records of Rockwall County, Texas;

THENCE N. 00 deg. 37 min. 18 sec. W. along the west line of said Hance tract and the east line of said subdivision, a distance of 1591.38 feet to a 3/8" iron rod found for corner at the northeast corner of Lot 14A, and at the northwest corner of said Hance tract;

THENCE N. 89 deg. 11 min. 33 sec. E. along the south line of said subdivision, a distance of 440.23 feet to a 1/2" iron rod found for corner at the southeast corner of lot 15B;

THENCE N. 89 deg. 16 min. 20 sec. E. along the north line of said Hance tract, a distance 783.97 feet to a P-K nail in fence corner post found at the northeast corner of said Hance tract and in west right-of-way line of John King Boulevard Hwy 205 bypass;

THENCE S. 00 deg. 31 min. 14 sec. E. along the east line of said Hance tract and along said right-of-way line, a distance of 1584.01 feet to a ½" iron rod found for corner at the intersection of the east line of Hance tract with the north right-of-way line of F.M. 552,

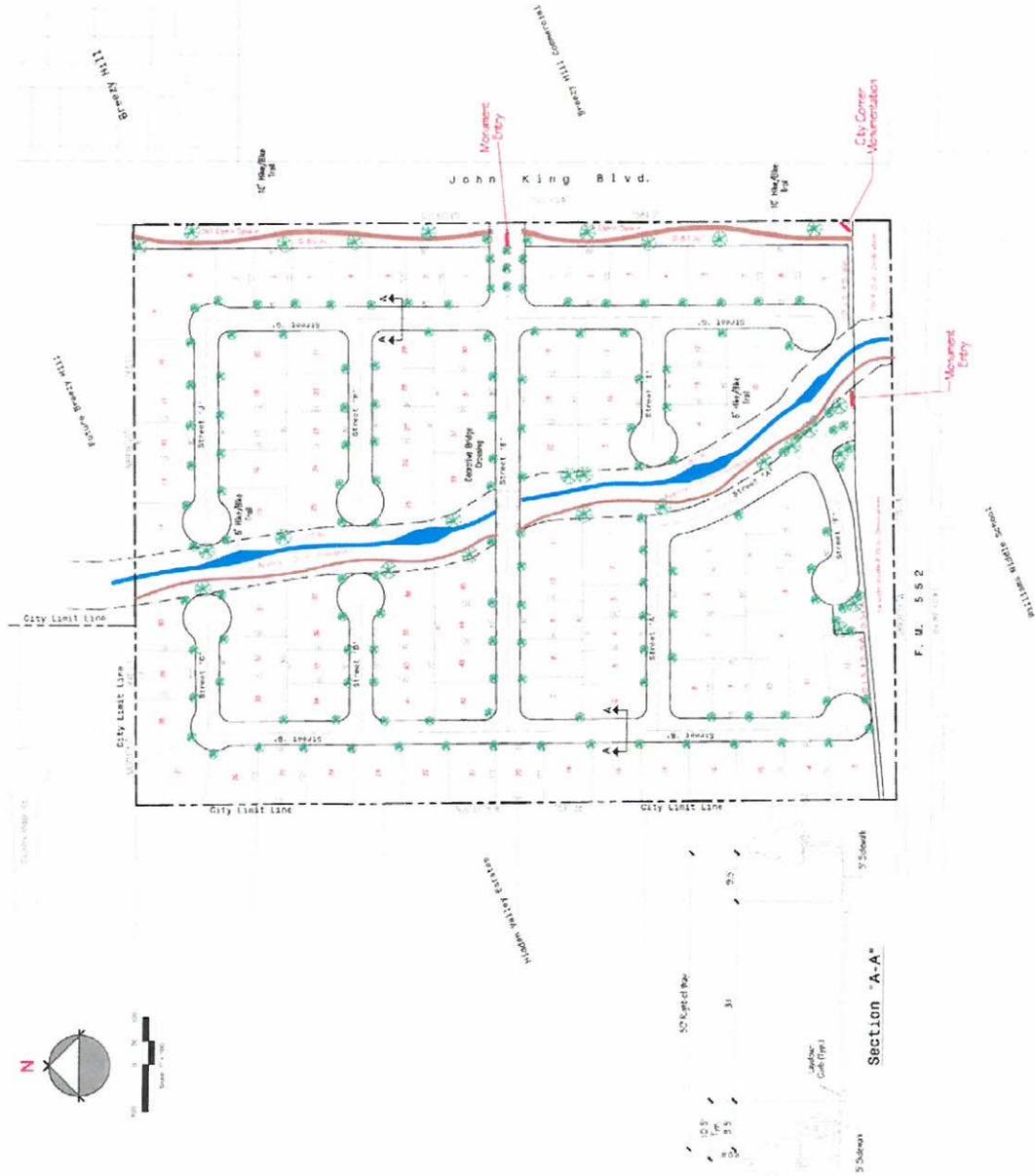
THENCE along said right-of-way line as follows:

S. 89 deg. 21 min. 56 sec. W. a distance of 668.40 feet;
S. 00. Deg. 38 min. 04 sec. E. a distance of 10.00 feet;
S. 89 deg. 21 min. 56 sec. W. a distance of 553.00 feet to the POINT OF BEGINNING and containing 44.56 acres of land.

Exhibit 'B': Concept Plan



Land Use Data
 Total Area - 44.56 Ac.
 Total Open Space - 9.61 Ac.
 Typ. Lot Size - 80'x125' - 79 Lots
 Lot Size - 70'x125' - 12 Lots
 Lot Size - 100'x125' - 18 Lots
 Total Lots - 109
 Density - 2.448 D.U. / Ac.



CONCEPT PLAN

SaddleStar Estates North
 Rockwall, Texas

City of Rockwall, Rockwall County, Texas

Owner: SaddleStar Estates North, LLC
 11775 SaddleStar Blvd.
 Rockwall, TX 75087

Prepared by: **SKR ENGINEERS**
 11775 SaddleStar Blvd.
 Rockwall, TX 75087

Rev. #1 01/15 Date: 01/15/15 Case No. Z-2015-0115

Exhibit 'D':
Development Standards

Development Standards.

1. *Permitted Uses.* Unless specifically provided by this Planned Development 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 IV, *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 'B'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Maximum Dwelling Units (#)	Dwelling Units (%)
A	70' x 125'	8,750 SF	12	11.01%
B	80' x 125'	10,000 SF	79	72.48%
C ⁽¹⁾	100' x 125'	12,500 SF	18	16.51%
<i>Maximum Permitted Units:</i>			109	

General Notes:

¹: All properties adjacent to the western property line shall be a Type 'C' lot (i.e. 100' x 125').

3. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, the development standards stipulated by the Single Family 8.4 (SF-8.4) District, as specified by Article V, *District Development Standards*, of the Unified Development Code are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 2.446 dwelling units per gross acre of land; however, in no case should the proposed development exceed 109 units. All lots shall conform to the standards depicted in *Table 2*, which is as follows:

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	A	B	C
<i>Minimum Lot Width</i> ⁽¹⁾	70'	80'	100'
<i>Minimum Lot Depth</i>	125'	125'	125'
<i>Minimum Lot Area</i>	8,750 SF	10,000 SF	12,500 SF
<i>Minimum Front Yard Setback</i> ^{(2) & (5)}	20'	20'	20'
<i>Minimum Side Yard Setback</i>	5'	5'	5'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2) & (5)}	10'	10'	10'
<i>Minimum Length of Driveway Pavement</i>	25'	25'	25'
<i>Maximum Height</i> ⁽³⁾	30'	30'	30'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	20'	20'	20'
<i>Minimum Area/Dwelling Unit (SF)</i>	2,700 SF	2,700 SF	3,200 SF
<i>Maximum Lot Coverage</i>	65%	65%	65%
<i>Permitted Encroachment into Required Setbacks</i> ⁽⁵⁾	Allowed	Allowed	Allowed

General Notes:

- ¹: The minimum lot width shall be measured at the *Front Yard Building Setback*.
- 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: As measured from the rear yard 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 (Adjacent to a Street)* and shall not encroach into public right-of-way [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':
Development Standards

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

- (a) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementaceous fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and, stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) may be used for up to 50% of the masonry requirement; however, stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) shall be permitted through a Specific Use Permit (SUP) only.
- (b) *Roof Pitch.* A minimum of an 8:12 roof pitch is required on all structures with the exception of sunrooms and porches, which shall have a minimum of a 4:12 roof pitch.
- (c) *Garage Orientation.* Garages shall be oriented in a *traditional swing* (or *j-swing*) or in a front entry configuration; however garages oriented toward the street in a front entry configuration must be situated a minimum of 20-feet behind the front building façade of the primary structure. In this case the front façade of the primary structure does not include a permitted encroachment (e.g. *a porch, sunroom, etcetera*) allowed in *Table 2* above. All garage configurations that are not front entry shall meet the requirements of Article VI, *Parking and Loading*, of the Unified Development Code.

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

Table 3 : Anti-Monotony Matrix

<i>Lot Type</i>	<i>Minimum Lot Size</i>	<i>Elevation Features</i>
A	70' x 125'	(1), (2), (3), (4)
B	80' x 125'	(1), (2), (3), (4)
C	100' x 125'	(1), (2), (3), (4)

- (1) 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.
- (2) 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 on John King Boulevard 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:
 - (a) Number of Stories
 - (b) Permitted Encroachment Type and Layout
 - (c) Roof Type and Layout
 - (d) Articulation of the Front Façade
- (3) Permitted encroachments (i.e. *porch and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient

Exhibit 'D':
Development Standards

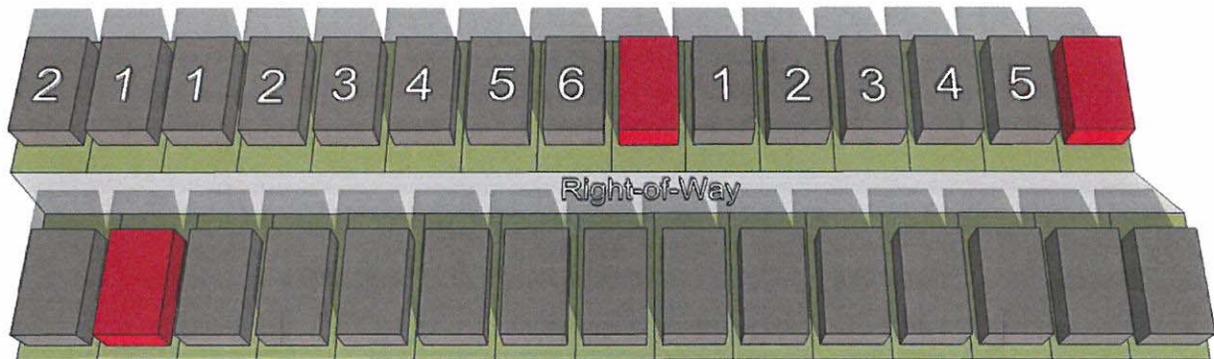
dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.

- (4) 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*).

Illustration 1: Properties line up on the opposite side of the street. Where RED is the subject property.



Illustration 2: 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) **Wood Fences.** All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of six (6) feet in height.
 - (b) **Wrought Iron/Tubular Steel.** Lots located along the perimeter of roadways, 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.

Exhibit 'D':
Development Standards

- (c) *Corner Lots.* Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-foot 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.
- (d) *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.*

- (1) *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. The following tree species are approved for planting within this subdivision:
 - (a) *Canopy/Shade Trees.* Bald Cypress, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, and Burr Oak.
 - (b) *Accent/Ornamental/Under-Story Trees.* Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow.
- (2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
 - (a) *Landscape Buffer and Sidewalks (John King Boulevard).* A minimum of a 50-foot landscape buffer shall be provided along the frontage of John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof 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. The developer shall also be responsible for the construction of a ten (10) foot sidewalk situated within the 50-foot landscape buffer adjacent to John King Boulevard.
- (3) *Streetscape Landscaping.* Prior to the issuance of a Certificate of Occupancy (CO), all residential, single family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by *Section 7(1)* of this ordinance in the following sizes and proportions:
 - (i) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.
 - (ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two (2), three (3) inch caliper trees shall be planted in the side yard facing the street.

Exhibit 'D':
Development Standards

Note: For the purposes of this section only [i.e. Section 7(3)], the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

- (4) *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.
- (5) *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.
10. *Sidewalks.* At a maximum, all sidewalks adjacent to a street shall begin two (2) feet behind 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. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (3-phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. 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.* The development shall consist of a minimum of 12.59% open space (*or 5.61-acres*), and generally conform to the *Concept Plan* contained in *Exhibit 'B'* of this ordinance. All open space areas shall be maintained by the Homeowner's Association (HOA).
13. *Corner Enhancement Concept.* The developer shall be responsible for the construction of a *Corner Enhancement* that generally conforms to the concept design as depicted in *Figure 1 & Figure 2 (below)*.

**Exhibit 'D':
Development Standards**

Figure 1: Corner Enhancement Concept (Aerial View)

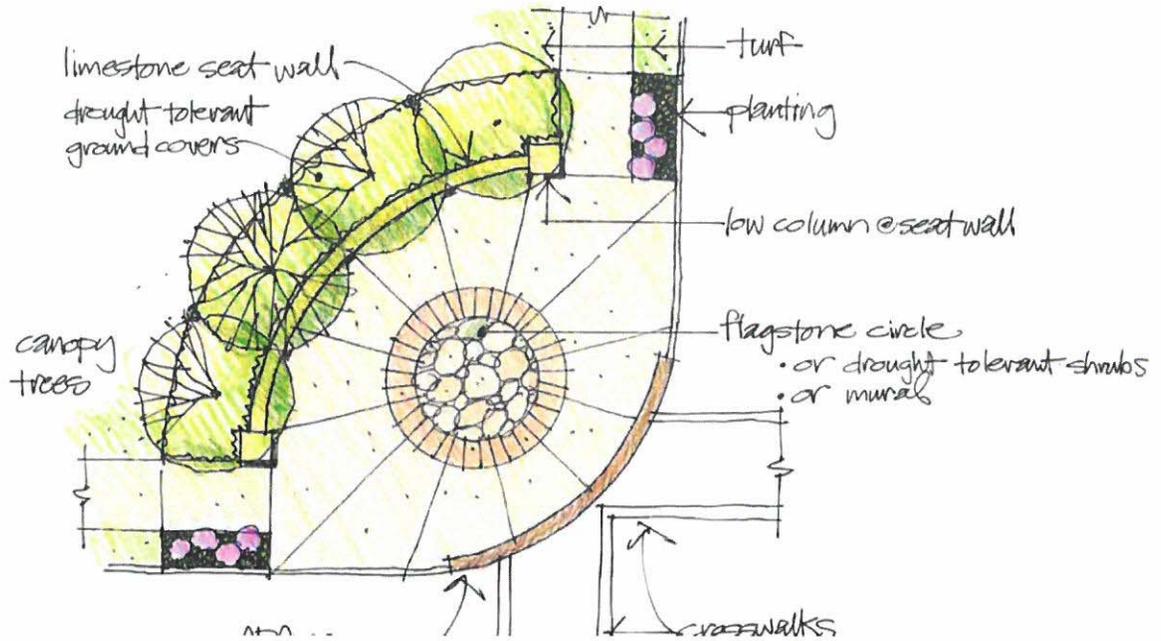
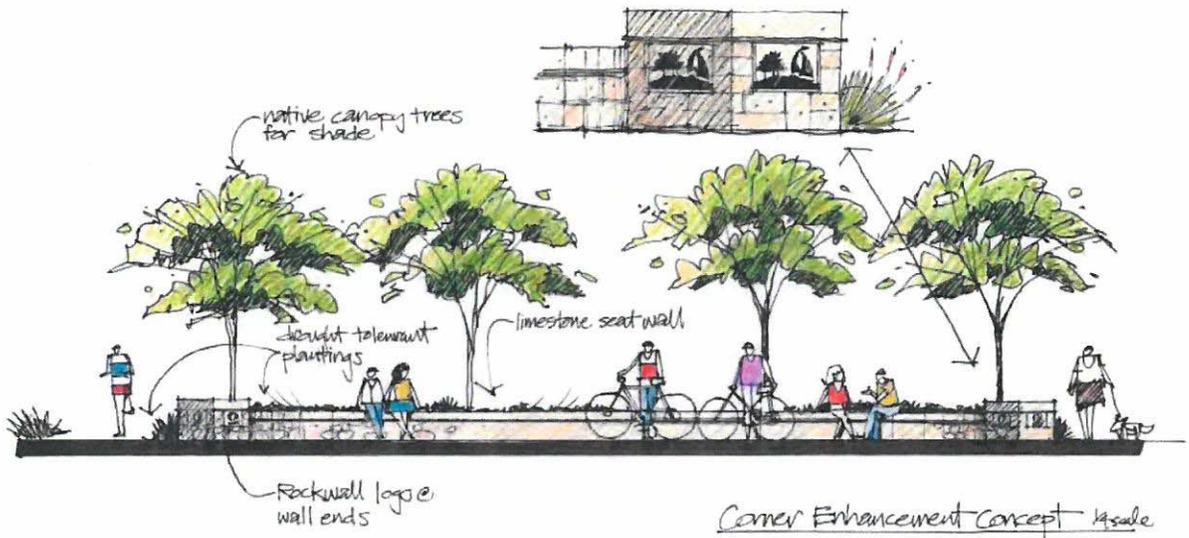


Figure 2: Corner Enhancement Concept (Street View)



14. **Neighborhood Signage.** Permanent subdivision identification signage shall be permitted 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*.

Exhibit 'D':
Development Standards

15. *Drainage Standards.* The development shall comply with existing drainage standards including the permissible spread of water in the streets and permissible gutter flow through intersections as outlined in the City of Rockwall's *Standards of Design and Construction (approved in August 2003 and updated in October 2007)*. The proposed drainage areas, flow patterns, and storm drain system that will be constructed shall be based on the City's drainage criteria and be identified on a *Conceptual Drainage Plan*, which shall be submitted with the *Civil Plans* at the time of *Engineering* submittal. The *Conceptual Drainage Plan* shall be reviewed and approved by the Engineering Department in compliance with engineering standards.

16. *Homeowner's Association (HOA).* A Homeowner's Association 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 neighborhood parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development.

17. *VariANCES.* The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.