

**CITY OF CELINA, TEXAS**

**ORDINANCE 2015-19  
WELLSPRING PD-51**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS, AMENDING ORDINANCE NO. 2006-57, AS HERETOFORE AMENDED, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY DESIGNATING THE ZONING OF LAND THAT IS APPROXIMATELY 112.286 ACRES SITUATED IN THE COLEMAN WATSON SURVEY, BLOCK 4, TRACT 51, ABSTRACT NO. 945 IN COLLIN COUNTY, TEXAS; AS DESCRIBED IN EXHIBIT "A" AND DEPICTED IN EXHIBIT "B," "C," AND "D" ATTACHED HERETO AND INCORPORATED HEREIN TO BE ZONED "PD" PLANNED DEVELOPMENT DISTRICT #51; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FINDINGS; PROVIDING FOR AMENDMENT OF ZONING CLASSIFICATION; PROVIDING FOR ZONING DESIGNATION AND DEVELOPMENT STANDARDS; PROVIDING FOR REVISION OF ZONING MAP; PROVIDING FOR COMPLIANCE; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00 AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES AND INCLUDING PROVISIONS FOR THE AUTHORIZATION TO SEEK INJUNCTIVE RELIEF TO ENJOIN VIOLATIONS WHICH CONSTITUTE AN IMMINENT HAZARD OR DANGER TO PUBLIC HEALTH AND SAFETY; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Celina is a home rule municipality located in Collin, and Denton County, Texas created in accordance with the provisions of the Texas Local Government Code, The Texas Constitution and operating pursuant to the enabling legislation of the state of Texas; and

**WHEREAS**, the City Council of the City of Celina, Texas is empowered under Local Government Code 54.001 to do all acts and make all regulations which may be necessary or expedient for the promotion of the public health, safety and general welfare; and

**WHEREAS**, Title 7 Chapter 211.003 of the Texas Local Government Code, empowers a municipality to, among other things, establish and amend zoning districts, classifications of land use, adopt a comprehensive plan to regulate the use of land and open spaces, adopt and amend zoning regulations, regulate population density, and regulate the use and location of buildings; and

**WHEREAS**, the establishment of a zoning classification has been requested for the property more specifically described in Exhibit "A" attached hereto and incorporated herein; and

**WHEREAS**, the tract comprising the property has been depicted in detail in Exhibits "B" and "C" attached hereto; and incorporated herein; and

**WHEREAS**, the concept plan, hardscape and landscape plan and development regulations set forth in Exhibit "C," Exhibit "D," and Exhibit "E," attached hereto and incorporated herein define the base zoning districts and provide for certain modifications to such district regulations.

**WHEREAS**, the City Council has considered, among other things, the character of the property and its suitability for particular uses, with a view of encouraging the most appropriate use of land in the City, and is in the interest of public health, safety, and welfare, and does hereby find that the requested zoning accomplishes such objectives and is consistent with the provisions of the 2030 Comprehensive Plan of the City of Celina; and

**WHEREAS**, the Planning and Zoning Commission of the City of Celina and the City Council of the City of Celina, in compliance with the laws of the State of Texas and the ordinances of the City of Celina, 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

**WHEREAS**, the City Council, in the exercise of its legislative discretion has concluded that the zoning classification on the tract of land described herein should be changed and the zoning map so amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS**

**SECTION 1**  
**INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2**  
**FINDINGS**

After due deliberations the City Council has concluded that the adoption of this Ordinance is in the best interest of the City of Celina, Texas and of the public health, safety and welfare.

**SECTION 3**  
**AMENDMENT OF ZONING CLASSIFICATION**

That the zoning classification is hereby established as “PD” Planned Development District, #23 on a certain tract of land described in in Exhibit “A” and depicted in Exhibit “B”.

**SECTION 4**  
**ZONING DESIGNATION AND DEVELOPMENT STANDARDS**

4.01 That Ordinance No. 2006-57 of the City of Celina, Texas, as heretofore amended, the same being the City’s Comprehensive Zoning Ordinance, is hereby amended by designating the zoning on the land, depicted in Exhibit “A” attached hereto and incorporated herein, as “PD” Planned Development District #23.

4.02 This ordinance only regulates the uses allowed for the property identified above. All development and construction shall occur in accordance with the requirements of this ordinance; the development standards set forth in Exhibit “D”; the concept plan set forth in Exhibit “C” and all other applicable ordinances, rules, and regulations of the City.

**SECTION 5**  
**REVISION OF ZONING MAP**

That the City Manager for the City of Celina is hereby directed to mark and indicate on the official Zoning District Map of the City the zoning change herein made.

**SECTION 6**  
**COMPLIANCE REQUIRED**

That the property described on Exhibit "A" and depicted on Exhibit "B" hereto shall be used only in the manner and for the purposes provided for in this ordinance and the Comprehensive Zoning Ordinance, of the City of Celina as amended.

**SECTION 7**  
**PENALTY**

7.01 Any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Celina, and upon conviction shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense.

7.02 If the governing body of the City of Celina determines that a violation of this Ordinance has occurred, the City of Celina may bring suit in district court to enjoin the person, firm, partnership, corporation, or association from engaging in the prohibited activity.

**SECTION 8**  
**CUMULATIVE REPEALER CLAUSE**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

**SECTION 9**  
**SAVINGS CLAUSE**

All rights and remedies of the City of Celina, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting zoning regulation which have secured at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

**SECTION 10**  
**SEVERABILITY**

The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority's decisions or enactment.

**SECTION 11**  
**PUBLICATION CLAUSE**

The City Secretary of the City of Celina is hereby directed to publish in the Official Newspaper of the City of Celina the Caption, and Effective Date Clause of this Ordinance as required by Section 52.013 of the Local Government Code.

**SECTION 12**  
**ENGROSSMENT AND ENROLLMENT**

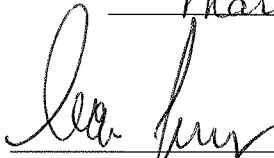
The City Secretary is hereby directed to engross and enroll this Ordinance by copying the descriptive caption in the minutes of the City Council and by filing this Ordinance in the Ordinance records of the City.

**SECTION 13**  
**EFFECTIVE DATE**


This Ordinance shall become effective from and after its date of passage and publication as required by law.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** by the City Council of the City of Celina, Texas this 17 day of March, 2015.

  
\_\_\_\_\_  
Sean Terry, Mayor  
City of Celina, Texas

ATTEST:

  
\_\_\_\_\_  
Vicki Faulkner, City Secretary  
City of Celina, Texas

[SEAL]



APPROVED AS TO FORM:


  
\_\_\_\_\_  
City Attorney  
City of Celina, Texas

EXHIBIT A

LEGAL DESCRIPTION  
Well Spring Estates

BEING, a tract of land situated in the Coleman Watson Survey, Abstract No. 945, in Collin County, Texas, being part of a 81.104 acre tract, as described in Clerks File No. 95-0092267, a 19.93 acre tract, as described in Volume 3790, Page 267 and a 11.252 acre tract, as described in Volume 4973, Page 3420 in the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING, at a 1/2 inch iron rod found at the southeast corner of said 81.104 acre tract, being in the north line of F.M. 1461 (90' R.O.W.);

THENCE, North 88°48'02" West, along the north line of said F.M. 1461, for a distance of 29.56 feet, to a concrete highway monument;

THENCE, North 89°20'52" West, continuing along the north line of said F.M. 1461, for a distance of 1836.44 feet, to a 3/4" iron rod found at the southwest corner of said 19.93 acre tract;

THENCE, North 02°53'59" East, departing the north line of said F.M. 1461 and along the west line of said 19.93 acre tract, for a distance of 139.92 feet, to a 1/2 inch iron rod set at the most southerly corner of said 11.252 acre tract;

THENCE, North 32°25'31" West, departing the west line of said 19.93 feet and along the west line of said 11.252 acre tract, for a distance of 288.37 feet, to a 1/2 inch iron rod set;

THENCE, North 18°13'18" West, continuing along said west line, for a distance of 436.57 feet, to a 1/2 inch iron rod found;

THENCE, North 13°42'22" East, continuing along said west line, for a distance of 449.55 feet, to a 1/2 inch iron rod found;

THENCE, North 01°52'22" East, continuing along said west line, for a distance of 320.00 feet, to a 1/2 inch iron rod found;

THENCE, North 13°31'48" West, continuing along said west line, for a distance of 241.26 feet, to a 1/2 inch iron rod found;

THENCE, North 01°52'22" East, continuing along said west line, for a distance of 420.00 feet, to a capped iron rod found at the northwest corner of said 11.252 acre tract;

THENCE, South 89°35'46" East, along the north line of said 11.252 acre tract, at 282.09 feet, passing a 1/2 inch iron rod found at the northeast corner of said 11.252 acre tract same being the northwest corner of said 81.104 acre tract, and continuing for a total distance of 1441.86 feet, to a capped iron rod found;

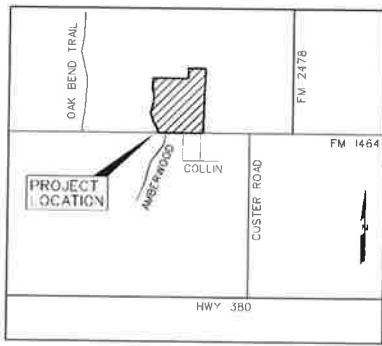
THENCE, North 01°50'44" East, for a distance of 421.07 feet, to a capped iron rod found;

THENCE, South 89°22'12" East, for a distance of 700.01 feet, to a 1" iron rod found at the northwest corner of Rolling Meadows Estates, an addition to Collin County, Texas, as described in Cab. N. Pg. 302, in the Plat Records of Collin County, Texas;

THENCE South 01°49'48" West, along the west line of said Rolling Meadows Estates, for a distance of 879.43 feet, to a  $\frac{3}{4}$  inch iron rod found;

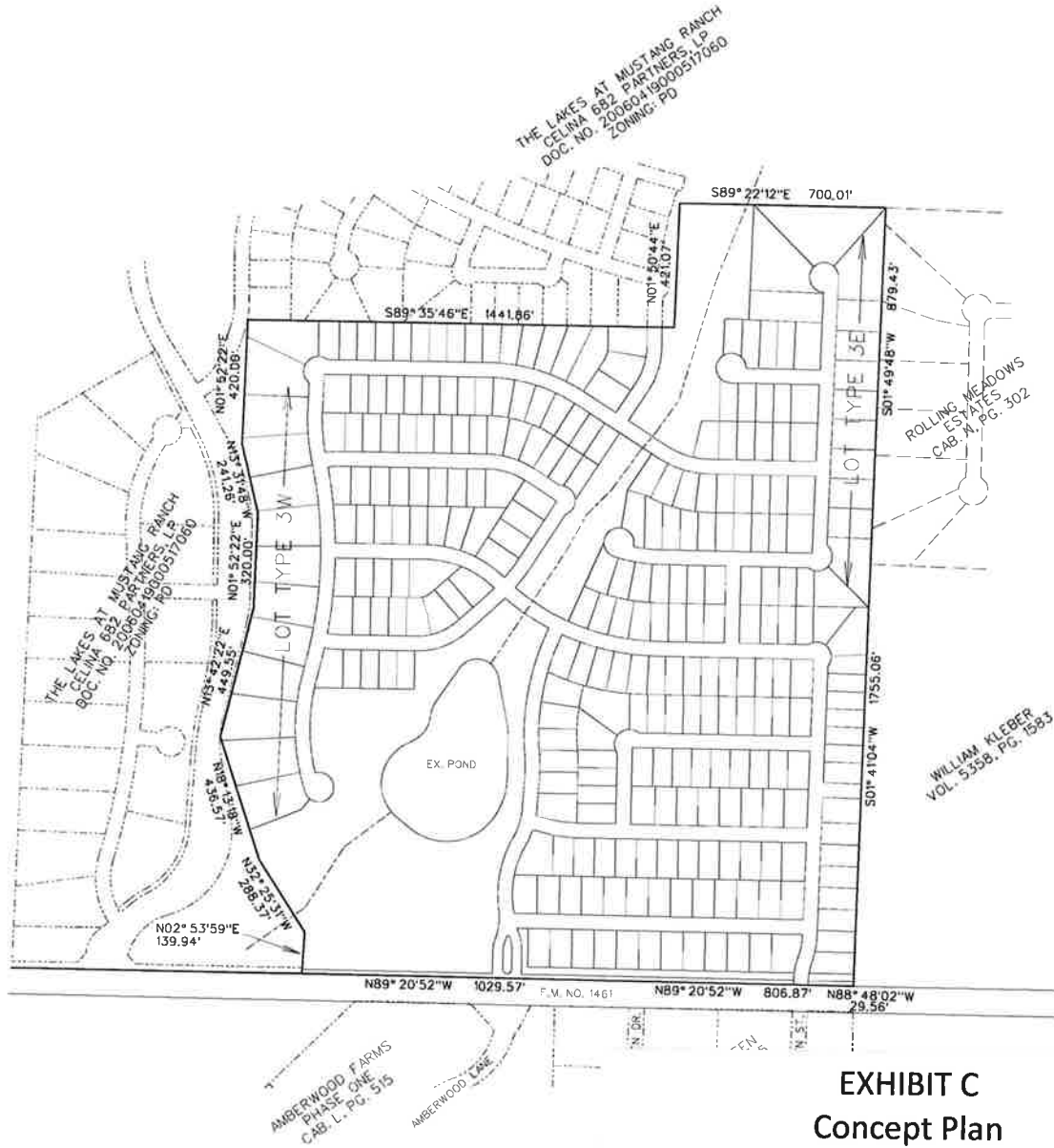
THENCE, South 01°41'04" West, at 360.09 feet, passing the southwest corner of said Rolling Meadows Estates and continuing for a total distance of 1755.06 feet, to the POINT OF BEGINNING and containing 112.281 acres of land.





LOCATION MAP

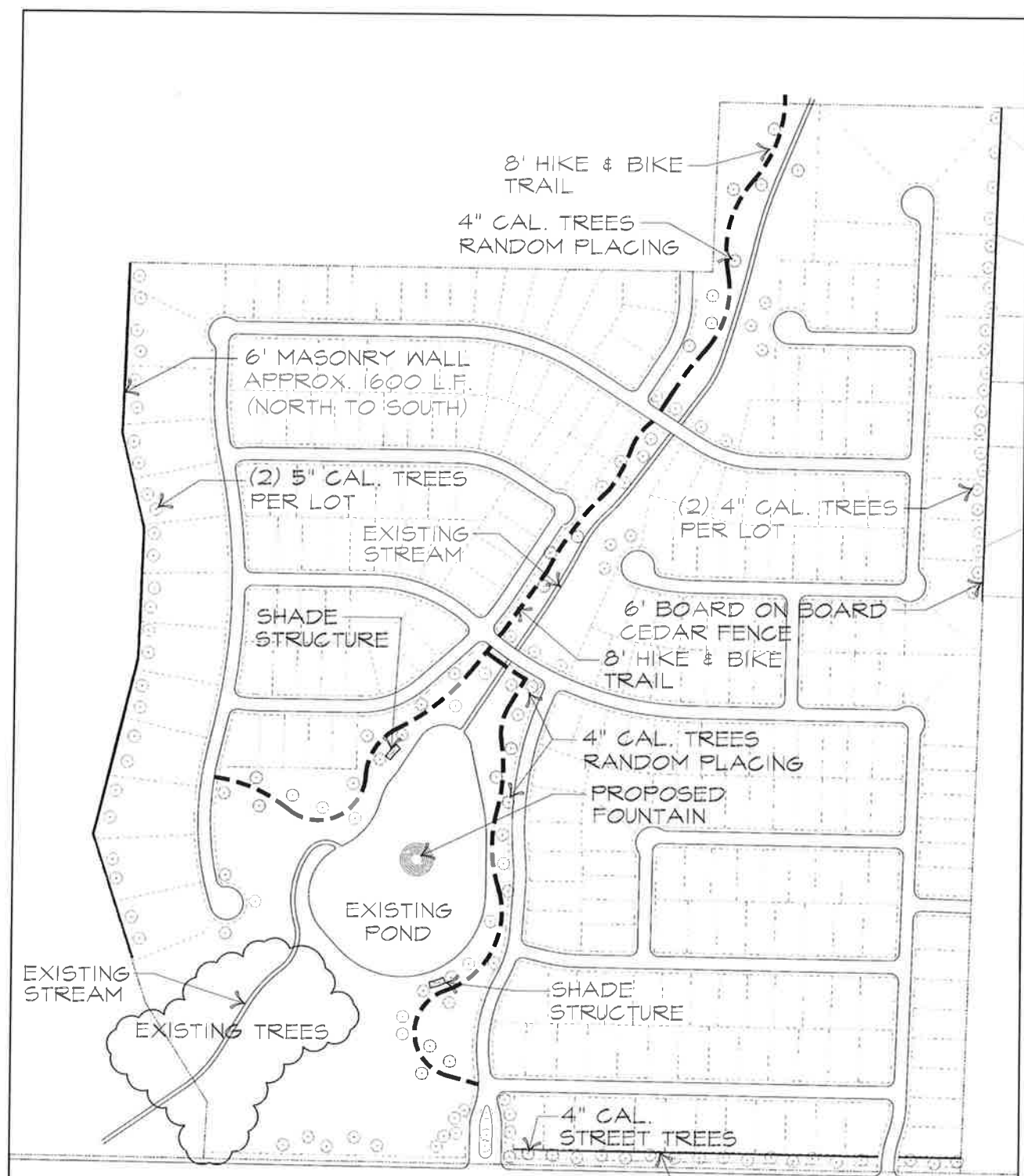
NOTE:  
NO FLOOD PLAIN EXISTS ON  
SITE PER FEMA MAP NO. 48085C0140J  
DATED JUNE 2, 2009



**EXHIBIT C**  
**Concept Plan**

**WELLSPRING ESTATES**  
OUT OF THE  
COLEMAN WATSON SURVEY, ABSTRACT NO. 945  
IN THE  
COLLIN COUNTY, TEXAS  
APPLICANT  
FRASER CAPITAL, LLC.  
18208 PRESTON RD, D9161  
DALLAS, TEXAS 75252  
214-762-5709  
OWNER  
PROSPER INDEPENDENT SCHOOL DISTRICT  
605 E. 7TH STREET  
PROSPER, TEXAS 75078  
469-219-2000





NOTE: 6' MASONRY WALL  
 A 15' LANDSCAPE BUFFER  
 SHALL BE PROVIDED ADJACENT  
 TO FM 1461 / FRONTIER PARKWAY

**EXHIBIT D**  
**Landscape and Hardscape**  
**WELLSPRING ESTATES**



**Exhibit "E"**  
**Planned Development Standards**  
**Wellspring Estates**  
**Celina, Texas**

1.0 Planned Development- Residential- 112 acres

1.1 General Description: The development is intended to accommodate variable lot sizes for single family residential uses. The base zoning district for the Planned Development District PD shall meet the standards of the Single Family Residential (SF-R) district established in the Celina Zoning ordinance as exists or may be amended. The following regulations shall also be applicable.

Section 1.1 shall reference the PD Planned Development District Sec. 14.03.031 and SF-R Single-Family Residential District Sec. 14.03.008.

1.2 The concept plan shall identify the divided entry to require a TIA submitted to the city and TxDOT for approval.

1.3 Density: The overall number of residential units shall not exceed three hundred twenty-five (325). Permitted lot sizes to be 60s, 70s, 100s and 125s. 60s will not exceed 75% of the total developed lot count.

1.4 Permitted Uses: Land uses permitted within residential uses within this development are as follows:

- 1.4.1 Residential as described within.
- 1.4.2 Private or public recreation facilities.
- 1.4.3 Churches or rectories.
- 1.4.4 Utility distribution lines and facilities.
- 1.4.5 Parks, play grounds and neighborhood recreation facilities including, but not limited to swimming pools, club house facilities, amenity centers and tennis courts.
- 1.4.6 Fire stations and public safety facilities.
- 1.4.7 Real Estate Sales offices during the development and marketing of the community.
- 1.4.8 Temporary buildings and uses incidental to construction work on the premises, which shall be removed upon completion.
- 1.4.9 Garages may face the street if they are in line with the main structure or set back from the main structure.

1.5 Conditional Uses:

- 1.5.1 Schools-public or state or private accredited, including lighted athletic fields and structures

1.6 Prohibited Uses:

- 1.6.1 Accessory dwelling

1.7 Required Parking: Parking requirements for single family development shall be as follows: two (2) off street parking spaces shall be provided on the same lot as the main structure and shall be set back a minimum of twenty-one (21) feet from the

street right of way. In conjunction with this requirement, a two (2) car garage shall be provided for each unit. Garage parking shall be behind the front yard building line and in line with or behind the front/side of the façade as defined within the PD.

1.8 Building Materials:

- 1.8.1 Masonry: 100% masonry is required on facades facing, siding and backing a public street.  
A minimum of ninety percent (90%) of the total exterior wall surfaces of all main structures shall have an exterior finish of glass, natural and/or cultured stone, stucco, brick or any combination thereof. The use of wood as an accent exterior material shall be limited to a maximum of five percent (5%) of the total exterior wall surfaces.
- 1.8.1 Roofing Materials: Wood roofing materials shall not be permitted within the development.

1.9 Single Family Lot Type 1: Single family lot Type 1 is a form of single family, detached housing. Building and area requirements are as follows:

- 1.9.1 Minimum Dwelling Size: The minimum area of the main building shall be seventeen hundred (1700) square feet, exclusive of garages, breezeways and porticos.
- 1.9.2 Lot Area: The minimum area of lot shall be seven thousand five hundred (7500) square feet.
- 1.9.3 Lot coverage: In no case shall be more than fifty-five percent (55%) of the total lot area covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, decks, patios, driveways, walks, and other paved areas shall not be included in determining maximum lot coverage.
- 1.9.4 Lot Width: The typical minimum width of lot shall be sixty feet (60') at the front building line, except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum width of fifty five feet (55') at the building line; provided all other requirements of this section are fulfilled.
- 1.9.5 Lot Depth: The typical minimum lot depth shall be one hundred twenty feet (120'), except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum depth, measured at mid points on front and rear lot lines, of eighty five feet (85') at the building line; provided all other requirements of this section are fulfilled.
- 1.9.6 Front Yard: The minimum depth of the front yard shall be twenty five feet (25'). Key lots shall have two (2) front yards.
- 1.9.7 Side Yard: The minimum side yard on each side of the lot shall be five feet (5'). A side yard adjacent to a street shall be a minimum of fifteen feet (15').
- 1.9.8 Rear Yard: The minimum depth of the rear yard shall be ten feet (10').
- 1.9.9 Maximum Building Height: Buildings shall be a maximum of two and one-half (2 ½) stories. The maximum building height shall be forty feet (40'). Accessory structure twenty-five (25) feet.

1.10 Single Family Lot Type 2: Single family lot Type 2 is a form of single family, detached housing. Building and area requirements are as follows:

- 1.10.1 Minimum Dwelling Size: The minimum area of the main building shall be nineteen hundred (1900) square feet, exclusive of garages, breezeways and porticos.
  - 1.10.2 Lot Area: The minimum area of lot shall be nine thousand (9000) square feet.
  - 1.10.3 Lot coverage: In no case shall be more than fifty five percent (55%) of the total lot area covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, decks, patios, driveways, walks, and other paved areas shall not be included in determining maximum lot coverage.
  - 1.10.4 Lot Width: The typical minimum width of lot shall be seventy feet (70') at the front building line, except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum width of sixty-five feet (65') at the building line; provided all other requirements of this section are fulfilled.
  - 1.10.5 Lot Depth: The typical minimum lot depth shall be one hundred twenty feet (120'), except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum depth, measured at mid points on front and rear lot lines, of one hundred feet (100') at the building line; provided all other requirements of this section are fulfilled.
  - 1.10.6 Front Yard: The minimum depth of the front yard shall be twenty five feet (25'). Key lots shall have two (2) front yards.
  - 1.10.7 Side Yard: The minimum side yard on each side of the lot shall be five feet (5'). A side yard adjacent to a street shall be a minimum of fifteen feet (15').
  - 1.10.8 Rear Yard: The minimum depth of the rear yard shall be ten feet (10').
  - 1.10.9 Maximum Building Height: Buildings shall be a maximum of two and one-half (2 ½) stories. The maximum building height shall be forty feet (40'). Accessory structure twenty-five (25) feet.
- 1.11 Single Family Lot Type 3 (East): Single family lot Type 3E is a form of single family, detached housing. Building and area requirements are as follows:
- 1.11.1 Minimum Dwelling Size: The minimum area of the main building shall be two thousand (2000) square feet, exclusive of garages, breezeways and porticos.
  - 1.11.2 Lot Area: The minimum area of lot shall be fifteen thousand (15000) square feet.
  - 1.11.3 Lot coverage: In no case shall be more than fifty percent (50%) of the total lot area covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, decks, patios, driveways, walks, and other paved areas shall not be included in determining maximum lot coverage.
  - 1.11.4 Lot Width: The typical minimum width of lot shall be one hundred feet (100') at the front building line, except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum width of eighty feet (80') at the building line; provided all other requirements of this section are fulfilled.
  - 1.11.5 Lot Depth: The typical minimum lot depth shall be no less than one hundred forty feet (140'), except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum depth, measured

at mid points on front and rear lot lines, of one hundred thirty (130') at the building line; provided all other requirements of this section are fulfilled.

- 1.11.6 Front Yard: The minimum depth of the front yard shall be thirty feet (30'). Key lots shall have two (2) front yards.
- 1.11.7 Side Yard: The minimum side yard on each side of the lot shall be ten feet (10'). A side yard adjacent to a street shall be a minimum of fifteen feet (15').
- 1.11.8 Rear Yard: The minimum depth of the rear yard shall be twenty five feet (25').
- 1.11.9 Maximum Building Height: Buildings shall be a maximum of two and one-half (2 ½) stories. The maximum building height shall be forty feet (40'). Accessory structure twenty-five (25) feet.

1.12 Single Family Lot Type 3 (West): Single family lot Type 3W is a form of single family, detached housing. Building and area requirements are as follows:

- 1.12.1 Minimum Dwelling Size: The minimum area of the main building shall be two thousand four hundred (2400) square feet, exclusive of garages, breezeways and porticos.
- 1.12.2 Lot Area: The minimum area of lot shall be twenty five thousand (25,000) square feet.
- 1.12.3 Lot coverage: In no case shall be more than fifty percent (50%) of the total lot area covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, decks, patios, driveways, walks, and other paved areas shall not be included in determining maximum lot coverage.
- 1.12.4 Lot Width: The typical minimum width of lot shall be one hundred twenty-five feet (125') at the front building line, except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum width of eighty feet (80') at the building line; provided all other requirements of this section are fulfilled.
- 1.12.5 Lot Depth: The typical minimum lot depth shall be no less than two hundred feet (200'), except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum depth, measured at mid points on front and rear lot lines, of one hundred thirty (130') at the building line; provided all other requirements of this section are fulfilled.
- 1.12.6 Front Yard: The minimum depth of the front yard shall be thirty feet (30'). Key lots shall have two (2) front yards.
- 1.12.7 Side Yard: The minimum side yard on each side of the lot shall be ten feet (10'). A side yard adjacent to a street shall be a minimum of fifteen feet (15').
- 1.12.8 Rear Yard: The minimum depth of the rear yard shall be fifty feet (50'). Accessory structures are not permitted within the Rear Yard setback.
- 1.12.9 Maximum Building Height: Buildings shall be a maximum of two and one-half (2 ½) stories. The maximum building height shall be forty feet (40'). Accessory structure twenty-five (25) feet.

1.13 Internal Utilities for Development: All franchise utilities within the development shall be underground.

1.14 Landscape Requirements: All development within PD District shall comply with the following:

- 1.14.1 Building Lot Tree Requirements: Trees are required to be planted by the homebuilder in the front yard of all lots per the following:
  - 1.14.1.1 Lot Type 1- two, 4" caliper trees, measured at 12 inches above ground, both in the front of the home on the lot.
  - 1.14.1.2 Lot Type 2 - two, 4" caliper trees, measured at 12 inches above ground, both in the front of the home on the lot.
  - 1.14.1.3 Lot Type 3 East - two, 4" caliper trees, measured at 12 inches above ground, both in the front of the home on the lot.  
On Lot Type 3 East lots, backing East property line of the community specifically, two (2) additional 4" caliper trees, measured at 12" above ground, will be required within the rear yard twenty five (25) foot setback and evenly spaced.
  - 1.14.1.4 Lot Type 3 West - two, 4" caliper trees, measured at 12 inches above ground, both in the front of the home on the lot.  
On Lot Type 3 West lots, backing West property line of the community specifically, two (2) additional 5" caliper trees, measured at 12" above ground, will be required within the rear yard fifty (50') foot setback and evenly spaced.
  - 1.14.1.5 Trees species shall be Live Oak trees.
  - 1.14.1.6 Lot Type 2 - two, 4" caliper trees, measured at 12 inches above ground, both in the front of the home on the lot.
- 1.14.2 Lot Type 3 East - two, 4" caliper trees, measured at 12 inches above ground, both in the front of the home on the lot
- 1.14.3 Building Lot Ornamental trees and Shrub Requirements: Ornamental trees and shrubs are required to be planted by the homebuilder in the front yard of all lots per the following:
  - 1.14.3.1 All Lot Types:
    - 1.14.3.1.1 Two, 8-10' Ornamental Trees in the front of the home on the lot.
    - 1.14.3.1.2 Two 6-8' Ornamental Trees in the front of the home on the lot.
    - 1.14.3.1.3 Two 7 gallon Ornamental trees or shrubs in the front of the home on the lot.
    - 1.14.3.1.4 Minimum 4 gallon shrubs are required in the front of the home on the lot. All shrubs shall be enclosed in a planting bed area.
    - 1.14.3.1.5 Any portion of the Lot that is not covered by foundation, drive, patio or planting bed shall be solid sod.
    - 1.14.3.1.6 All landscaped areas shall be irrigated by an underground automatic irrigation system
- 1.14.4 Open Space Tree Requirements: Trees are required to be planted by the developer per the following schedule:
  - 1.14.4.1 Trees shall be planted randomly in the open space between the roads and open spaces. The trees will be a minimum of a 4" caliper tree. A minimum of 75 trees shall be planted.
  - 1.14.4.2 Tree species shall be one or more of the following types of trees: a Shumard Red Oak, Bur Oak, Live Oak or Chinkapin Oak.

1.15 Fencing Requirements: All development within PD District shall comply with the following:

- 1.15.1 Building Lot Fences are required to be built by the homebuilder per the following:

- 1.15.1.1 Lot Type1- a minimum 6' board on board cedar fence with top cap, pressure treated rails and iron posts on the side and rear property line. The fencing will be stained Golden Brown. The 6' wood fencing will transition to a 5' gated side yard iron return fence.
- 1.15.1.2 Lot Type 2 - a minimum 6' board-on-board cedar fence with top cap, pressure treated rails and iron posts on the side and rear property line. The fencing will be stained Golden Brown. The 6' wood fencing will transition to a 5' gated side yard iron return fence.
- 1.15.1.3 Lot Type 3 – On lots backing to the West property line of the community shall have a 6' masonry wall completed within 90 days of the lots substantial completion or City Acceptance of the lots.  
 On lots backing to the East property line of the community a minimum 6' board-on-board cedar fence with top cap, pressure treated rails and iron posts on the side and a minimum 8' board cedar fence with top cap, pressure treated rails and iron posts on the rear property line. The fencing will be stained Golden Brown. The 6' wood fencing will transition to a 6' gated side yard iron return fence.  
 On lots backing to the West property line of the community a minimum 6' masonry wall with columns at the rear and side yard intersection of property lines shall be required.
- 1.15.2 Lot Fences adjacent to roads opening to or siding an Open Space or Linear Open Space shall comply with the following:
  - 1.15.2.1 All Lot Types will require a 5' iron fence siding or facing the Open Space or Linear Open Space.
- 1.15.3 Lot Screening backing to FM 1461 and siding the entry road (first tier of lots only) to the community shall be 6' masonry walls with stone columns. Screening and columns will be installed by the developer. The screening and columns shall be HOA owned and HOA maintained. No private fencing will be allowed to conflict with the HOA screening or columns whatsoever.

1.16 Open Space Requirements: All Open Space within the development and within PD District shall comply with the following:

- 1.16.1 Landscape Requirements:
  - 1.16.1.1 Landscape will be required per the following:
  - 1.16.1.2 Grass or- 100% seeded.
  - 1.16.1.3 Trees- Minimum 4" caliper selected for random placement. A minimum of fifty (50) trees shall be planted.
  - 1.16.1.4 Shrubs- multiple types selected for random placement.
- 1.16.2 Hardscape will be required as follows:
  - 1.16.2.1 An 8' wide Hike and Bike trail meandering between the pond and open space as illustrated on Exhibit C Landscape Plan.
  - 1.16.2.2 A minimum of two (2) seating areas and plantings in various locations along the hike and bike trail.
  - 1.16.2.3 A minimum of two (2) Arbors and/or a covered shade areas will be located within the open space.

1.17 Linear Open Space Requirements: All Linear Open Space within the development and within PD District shall comply with the following:

1.17.1 Landscape Requirements:

1.17.1.1 Landscape will be required per the following:

1.17.1.2 Grass or 100% seeded.

1.17.1.3 Trees- Minimum 4" caliper selected for random placement. A minimum of twenty-five (25) trees shall be planted.

1.17.1.4 Shrubs- multiple types selected for random placement. A minimum of five (5) shrub placements shall be planted.

1.17.2 Hardscape will be required as follows:

1.17.2.1 An 8' Hike and Bike trail meandering within the linear open space.

1.17.2.2 A minimum of two (2) seated areas and plantings in various locations along the hike and bike trail.

## 2.0 HOMEOWNERS ASSOCIATION

A Homeowners Association shall be established for the property.

## 3.0 OPEN SPACE

The PD will provide approximately 18 acres of HOA owned and maintained Open Space. Detention and floodplain area shall count towards open space requirements.

## LIST OF EXHIBITS

Exhibit A - Legal Description of PD Boundary

Exhibit B - Zoning Exhibit

Exhibit C - Concept Plan

Exhibit D - Landscape and Hardscape Plan

Exhibit E - Development Regulations