

CITY OF ROCKWALL

ORDINANCE NO. 25-15

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 104 (PD-104) FOR SINGLE-FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 98.316-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4 OF THE J. M. GASS SURVEY, ABSTRACT NO. 88, 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 from Adam Buczek of the Skorburg Company on behalf of Dr. Karl Erwin of the Estate of Karl Erwin for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 98.316-acre tract of land identified as Tract 4 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, 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 '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 *Density and Development Standards*, outlined 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 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 'B'* 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 'B'* 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 'B'* 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 'B'* 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 7th DAY OF APRIL, 2025.


Trace Johannesen, Mayor

ATTEST:


Kristy Teague, City Secretary

APPROVED AS TO FORM:


Frank J. Garza, City Attorney



1st Reading: March 17, 2025

2nd Reading: April 7, 2025

Exhibit 'A':
Legal Description

Being a tract of land situated in the John M. Gass Survey, Abstract Number 88, in the City of Rockwall, Rockwall County, Texas, being part of a tract of land described in the Special Warranty Deed to Karl Daniel Erwin, Trustee of Sub-Trust A of the Karl W. Erwin Family Trust, recorded in Volume 6424, Page 27, Deed Records of Rockwall County Texas (D.R.R.C.T.) and being more particularly described as follows:

BEGINNING at mag nail set in asphalt pavement in the approximate center of Clem Road (by use and occupation) at the southeast corner of said Erwin tract;

THENCE South 89 degrees 12 minutes 22 seconds West, with the approximate center of Clem Road and the south line of said Erwin tract, a distance of 1262.89 feet to a mag nail set in asphalt pavement at the southeast corner of a tract of land described in the Warranty Deed to Mt. Zion Water Supply Corp. recorded in Volume 1810, Page 34, D.R.R.C.T.;

THENCE North 01 degrees 14 minutes 17 seconds West, with the east line of said Mt. Zion Water Supply Corp. tract and the west line of said Erwin tract, a distance of 159.00 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northeast corner of said Mt. Zion Water Supply Corp. tract;

THENCE South 89 degrees 12 minutes 22 seconds West, with the north line of said Mt. Zion Water Supply Corp. tract and the west line of said Erwin tract, a distance of 55.00 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northwest corner of said Mt. Zion Water Supply Corp. tract, also being in the east line of J. L. Peoples Subdivision, an addition to the County of Rockwall, Texas, according to the plat recorded in Cabinet A, Page 109, Plat Records of Rockwall County, Texas (P.R.R.C.T.);

THENCE North 01 degrees 14 minutes 17 seconds West, with the east line of said J. L. Peoples Subdivision and the west line of said Erwin tract; a distance of 1498.13 feet to a 1/2-inch iron rod found at the northeast corner of said J. L. Peoples Subdivision, also being the southeast corner of a tract of land described in the Warranty Deed to City of Rockwall recorded in Volume 4695, Page 35, D.R.R.C.T.;

THENCE North 01 degrees 51 minutes 41 seconds West, with the west line of said Erwin tract, the east line of said City of Rockwall tract (Volume 4695, Page 35), and the east line of a tract of land described in the Warranty Deed to City of Rockwall recorded in Volume 2434, Page 53, D.R.R.C.T., a distance of 1330.51 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

THENCE North 89 degrees 34 minutes 35 seconds East, crossing said Erwin tract, a distance of 349.11 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

THENCE North 01 degrees 51 minutes 41 seconds West, crossing said Erwin tract, a distance of 322.10 feet to a mag nail set in asphalt pavement in the approximate center of North Country Lane (by use and occupation), also being the north line of said Erwin tract;

THENCE North 89 degrees 34 minutes 35 seconds East, with the north line of said Erwin tract and the approximate center of said North Country Lane, a distance of 1009.37 feet to a mag nail set in asphalt at the northeast corner of said Erwin tract;

THENCE South 00 degrees 29 minutes 57 seconds East, with the east line of said Erwin tract and generally with the west line of a tract of land awarded to Carol Alley Dejarnett and described as Tract 2 in the Clarified Final Decree of Divorce recorded in Volume 2216, Page 197, D.R.R.C.T., a distance of 644.60 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southwest corner of said Tract 2, also being the northwest corner of Northcrest Estates Addition II, an addition to the County of Rockwall, Texas, according to the plat recorded in Cabinet A, Page 303, P.R.R.C.T.;

Exhibit 'A':
Legal Description

THENCE South 00 degrees 49 minutes 09 seconds East, with the east line of said Erwin tract, the west line of said Northcrest Estates Addition II, the west line of a tract of land described in the Warranty Deed to Stephen Richard Erbert and Patricia Erbert recorded in Volume 5722, Page 62, D.R.R.C.T., and the west line of Watson Estates, an addition to the County of Rockwall, Texas, according to the plat recorded in Cabinet G, Page 319, P.R.R.C.T., a distance of 984.98 feet to a 1/2-inch iron rod found;

THENCE South 00 degrees 59 minutes 53 seconds East, with the east line of said Erwin tract, the west line of said Watson Estates, the west line of a tract of land described in the Warranty Deed to James William Valk, Jr. and Renee Lucille Burns, as Trustees of the James William Valk, Jr. Living Trust, recorded in Volume 6107, Page 305, D.R.R.C.T., the west line of a tract of land described in the General Warranty Deed to Kevin Conner and Amy Conner recorded in Document Number 20140000015800, Official Public Records of Rockwall County, Texas, and the west line of Mustang Acres Subdivision, an addition to the County of Rockwall, Texas, according to the plat recorded in Cabinet A, Page 54, P.R.R.C.T., a distance of 1671.08 feet to the POINT OF BEGINNING and containing 4,277,500 square feet (98.198 acres) of land.

Exhibit 'B': Concept Plan

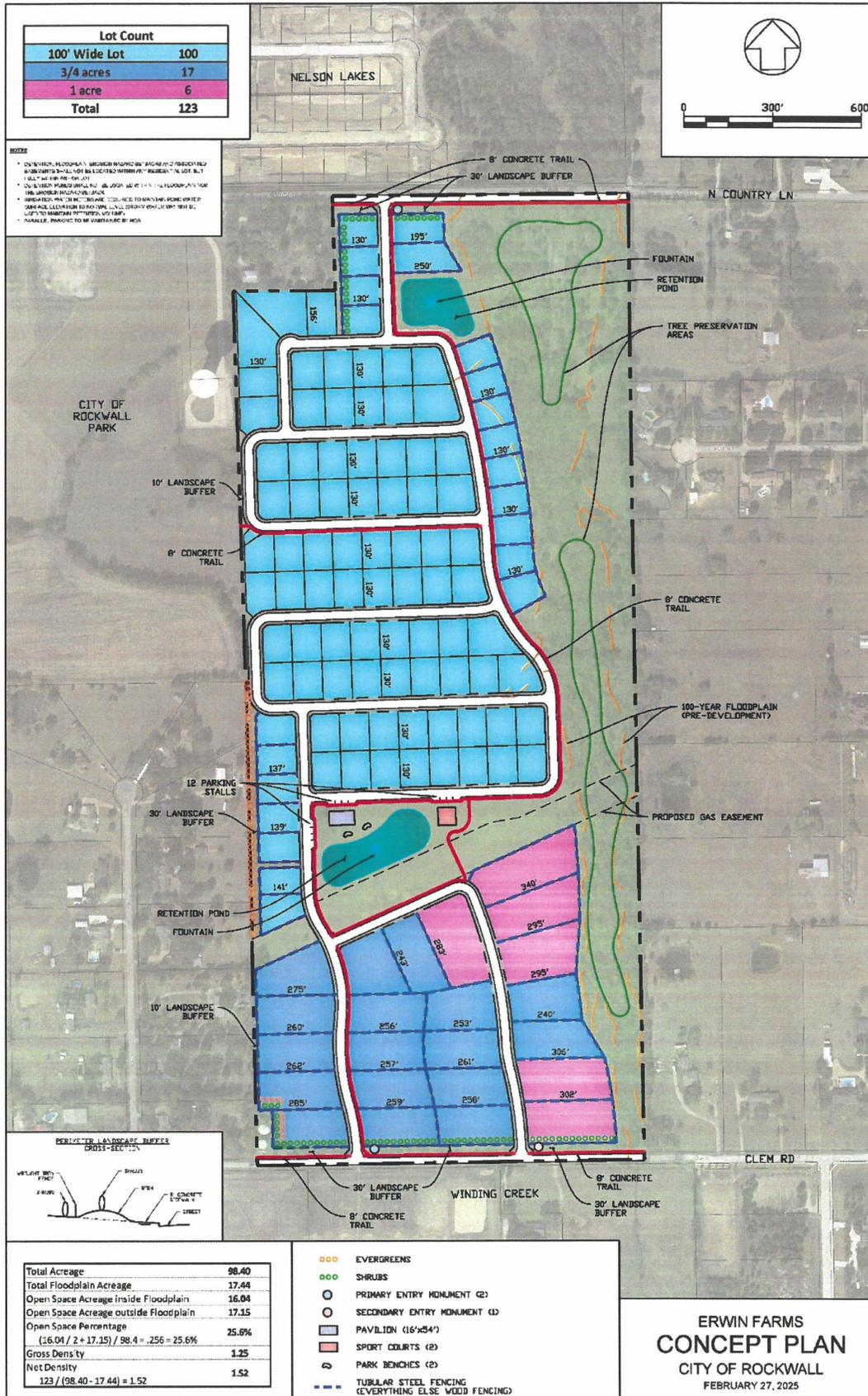


Exhibit 'C':
Density and Development Standards

Density and Development Standards.

- (1) Permitted Uses. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 10 (SF-10) 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 'B'* 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	100' x 120'	12,000 SF	100	81.30%
B	120' x 230'	32,670 SF	17	13.82%
C	120' x 275'	43,560 SF	6	04.88%
<i>Maximum Permitted Units:</i>			123	100.00%

Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 10 (SF-10) 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 1.25 dwelling units per gross acre of land; however, in no case should the proposed development exceed 123 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

Lot Type (see Concept Plan) ►	A	B	C
<i>Minimum Lot Width</i> ⁽¹⁾	100'	120'	120'
<i>Minimum Lot Depth</i>	120'	230'	275'
<i>Minimum Lot Area</i>	12,000 SF	32,670 SF	43,560 SF
<i>Minimum Front Yard Setback</i> ^{(2) & (5)}	25'	30'	30'
<i>Minimum Side Yard Setback</i>	10'	10'	10'
<i>Minimum Side Yard Setback Adjacent to a Street</i> ^{(2), (5), & (6)}	20'	20'	20'
<i>Minimum Length of Driveway Pavement</i>	25'	30'	30'
<i>Maximum Height</i> ⁽³⁾	36'	36'	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'	30'	30'
<i>Minimum Area/Dwelling Unit (SF)</i> ⁽⁷⁾	2,800 SF	3,000 SF	3,000 SF
<i>Maximum Lot Coverage</i>	65%	60%	60%

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 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.
- ⁶: All *Corner Lots* that back to a lot that fronts onto the same street that the *Corner Lot* sides to (*i.e. a Keystone Lot*), shall have a side setback that is equal to the front setback of the fronting lot. In addition, no solid fence shall be situated within this setback.
- ⁷: Air-Conditioned Space.

Exhibit 'C':
Density and Development Standards

(3) 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 100.00% (excluding dormers and walls over roof areas). 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 50.00% of the masonry requirement; however, a Specific Use Permit (SUP) may be requested for housing plans that utilize cementitious fiberboard in excess of 50.00% of the masonry requirement.

FIGURE 1: 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', 'B' & 'C' Lots (all Lot types). All lots as depicted in *Exhibit 'B'* 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.
- (2) All garage configurations not conforming to the aforementioned garage configurations shall meet the requirements stipulated by Article 06, *Parking and Loading*, of the Unified Development Code (UDC). In addition, all garage configurations shall have upgraded finishes that consist of the following architectural elements: [1] coach lighting, [2] decorative wood doors or wood overlays on insulated metal doors, [3] include two (2) of the upgraded or enhanced finishes from *Figure 3 & 4* below, and [4] driveways that are constructed with ornamental stamped concrete brick pavers, stained finished, or salt finished. [see *Figures 1 – 3* for examples of the aforementioned garage and driveway features].

Exhibit 'C':
Density and Development Standards

FIGURE 2. EXAMPLE OF COACH LIGHTING



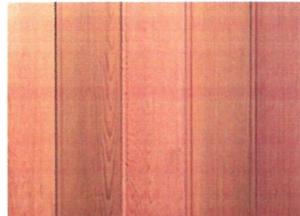
FIGURE 3: EXAMPLES OF UPGRADED OR ENHANCED FINISHES



DIVIDED BAYS



CARRIAGE HARDWARE



CEDAR CLADDING

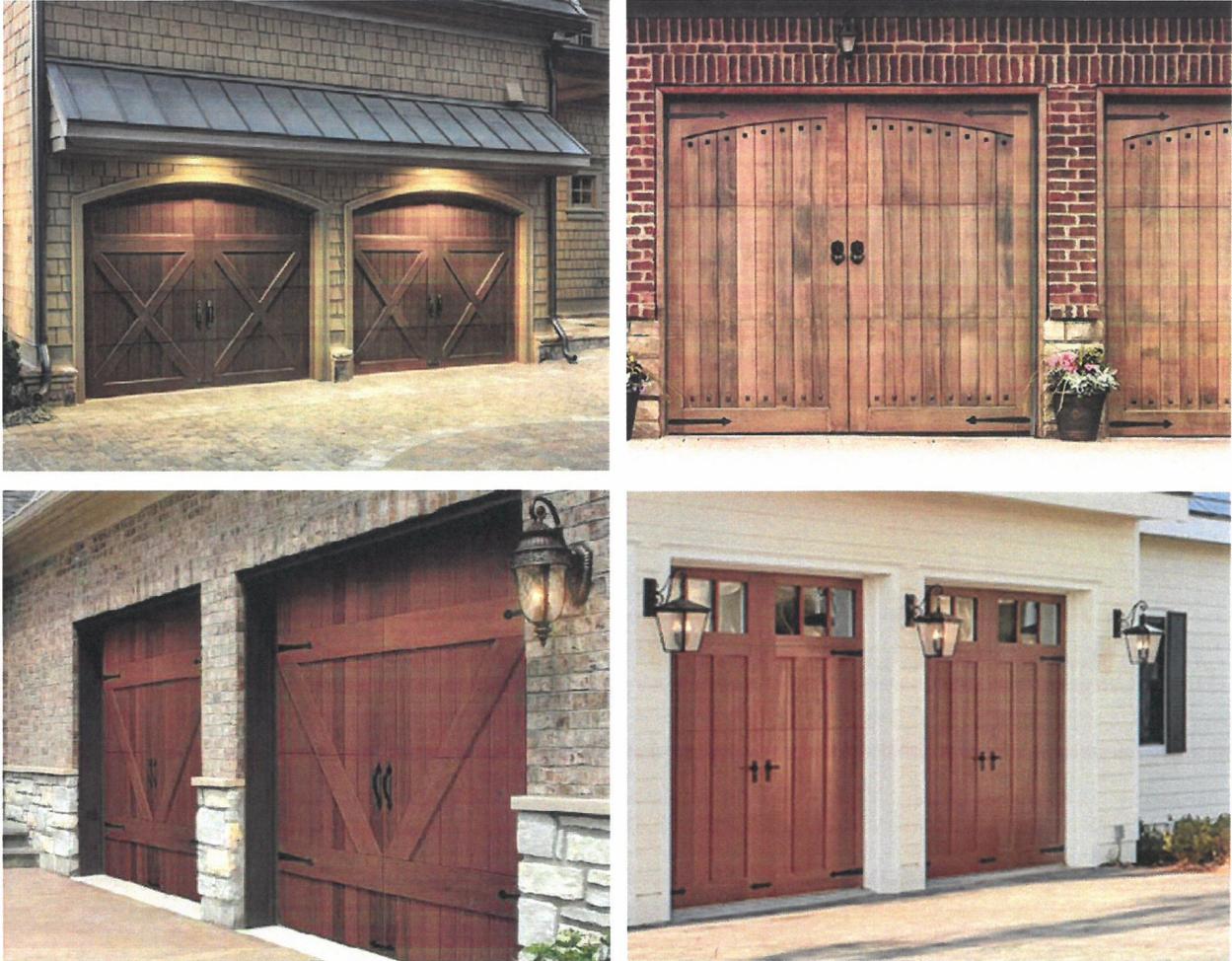


ORNAMENTAL PAVING

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Exhibit 'C':
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FIGURE 4: EXAMPLES OF UPGRADED GARAGES



- (4) Anti-Monotony Restrictions. The development shall adhere to the Anti-Monotony Matrix depicted in Table 3 below (for spacing requirements see Figures 5 & 6 below).

TABLE 3: ANTI-MONOTONY MATRIX

<i>Lot Type</i>	<i>Minimum Lot Size</i>	<i>Elevation Features</i>
A	100' x 120'	(1), (2), (3), (4)
B	120' x 230'	(1), (2), (3), (4)
C	120' x 275'	(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 Clem Road or North Country Lane shall not repeat without at least five (5) intervening homes of differing appearance. Homes

Exhibit 'C':
Density and Development Standards

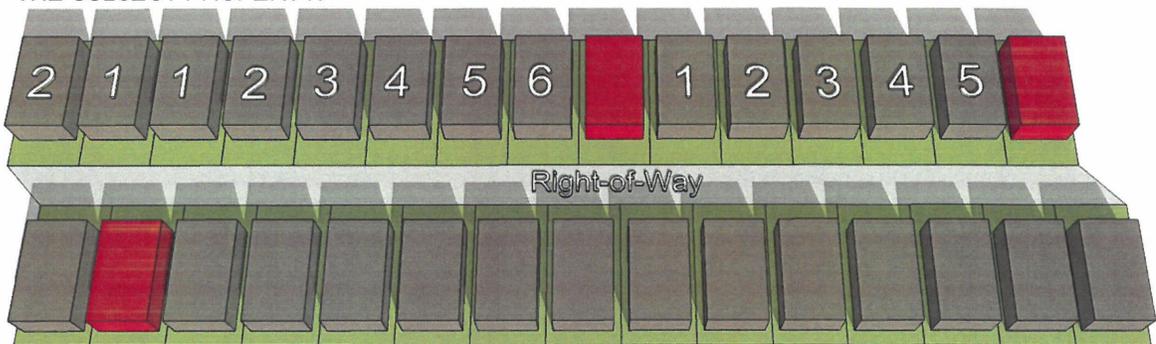
are considered to have a differing appearance if any of the following two (2) items deviate:

- (1) Number of Stories
 - (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 5: PROPERTIES LINE UP ON THE OPPOSITE SIDE OF THE STREET. WHERE RED IS THE SUBJECT PROPERTY.



FIGURE 6: PROPERTIES DO NOT LINE UP ON OPPOSITE SIDE OF THE STREET. WHERE RED IS THE SUBJECT PROPERTY.



(5) 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, adhere to the *Concept Plan* depicted in *Exhibit 'B'*, and meet the following standards:

(a) Front Yard Fences. Front yard fences shall be prohibited.

Exhibit 'C':
Density and Development Standards

- (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. 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. North Country Lane and Clem Road*), abutting open space contiguous to perimeter roads, greenbelts and parks shall be required to install a wrought iron or tubular steel fence as depicted in the *Concept Plan* in *Exhibit 'B'* of this ordinance. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height and a minimum of four (4) feet in height.
 - (d) Corner Lots. Corner lot fences (*i.e. adjacent to the street*) shall provide masonry columns evenly spaced along the side and/or rear property line – *with columns not exceeding 45-foot centers* -- that begin 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. 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.
 - (f) Fence in Easements. No fencing shall be constructed in or across a franchise utility or the City of Rockwall's easements.
- (6) 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.
 - (1) 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).
 - (2) 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 within the residential lot located along the wrought iron/tubular fencing that abuts the required 30-foot HOA maintained landscape buffer, which shall be maintained by the homeowner.

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- (3) The four (4) residential lots with a rear lot line that backs up to the 30-foot wide HOA maintained landscape buffer (*which shall include a 20-foot utility easement*) near the entrance off N. Country Lane (*as depicted on Exhibit 'B'*) shall be required to plant a row of shrubs within the residential lot along the rear yard wrought iron/tubular fencing and shall be maintained by the homeowner.
 - (4) A minimum 30-foot HOA maintained landscape buffer (*which shall include a 20' drainage easement*) shall be incorporated between the *Type 'A'* Lots abutting the existing residences located in the City of Rockwall extraterritorial jurisdiction as depicted on Exhibit 'B'. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees – *either Eastern Red Cedar or Leland Cypress unless otherwise approved by the Director of Planning and Zoning* -, a minimum of four (4) caliper inches in size at the time of planting, that will be planted on 20-foot centers.
- (b) Landscape Buffers. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA). 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. All trail locations shall generally be in accordance with *Exhibit 'B'* of this ordinance.
- (1) Landscape Buffer and Sidewalks (North Country Lane). A minimum of a 30-foot landscape buffer shall be provided along North Country Lane (*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 shall have a minimum height of 30-inches and a maximum height of 48-inches. No berms shall be allowed on water or sanitary sewer lines. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering eight (8) foot trail shall be constructed within the 30-foot landscape buffer.
 - (2) Landscape Buffer and Sidewalks (Clem Road). A minimum of a 30-foot landscape buffer shall be provided along Clem Road (*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 shall have a minimum height of 30-inches and a maximum height of 48-inches. No berms shall be allowed on water or sanitary sewer lines. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering eight (8) foot trail shall be constructed within the 30-foot landscape buffer.
 - (3) Landscape Buffer Adjacent to Open Spaces and Public Parks. A minimum of a ten (10) foot landscape buffer shall be provided along the roadway adjacent to the public park. This landscape buffer shall incorporate ground cover and shrubbery along the entire length of the adjacent street frontage. In addition, one (1) canopy tree and one (1) accent tree shall be planted per 50-linear feet.
- (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 that are less than ten (10) inches in size, and ten (10) feet from public water, sanitary sewer, and storm lines that are ten (10) inches and greater. In addition, no

Exhibit 'C':
Density and Development Standards

street trees shall be allowed to be located within public right-of-way. 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), any residential lots depicted on *Exhibit 'B'* shall be landscaped with a minimum of two (2), four (4) 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 one (1), four (4) 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 detention areas, 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*.
- (7) *Street*. All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards.
 - (8) *Parallel Parking*. All parallel parking shall be a minimum of 22' x 9' *face-to-face*, be within a *Parking Maintenance Easement*, built to the City's design standards, and be maintained, repaired and replaced by the Homeowner's Association (HOA).
 - (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*. 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; however, trails adjacent to residential lots -- *as depicted in Exhibit 'B' of this ordinance* -- shall be eight (8) feet in width and shall be permitted to extend up to two (2) feet outside the right-of-way, inside the residential lot, in a pedestrian access easement.
 - (11) *Buried Utilities*. New distribution power-lines required to serve the *Subject Property* and the existing power-lines adjacent to North Country Lane 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) *On-Site Sewage Facilities*. *Septic Systems* are permitted on *Lot Types 'B' & 'C' per Table 1 and as depicted on the Concept Plan in Exhibit 'B' of this ordinance* pending conformance to the following standards:
 - (a) All *Septic Systems* shall be designed by a licensed *On-Site Sewage Facility (OSSF)* professional (*e.g. licensed engineer, sanitarian, etcetera*).

Exhibit 'C':
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- (b) A stamped and signed copy of the *Septic System* plans indicating the full limits of the septic field shall be submitted to the city at the time of building permit on a *lot-by-lot* basis.
- (c) All *Septic Systems* shall be inspected and approved by the City's chosen inspector.
- (13) *Open Space*. The development shall consist of a minimum of 20.00% open space (or a minimum of 19.68 acres -- as calculated by the formula stipulated in the *Comprehensive Plan*), and generally conform to the Concept Plan contained in *Exhibit 'B'* of this ordinance. All open space areas (including *landscape buffers*) shall be included in the open space calculation, and maintained by the Homeowner's Association (HOA).
- (14) *Trails*. A minimum of an eight (8) foot concrete trail system shall be constructed generally in the same location as the trail system depicted in *Exhibit 'B'* of this ordinance.
- (15) *Amenities*. Amenities shall be constructed in generally the same areas as depicted in *Exhibit 'B'* of this ordinance, and shall be maintained by the Homeowner's Association (HOA). The design and layout of the amenities shall be approved with the *PD Site Plan*; however, the proposed pavilion shall be of a quality that is better than or equal to the pavilion picture in *Figure 6* below. The amenities will feature at least one (1) pavilion, two (2) multi-use sport courts (e.g. pickle ball and basketball courts), two (2) retention ponds each with a fountain, and two (2) benches.

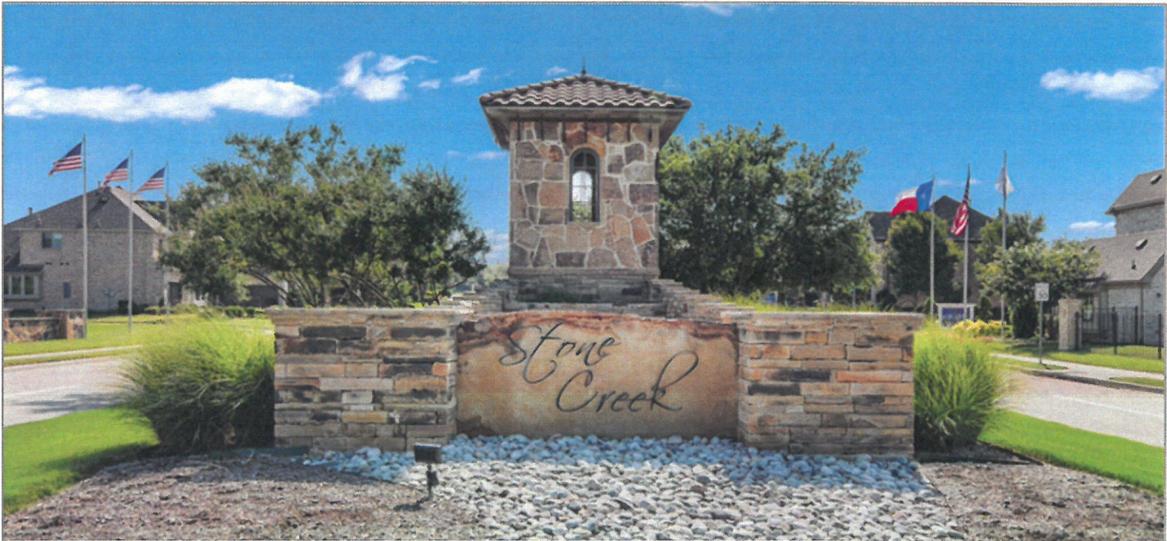
FIGURE 6: PAVILION



- (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 design of the two (2) primary entry monuments shall be substantial and at a minimum be equal to or better than the representative monument signage examples in *Figure 7 & 8*. 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*.

Exhibit 'C':
Density and Development Standards

FIGURE 7 & 8: REPRESENTATIVE EXAMPLES OF PRIMARY ENTRY MONUMENT SIGNAGE



- (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, parallel parking and neighborhood signage associated with this development. These areas are required to be delineated on the *PD Site Plan*.
- (18) Variiances. 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.