

**ORDINANCE**

AN ORDINANCE AMENDING ORDINANCE B-582, THE ZONING ORDINANCE AND MAP OF THE CITY OF BURLESON, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON APPROXIMATELY 88.140 ACRES OF LAND CONVEYED TO BURLESON DEVELOPMENT, INC. AND DESCRIBED AS TRACT 2 IN THAT DEED RECORDED IN INSTRUMENT NO. 2016-18780, D.R.JCT., AND TOGETHER WITH A PORTION OF LAND CONVEYED TO BURLESON DEVELOPMENT, INC. AND DESCRIBED AS TRACT 3 IN THAT DEED RECORDED IN INSTRUMENT NO. 2016-18780, D.R.JCT., DEED RECORDS, JOHNSON COUNTY, TEXAS FROM DEFAULTED "A", AGRICULTURE TO "PD" PLANNED DEVELOPMENT DISTRICT; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council passed, approved, and adopted Ordinance B-582, being the Zoning Ordinance and Map of the City of Burleson, Texas, showing the locations and boundaries of certain districts, as amended, and codified in Appendix B of the City of Burleson Code of Ordinances (2005) (the "Zoning Ordinance and Map"); and

WHEREAS, an application for a zoning change was filed by **Justin Bond representing RA Development** on **December 9, 2024**, under **Case Number 24-367**, on property described herein below filed application with the City petitioning an amendment of the Zoning Ordinance and Map so as to rezone and reclassify said property from its current zoning classification; and

WHEREAS, the Planning and Zoning Commission of Burleson, Texas, held a public hearing on said application after at least one sign was erected upon the property on which the change of classification is proposed in accordance with the Zoning Ordinance and Map, and after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 300 feet of the property on which the change of classification is proposed, said notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such notice being served by depositing the same, properly addressed and postage paid, in the U.S. mail; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the

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City of Burleson, Texas voted **X to 0** to recommend approval to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classifications of defaulted **Agriculture (A) and Planned Development (PD)** to **Planned Development (PD)**; and

WHEREAS, notice was given of a further public hearing to be held by the City Council of the City of Burleson, Texas, to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed rezoning and the City Council of the City of Burleson, Texas, being informed as to the location and nature of the use proposed on said property, as well as the nature and usability of surrounding property, have found and determined that the property in question, as well as other property within the city limits of the City of Burleson, Texas, has changed in character since the enactment of its classification of defaulted **Agriculture (A)**, and **Planned Development (PD)**; and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community; and

WHEREAS, the City Council of the City of Burleson, Texas, may consider and approve certain ordinances or ordinance amendments at only one meeting in accordance with Section 2-4 of the City of Burleson Code of Ordinances (2005); and

WHEREAS, the City Council of the City of Burleson, Texas, finds that this Ordinance may be considered and approved in only one meeting because the provisions of this Ordinance concern an individual zoning case that does not propose a change to the language of the City of Burleson Code of Ordinances.

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

### **Section 1 MAP AND ZONING AMENDMENT**

The Official Zoning Map is hereby amended insofar as it relates to certain land located in Burleson, Texas, described by the metes and bounds attached as **Exhibit A**, by changing the zoning of said property from A, Agricultural and PD, Planned Development district to the PD, Planned Development district.

### **Section 2 DEVELOPMENT STANDARDS**

## CHISHOLM SUMMIT PD ORDINANCE

The property shall be developed and used in accordance with the applicable provisions of the City of Burleson, Code of Ordinances, as amended, except to the extent modified by the Development Standards attached as Exhibit B.

### **Section 3.**

The findings and recitals set forth above in the preamble of this ordinance are incorporated into the body of this ordinance as if fully set forth herein.

### **Section 4.**

It is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

### **Section 5.**

This ordinance shall be cumulative of all provisions of ordinances of the City of Burleson, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. To the extent that the provisions of the City of Burleson's various development ordinances conflict with this ordinance, the terms of this ordinance shall control.

### **Section 6.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

### **Section 7.**

An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for that purpose.

### **Section 8.**

Any person, firm, association of persons, company, corporation, or their agents, its servants, or employees violating or failing to comply with any of the provisions of this article shall be fined, upon conviction, not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00),

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and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative of other remedies provided by State Law, and the power of injunction as provided in Texas Local Government Code 54.012 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

**Section 9.**

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

**PASSED AND APPROVED:**

**First and Final Reading:** the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Chris Fletcher, Mayor  
City of Burleson, Texas

ATTEST:

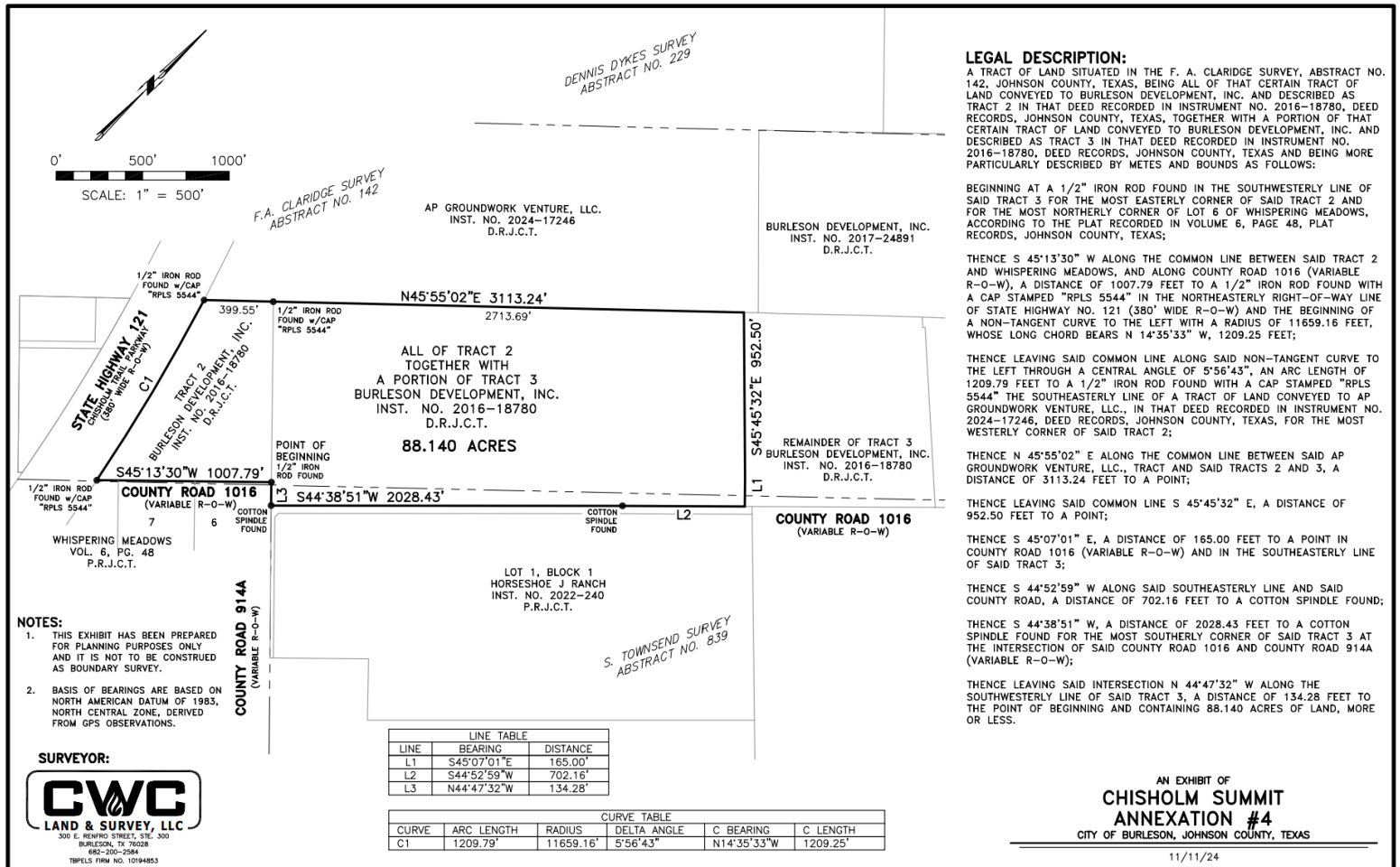
APPROVED AS TO FORM:

\_\_\_\_\_  
Amanda Campos, City Secretary

\_\_\_\_\_  
E. Allen Taylor, Jr., City Attorney

## EXHIBIT "A"

## DESCRIPTION OF PROPERTY



**EXHIBIT "A"**  
**(Continued)**

**LEGAL DESCRIPTION:**

A TRACT OF LAND SITUATED IN THE F. A. CLARIDGE SURVEY, ABSTRACT NO. 142, JOHNSON COUNTY, TEXAS, BEING ALL OF THAT CERTAIN TRACT OF LAND CONVEYED TO BURLESON DEVELOPMENT, INC. AND DESCRIBED AS TRACT 2 IN THAT DEED RECORDED IN INSTRUMENT NO. 2016-18780, DEED RECORDS, JOHNSON COUNTY, TEXAS, TOGETHER WITH A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO BURLESON DEVELOPMENT, INC. AND DESCRIBED AS TRACT 3 IN THAT DEED RECORDED IN INSTRUMENT NO. 2016-18780, DEED RECORDS, JOHNSON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND IN THE SOUTHWESTERLY LINE OF SAID TRACT 3 FOR THE MOST EASTERLY CORNER OF SAID TRACT 2 AND FOR THE MOST NORTHERLY CORNER OF LOT 6 OF WHISPERING MEADOWS, ACCORDING TO THE PLAT RECORDED IN VOLUME 6, PAGE 48, PLAT RECORDS, JOHNSON COUNTY, TEXAS;

THENCE S 45°13'30" W ALONG THE COMMON LINE BETWEEN SAID TRACT 2 AND WHISPERING MEADOWS, AND ALONG COUNTY ROAD 1016 (VARIABLE R-O-W), A DISTANCE OF 1007.79 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544" IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 121 (380' WIDE R-O-W) AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 11659.16 FEET, WHOSE LONG CHORD BEARS N 14°35'33" W, 1209.25 FEET;

THENCE LEAVING SAID COMMON LINE ALONG SAID NON-TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 5°56'43", AN ARC LENGTH OF 1209.79 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544" THE SOUTHEASTERLY LINE OF A TRACT OF LAND CONVEYED TO AP GROUNDWORK VENTURE, LLC., IN THAT DEED RECORDED IN INSTRUMENT NO. 2024-17246, DEED RECORDS, JOHNSON COUNTY, TEXAS, FOR THE MOST WESTERLY CORNER OF SAID TRACT 2;

THENCE N 45°55'02" E ALONG THE COMMON LINE BETWEEN SAID AP GROUNDWORK VENTURE, LLC., TRACT AND SAID TRACTS 2 AND 3, A DISTANCE OF 3113.24 FEET TO A POINT;

THENCE LEAVING SAID COMMON LINE S 45°45'32" E, A DISTANCE OF 952.50 FEET TO A POINT;

THENCE S 45°07'01" E, A DISTANCE OF 165.00 FEET TO A POINT IN COUNTY ROAD 1016 (VARIABLE R-O-W) AND IN THE SOUTHEASTERLY LINE OF SAID TRACT 3;

THENCE S 44°52'59" W ALONG SAID SOUTHEASTERLY LINE AND SAID COUNTY ROAD, A DISTANCE OF 702.16 FEET TO A COTTON SPINDLE FOUND;

THENCE S 44°38'51" W, A DISTANCE OF 2028.43 FEET TO A COTTON SPINDLE FOUND FOR THE MOST SOUTHERLY CORNER OF SAID TRACT 3 AT THE INTERSECTION OF SAID COUNTY ROAD 1016 AND COUNTY ROAD 914A (VARIABLE R-O-W);

THENCE LEAVING SAID INTERSECTION N 44°47'32" W ALONG THE SOUTHWESTERLY LINE OF SAID TRACT 3, A DISTANCE OF 134.28 FEET TO THE POINT OF BEGINNING AND CONTAINING 88.140 ACRES OF LAND, MORE OR LESS.

**EXHIBIT “B”**

**CHISHOLM SUMMIT  
DEVELOPMENT STANDARDS**

**I. GENERAL**

1. Chisholm Summit is a mixed-use community purposefully designed to facilitate quality development and livability. Generous common open space is distributed throughout the community in the form of natural areas, over 90 acres of dedicated parkland, ten miles of interconnecting trail system, commercial areas, and other amenities. Initial phases known as Development Area “A” and “B” is comprised of approximately 170 acres with approximately 20 acres of dedicated parkland and trails, and the amenities as dictated herein.
2. Chisholm Summit is to be a master-planned community of approximately 823 acres on the west side of the City of Burleson near the Chisholm Trail Parkway and will be developed to include over 3,000 high-quality residential units. These standards apply to the current and all future phases of the Chisholm Summit development; however as future developments are annexed into the City of Burleson; staff and the Developer understand that changes may be evaluated and recommended.
3. Multifamily, MF/Senior Residential will not be developed in the initial phases (Development Area “A” and “B”). Specific multifamily standards will be incorporated and adopted by City Council in a future phase and revision to these standards.
4. Chisholm Summit is to be neighbored by Hooper Business Park, a development of the Burleson 4A Economic Development Corporation focused on attracting new jobs to the City through a professional office park setting.
5. The developers and land owners of the area comprising Chisholm Summit executed a Chapter 380 Development Agreement approved by City Council on June 7, 2021, which is recorded as CSO #1775-06-2021 (referred to herein as the “Development Agreement” or the “Agreement” and attached as Ordinance Exhibit “D”). The proposed development shall be in accordance with the provisions of the approved Planned Development District and that all approved Development Plans shall be binding upon the applicant thereof, his successors and assigns, and shall limit and control all building permits.
6. The terms and phrases used herein shall have the same definitions and meanings as provided in the Development Agreement; however, any term specifically defined herein shall supersede and take precedence over any definition in the Development Agreement.

## **II. ORDINANCE APPLICABILITY AND GOVERNING REGULATIONS**

1. All City ordinances are applicable unless otherwise specified in the Development Agreement or this Ordinance. This includes, but is not limited to, the Governing Regulations set forth in the Agreement. Any concept plans included with these development regulations does not supersede the engineering design requirements contained with the City's Code of Ordinances unless otherwise explicitly stated herein or a waiver has been granted by City Council
2. All state and federal regulations will apply. Consideration will be made for the application of updated City ordinances with updates to Planned Development Ordinances.
3. In the event a provision is not specified in the Agreement or this Planned Development Ordinance the City's ordinances apply. In the event of a conflict between the Agreement or the Planned Development Ordinance and the City's ordinances, the Agreement or the Planned Development Ordinance apply. In the event of a conflict between the Agreement and the Planned Development Ordinance, the Planned Development Ordinance will apply.

## **III. PROCESS**

1. The Development will follow all standard City processes for platting, zoning, and plan review.
2. In addition to platting and zoning, the Developer will create phased development plans consistent with the Preliminary Concept Plan included in the Agreement for Planning and Zoning Commission and City Council review. The Development Plan(s) will be comprised of multiple phases (known as "Development Sections") and will be the basis for preliminary plats. The development plan for each Development Section is expected to communicate high-level items that can provide some context for upcoming zoning and plat requests.
3. Maintenance of Facilities. The Developer shall show evidence, with the filing of the final plat, that a homeowners' association has been established and assigned the responsibility of the improvement and maintenance of all common areas and/or common facilities contained within the area of the development plan that is being platted.

## **IV. THEME**

1. Chisholm Summit will have a cohesive theme through its building design, signage, colors, fonts, lighting, and general sense-of-place throughout the development.
2. The general components of the theme, including visual imagery and the conceptual color palette, shall conform to the pictorial representations in the exhibits.

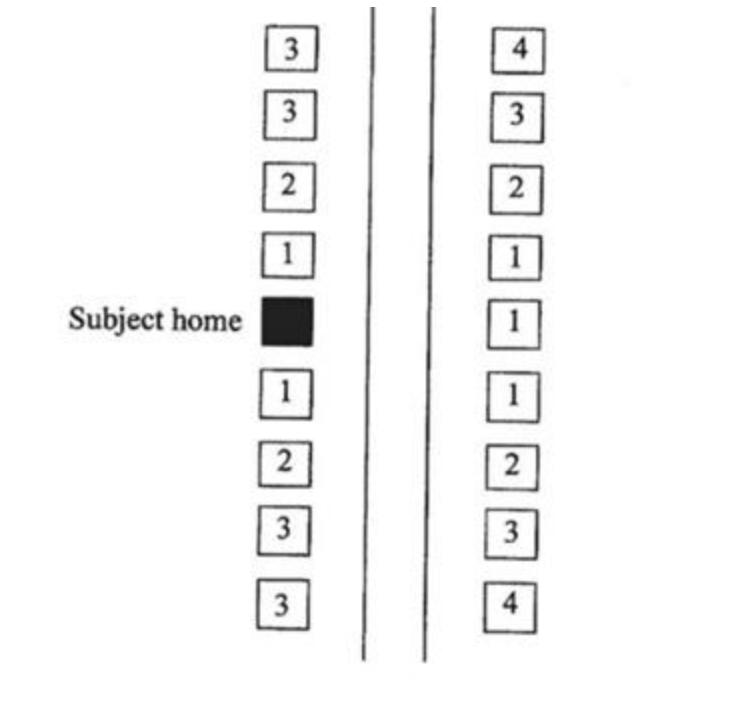


3. The general components of the theme can be described literally as:
  - a. “Western” focused around keyword concepts “rustic”, “growth”, “horses”, “folk”, “gateway”, and “progress”
  - b. “Active” focused around keyword concepts like “trails”, “outdoors”, “purpose”, “movement”, and “nature”
  - c. “Family” focused around keyword concepts like “together”, “community”, “neighbors”, “generational”, and “care”

## **V. RESIDENTIAL LOT STANDARDS**

### **1. General Requirements**

- a. Single-family residential development in Chisholm Summit will adhere to one of the categories provided in this Section.
- b. All references to the Zoning Ordinance are the City of Burleson’s Code of Ordinances governing development in the associated categories at the time of the initial adoption of this Planned Development Ordinance.
- c. Landscaping requirements for single-family residential areas, except for those that state their own requirements, shall be:
  - i. Total landscape area, no less than 10 percent of lot area
  - ii. Five (5) plants (shrubs and/or groundcover per dwelling unit) with a minimum gallon size of 5.
  - iii. Two canopy trees at a minimum of 3 caliper inches. At a minimum one of the trees shall be located in the front yard
  - iv. 50 percent of all required landscape elements must be located in the front yard (area between the building and the street)
  - v. Landscaping shall be installed prior to final inspection approval for any dwelling unit.
- d. An exception to the strict compliance of these standards in this Ordinance may be allowed by City Council on a case-by-case basis when Applicant demonstrates, to the reasonable satisfaction of the City Council, that the requested exception:
  - i. Is not contrary to the public interest;
  - ii. Does not cause injury to adjacent property;
  - iii. Does not materially adversely affect the quality of the development; and
  - iv. Is not inconsistent with the most recently adopted Concept Plan.
- e. Anti-monotony standards require that no dwelling with the same architectural elevation and color may be within three (3) lots of each other, as shown in the exhibit below.



- 1** Home cannot be of the same elevation of the same plan as the Subject home. Must be a different color package.
- 2** Home cannot be of the same elevation of the same plan as the subject home. Cannot be the identical color package as the Subject home but may have the same brick.
- 3** Home may be of the same plan and elevation as the Subject home, but must be a different color package.
- 4** May be identical to subject home.

## 2. Residential Use Categories

- a. Zoning regulations and districts for residential development are allowed for the following categories as described herein and, where applicable, as established in the City Code of Ordinances, Appendix B – Zoning, Article III – Zoning Districts, as adopted by City Council at the time of initial adoption of this Planned Development ordinance.
  - i. SFA-25, single-family attached townhomes
  - ii. SFR-40, single-family 40-ft residential patio
  - iii. SFR-56, single-family 56-ft residential cottage
  - iv. SFR-60, single-family 60-ft residential traditional
  - v. SFR-70, single-family 70-ft residential traditional
  - vi. SFR-80, single-family 80-ft residential traditional
  - vii. SFRE, single-family residential estate
  - viii. SF-AA, 55+ active-adult residential
  - ix. MF, multifamily / senior residential

**3. Zoning Category – SFR-A, Single-Family Attached Townhomes**

- a. General Description. The SFR-A single-family attached dwelling district is established to provide adequate space for medium-density, single-family attached type residential development.
- b. Underlying Standards. This district will adhere to the SFA zoning district as established by the City of Burleson Zoning Ordinance, Section 58, unless specifically altered in this section.
- c. Lot Dimension Calculation.
  - i. The average width of a lot may be calculated as the total width of all platted lots of the one-family attached dwelling complex contained within that block divided by the number of dwellings in the complex.
  - ii. The area of a lot may be calculated as the total square footage of all platted lots of the one-family attached dwelling complex divided by the number of dwellings in the complex for each block.
  - iii. The maximum width of a one-family attached dwelling complex utilizing this calculation shall be limited to 125 feet. The maximum number of dwellings shall be limited to five.
- d. Lot Size. The minimum area allowed per lot is 2500 square feet.
- e. Lot Coverage. The maximum coverage per lot is 70 percent.
- f. Lot Depth. The minimum depth allowed per lot is 100 feet.
- g. Building Height. The maximum height allowed is 40 feet.
- h. Units per Building. Maximum number of units per building is 5 units.
- i. Front Patio Area. A concrete patio area will be required including a fencing of the patio with maximum four-foot tall wood cedar fence (horizontal) or maximum four-foot tall black ornamental metal fence (vertical). Patio may be a maximum of 15-foot wide and 17-foot deep. Depth of front yard will be increased to twenty (20) feet for these units and patio may be placed in the front yard.
- j. Yard Area Requirements.
  - i. Front yard setback – 20 feet
  - ii. Side yard setback (interior lot) – 0 feet
  - iii. Side yard setback (exterior lot between buildings) – 5 feet
  - iv. Side yard setback (exterior lot street or alley corners) – 10 feet
  - v. Rear yard setback – 20 feet
  - vi. Garage door setback – 20 feet
  - vii. Front yard projections into setback – 3 feet

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- viii. Rear yard projections into setback – 2 feet
  - ix. Side yard projections into setback – 30 inches
  - x. Courtyard within front yard setback will be permitted to within 3 feet of front property line.
  - xi. Fencing within front yard setback will be permitted to within 3 feet of property line.
  - xii. Fencing to be provided at a maximum of 48” height.
  - xiii. Accessory trellis within front yard setback permitted to within 3 feet of property line.
  - xiv. Minimum lead sidewalk width will be 3 feet.
- k. Roof Pitch. A minimum roof pitch of 4:12 will be allowed. No minimum pitch is required for accent or dormer roofs.
- l. Landscaping. An ornamental tree (30 gallon) will be provided at a minimum of one (1) per dwelling unit and (1) canopy tree per complex (as defined above in section 3.c.iii). Three shrubs or bushes with a minimum size of 5 gallons, will be provided per dwelling unit.
- m. Open Space. Open space and parks requirements for the City will be satisfied by the Master Developer as described in this Ordinance.
- n. Exemptions. Dwellings in this category are exempt from the anti-monotony standards expressed in this Ordinance or any city ordinance.

#### **4. Zoning Category – SFR-40, Single-family 40-ft Residential Patio**

- a. General Description. Single-family residential units typically classified as Patio or Garden Homes. Ingress/egress may be allowed, but is not required, from access drives or parking areas connecting to adjacent public or private alleys. Requirements for single-family development shall be governed by standards as described herein. Anything not addressed in this zoning category will follow regulations within the City of Burleson’s Zoning and Subdivision Ordinances. In the event of conflicts between these regulations and the City’s Ordinances, these regulations will apply.
- b. Density. The maximum allowed density for any land tract classified as SFR-40 will be 8.0 units per acre.
- c. Required Parking. Parking requirements shall adhere to the following regulations:
- i. One (1) off-street parking space shall be provided for each single-family dwelling unit.
  - ii. Parking shall be permitted on an improved and approved surface located within a side or rear yard area.

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- d. Alleys. If an alley is elected as the means of access for driveways, the alley shall be a 20-foot paved concrete area within a 22-foot alley access easement or right-of-way. Alley width may be reduced to a 12-foot paved concrete area within a 15-foot alley access easement or right-of-way under the provision that the alley is signed as one-way only. If an alley is to be utilized as a fire lane, it shall be constructed to fire lane standards per the City's Code of Ordinances.
- e. Minimum Dwelling Size. Dwelling unit minimum will be 1,200 square feet. Minimum floor area shall exclude common corridors, basements, open and screened porches or decks and garages.
- f. Lot Area. The minimum area of any lot shall be four thousand (4,000) square feet.
- g. Lot Width. The width of any lot shall not be less than forty (40) feet.
- h. Lot Depth. The minimum depth of any lot shall not be less than one hundred (100) feet.
- i. Front Yard. The minimum depth of the front yard shall be fifteen (15) feet.
- j. Side Yard. A side yard adjacent to a street shall be a minimum of five (5) feet unless there is an easement then it shall be ten (10) feet. A building separation of ten (10) feet shall be provided between single-family structures. Nothing in this section is intended to or shall eliminate or supersede any requirements of the City of Burleson's building or fire codes that establish regulations dealing with building separations or fire resistive construction.
- k. Rear Yard. The minimum depth of the rear yard shall be fifteen (15) feet. Nothing in this section is intended to or shall eliminate or supersede any requirements of the City of Burleson's building or fire codes that establish regulations dealing with building separations or fire resistive construction.
- l. Building Height. The permitted height of all single-family residential structures shall not exceed two and a half (2.5) stories.

### **5. Zoning Category – SFR-56, Single-family 56-ft Residential Cottage**

- a. A Traditional Neighborhood Design (TND) Plan shall be established for this zoning category. Traditional Neighborhood Development or TND is an area designated with development characteristics that:
  - i. Utilizes traditional masonry, stone or other exterior building products, such as cementitious fiber board;
  - ii. Reflects historic architecture applicable to the region, such as Texas Prairie, Craftsman, Bungalow, Texas Hill Country, or other historically significant architecture found throughout Texas history.

- b. The building design shall generally conform to Conforming TND Examples (depicted in section 5. H below) and shall feature the mandatory architectural features below
  - i. Building design shall exhibit articulated wall planes with sufficient wall plane fenestration and ornamentation to avoid a flat, un-articulated visual appearance similar to the examples given.
  - ii. Front entry garages shall be prohibited within fifty-feet (50') from the fronting street right-of-way (interior lots), and within twenty (20') feet for corner lots which is applicable only for a garage entering off the side street.
  - iii. Detached front entry garages for single family detached residences shall be defined as an accessory structure save and except an open breezeway.
    - 1. Garages shall conform to the building setback requirements specified and with the density and dimensional standards shown on the Density and Dimensional Table.
    - 2. Breezeways shall (a) be a minimum of four-feet in width not exceeding 12-feet in width measured from eave to eave, (b) have a one-hour fireblock installed at each roof connection, and (c) be constructed with roofing material that has the same roofing classification as the primary structure.
    - 3. No structures will share a common wall.
  - iv. Building design for single family detached residences shall exhibit a pedestrian scale by the incorporation of front facing porches or verandas for a minimum fifty percent (50%) of all single family dwellings constructed per phase.
    - 1. All front porches built for single family detached residences shall have a minimum depth of five feet (5').
    - 2. All front porches built for single family detached residences to have a minimum floor area of no less than forty square feet (40 SF).
- c. The use of cementitious fiber board siding and engineered wood siding (with at least a 20 year warranty), stone and masonry, shall be allowed for residential structures designed with a distinctive and articulated building design that is based on an historic architectural style for residential design.
  - i. A "Masonry TND Residence" shall be defined as one constructed with brick or stone masonry that consumes more than twenty-five percent (25%) of each front and side exterior wall surfaces, or a collective series of exterior wall surfaces, composing a front and/or side façade. The rear and remaining facades may be constructed of cementitious fiber board or engineered wood siding with at least a 20-year warranty.
  - ii. A "Siding TND Residence" shall be defined as one constructed entirely with cementitious fiber board or engineered wood siding with at least a 20 year warranty. The use of brick or stone masonry shall not consume more than twenty-five percent (25%) of an exterior wall surface, or a collective series of exterior wall surfaces, composing a front and/or side façade.

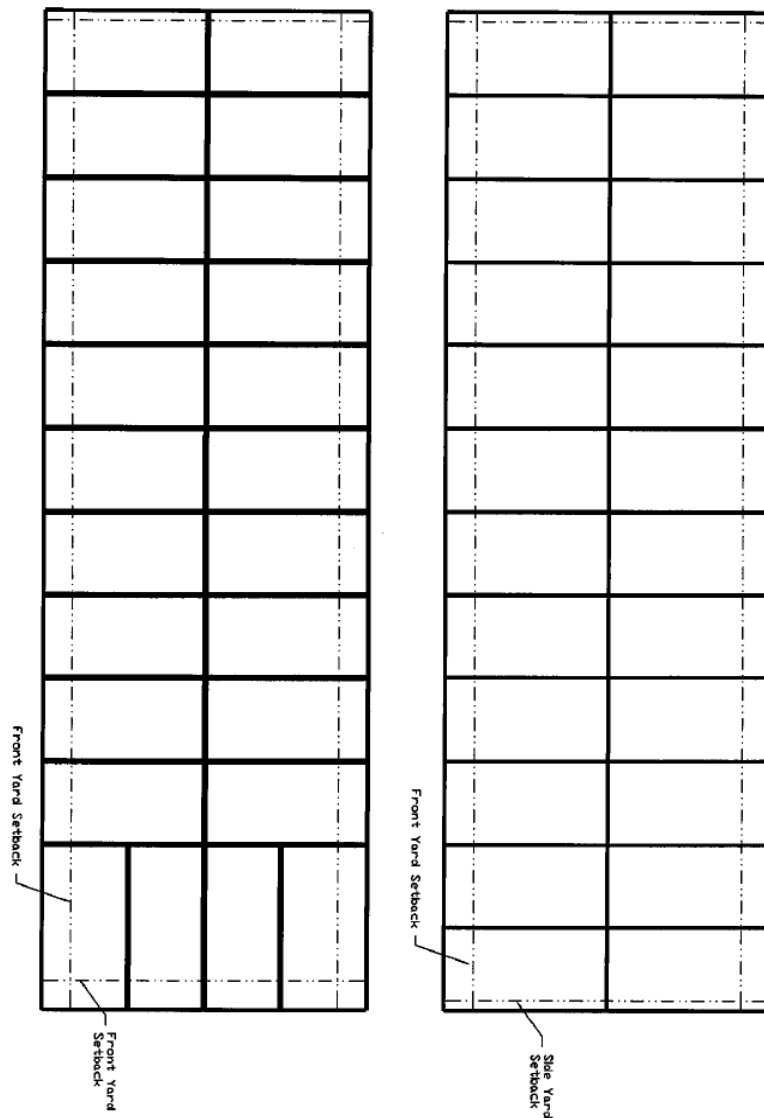
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- iii. The developer/builder reserves the right to construct either the “Masonry” or “Siding Board” styled residences as shown on the Concept Plan attached as Exhibit B to this Ordinance; no more than 50 percent of SFR-56 lots shall be “Siding TND Residence” for any phase.
- iv. Dwellings in this category are exempt from the masonry requirement stated in other sections of this Ordinance.
- d. Minimum roof pitch for single family detached structures to be 5:12 for all roof structures covering main (climate controlled) living areas.
- e. A minimum roof pitch of 3:12 shall be permitted for front yard porches and all garage structures.
- f. Parking. Each dwelling shall have at a minimum one (1) parking space within the garage, as well as having two (2) parking spaces in the driveway.
- g. Density and Dimensional Table

Building Type/Use	Minimum Living Area SF per Unit  Minimum Living Area (SF)	Minimum Lot Sizes & Dimensions			Min Yard Setbacks in Feet							Max. Height (Feet)	Max. Bldg. Cov.
		Lot Size (SF)	Width (Feet)	Depth (Feet)	Min Yard Setback - Front for Main Residence	Min Yard Setback - Front for Street Facing Porches	Min Yard Setback - Front for Garage	Min Yard Setback - Internal Rear	Min Yard Setback - Internal Side	Min Yard Setback - Side and Rear on Street w/ equal or less than a 50-foot right-of-way	Min Yard Setback - Side and Rear on Street greater than 50-foot right-of-way	Max. Height (Feet)	Max. Bldg. Cov.
Single Family Detached SFR-56  (Zero-Lot-Line w/ Detached Front Entry Garage in Rear Yard)	1,400	6,500	56	120	15	15 <sup>(1)</sup>	50' for front entry config.  20' for corner lots with a side-entry config.	10' for Main Res.  3' for Detached Garage <sup>(2)</sup>	5  3 for Detached Garage <sup>(2)</sup> <sup>(3)</sup> <sup>(5)</sup>	15 for all bldgs. <sup>(4)</sup>	20 for all bldgs. <sup>(4)</sup>	35 (To top plate)	70%

- (1) All front porches built for single family detached residences to have a minimum depth of five feet (5') and minimum floor area of 40 square feet..
- (2) All detached garage structures shall maintain a minimum six foot (6') separation from the main dwelling and a minimum of 10' from any other vertical structure within the Zoning Area.
- (3) The water's edge of a below-grade pool structure shall be permitted to be constructed within ten feet (10') of any type of rear or side lot line. No pool structures, or any other type of accessory structure, shall be constructed within an existing utility easement.
- (4) The setback will be measured from the edge of street right-of-way.
- (5) There shall be no structure that shares a common wall.

- h. Front and Side Yard setback configurations for block face.



i. Conforming façade examples for Single Family Detached

Masonry TND example





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Siding Board example



- j. Non-conforming façade examples for Single Family exist if one or more of the following elements are present:
- Design exhibits a flat appearance with minimal building fenestration and ornamentation
  - Garage serves as 40% or greater of the front facing façade or serves as the forward most front wall plane.
  - Design does not include a covered porches with a minimum depth of five (5) feet and verandas for those dwellings incorporating this design element per Sec. 5.b.iv above.
  - Appearance is of a contemporary design and not in keeping with the TND concepts as shown above in subsection (h), such as lacking a covered front porch, varying roof pitches, or where the garage is attached and/or forward of the front entry.
  - Building proportions present and image perceived as being too volumetric and bulky to include attached garages, lacking a covered front porch with a different roof pitch than the main structure, and/or the structure appears as a square or rectangular structure lacking design articulation from the roadway.

### NON-CONFORMING

Examples of facades that do not conform to TND requirements.



**6. Zoning Category – SFR-60, Single-family 60-ft Residential Traditional**

- a. General Description. The SFR-60 single-family dwelling district is established to promote low population densities within integral neighborhood units for single-family detached dwellings on lots not less than 7,200 square feet.
- b. Underlying Standards. This district will adhere to the SF-7 zoning district as established by the City of Burleson Zoning Ordinance, Section 57, unless specifically altered in this section.
- c. Lot Size. The minimum lot size is 7,200 square feet.
- d. Lot Width. The minimum lot width is 60 feet.
- e. Density. The maximum density is 4.25 residential dwelling units per acre.
- f. Home Size. The minimum home size shall be 2,000 square feet.
- g. Minimum front yard setback.
  - i. 25 feet when mixed in the same block with SFR-70 and/ or SFR-80 or SFRE lots.
  - ii. 20 feet when mixed in the same block with SFR-A and/or SFR-40 or SFR-56 lots.
- h. Garage criteria. The front entrance of the home or a covered porch must be forward of any entry garage door. Any front entry garages may not constitute more than 50 percent of the overall front façade. For any garage that constitutes more than 40 percent of the front façade, a decorative wooden garage shall be required.
- i. Parking. Each dwelling shall have two (2) parking spaces within the garage, as well as having two (2) parking spaces in the driveway.
- j. Roof pitch. Minimum roof pitch shall be 5:12.

**7. Zoning Category – SFR-70, Single-family 70-ft Residential Traditional**

- a. General Description. The SFR-70 single-family dwelling district is established to promote low population densities within integral neighborhood units for single-family detached dwellings.
- b. Underlying Standards. This district will adhere to the SF-10 zoning district as established by the City of Burleson Zoning Ordinance, Section 57, unless specifically altered in this section.

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- c. Lot Size. The minimum lot size is 8,400 square feet.
  - d. Lot Width. The minimum lot width is 70 feet.
  - e. Density. The maximum density is 3.50 residential dwelling units per acre.
  - f. Home Size. The minimum home size shall be 2,200 square feet.
  - g. Garage criteria. The front entrance of the home or a covered porch must be forward of any entry garage door. Any front entry garages may not constitute more than 50 percent of the overall front façade. For any garage that constitutes more than 40 percent of the front façade, a decorative wooden garage shall be required.
  - h. Parking. Each dwelling shall have two (2) parking spaces within the garage, as well as having two (2) parking spaces in the driveway.
  - i. Roof pitch. Minimum roof pitch shall be 5:12.
- 8. Zoning Category – SFR-80, Single-family 80-ft Residential Traditional**
- a. General Description. The SFR-80 single-family dwelling district is established to promote low population densities within integral neighborhood units for single-family detached dwellings.
  - b. Underlying Standards. This district will adhere to the SF-16 zoning district as established by the City of Burleson Zoning Ordinance, Section 57, unless specifically altered in this section.
  - c. Lot Size. The minimum lot size is 9,600 square feet.
  - d. Lot Width. The minimum lot width is 80 feet.
  - e. Density. The maximum density is 3.25 dwelling units per acre
  - f. Home Size. The minimum home size is 2,500 square feet.
  - g. Garage criteria. The front entrance of the home or a covered porch must be forward of any entry garage door. Any front entry garages may not constitute more than 40 percent of the overall front façade. Side entry and/or “J” (swing) entry garages shall incorporate no less than 20 percent of the housing type for this product within any given phase of the project.
  - h. Parking. Each dwelling shall have two (2) parking spaces within the garage, as well as having two (2) parking spaces in the driveway.
  - i. Roof pitch. Minimum roof pitch shall be 5:12.

**9. Zoning Category – SFRE, Single-family Residential Estate**

- a. General Description. The SFRE single-family dwelling district is established to promote low population densities within integral neighborhood units for single-family detached dwellings.
- b. Underlying Standards. This district will adhere to the SF-16 zoning district as established by the City of Burleson Zoning Ordinance, Section 57, unless specifically altered in this section.
- c. Lot Size. The minimum lot size is 12,000 square feet.
- d. Lot Width. The minimum lot width is 100 feet.
- e. Density. The maximum density is 2.75 dwelling units per acre.
- f. Home Size. The minimum home size is 2,800 square feet.
- g. Garage criteria. The front entrance of the home or a covered porch must be forward of any entry garage door. Any front entry garages may not constitute more than 40 percent of the overall front façade. Side entry and/or “J” (swing) entry garages shall incorporate no less than 20 percent of the housing type for this product within any given phase of the project.
- h. Parking. Each dwelling shall have two (2) parking spaces within the garage, as well as having two (2) parking spaces in the driveway.
- i. Roof pitch. Minimum roof pitch shall be 5:12.

**10. Zoning Category – SFR-AA, 55+ Active-Adult Residential**

- a. Permitted Uses. The following shall be permitted by right:
  - i. Single-family detached dwelling, age restricted to residents 55 years of age and older, per the Federal Housing Law
  - ii. Activity Center (minimum of 2,200 square feet)
  - iii. Community Pool (minimum of 500 square feet)
  - iv. Secondary amenity building (minimum of 600 square feet)
- b. Accessory Uses
  - i. Gazebos
  - ii. Pavilions
  - iii. Tennis and Sport Courts
  - iv. Accessory Buildings

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- v. Pond
- vi. Putting Green

- c. Landscape Setback. There shall be a landscape setback with a minimum width of twenty (20) feet from the perimeter property line to a residential structure. Trails shall be permitted within the landscape setback easement.
- d. Building Lines. If the property is platted as a single lot, building lines will be required to be shown on the plat when submitted for approval.
- e. Area Requirements. This zoning category will be a condominium community and individual dwelling units will not be platted into individual residential lots. The site will remain as one lot. Therefore, the reference to setbacks shall be used as building separation from other buildings and from the private street.

Side Yard Setback (Between Buildings)	Front Yard Setback (Front of Building to Back of Curb)	Rear Yard Setback (Between Buildings)
6' Minimum	20' Minimum	20' Minimum

### f. Development and Performance Standards

Minimum Lot Size	Minimum Lot Width	Minimum Lot Depth	Maximum Height	Maximum Lot Coverage (percent of lot area)	Minimum Dwelling Size (square feet)
N/A	N/A	N/A	35' or 2 ½ Stories	65%*	1,100**

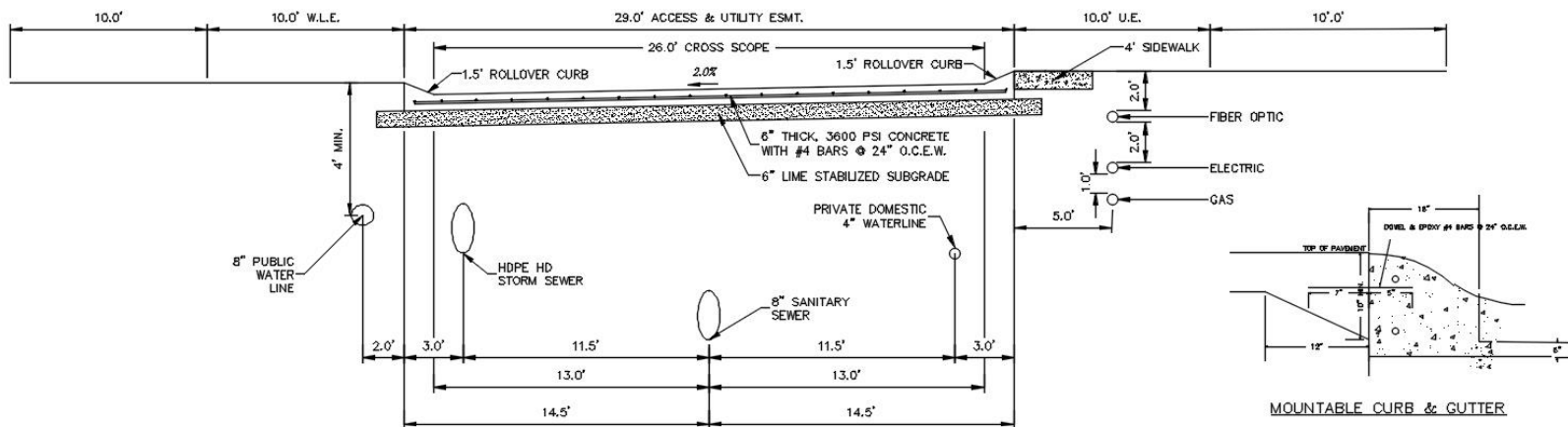
\* Lot Coverage based on total building coverage (excluding accessory uses) for the entire site.

\*\* Air-conditioned space.

- g. Residential Density. The residential density shall not exceed 7 units per acre (du/ac). Residential density shall be calculated using the gross land area of the development platted lot.
- h. Building Design
  - i. Residential buildings and the activity center shall be one hundred (100) percent masonry, brick or stone, on the first floor. An exception to that requirement is if the Activity or Secondary Amenity Building use the Craftsman/Farmhouse style in which they may have up to one hundred (100) percent cementitious fiberboard lap-siding.
  - ii. Cementitious fiberboard may constitute up to one hundred (100) percent of the exterior facades of stories other than the first floor.

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- i. Trails, Screening and Landscaping
  - i. A landscape plan will be provided with the construction plans for each platted lot.
  - ii. There shall be an ornamental metal fence of at least six (6) feet in height or pre-cast wall of at least six (6) feet in height located around the perimeter of the property.
  - iii. Each front yard shall have one (1) canopy tree with a minimum caliper size of four (4) inches, as measured six (6) inches above grade, from the City's approved plant list at the time of the adoption of this ordinance.
  - iv. Residential fencing shall consist of ornamental metal or vinyl and have a minimum height of four (4) feet and a maximum height of six (6) feet.
  - v. Residential fencing shall be permitted within the 20' perimeter landscape buffer.
- j. Parking. Each dwelling shall have at a minimum one (1) parking space within the garage, as well as having two (2) parking spaces in the driveway. Off street parking shall be allowed in areas shown on the approved plat.
- k. Streets and Access. The proposed streets shall be privately maintained by the Homeowner's Association of the platted lot. Private streets shall conform to the street section as approved by the construction plans of the platted lot. The private street will adhere to the section included below.



TYPICAL 29' STREET SECTION

1. Open Space. Open space and parks requirements for the City will be satisfied by the Master Developer as described in this Ordinance.
- m. Amenities. The developer shall provide a detailed site plan approved by City Council for each SF-AA 55+ development with a minimum of one (1) primary amenity to be completed prior to the final inspection of the 80<sup>th</sup> SFR-AA 55+ unit

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from the permitted uses and one amenity from the accessory uses to be completed prior to the final inspection of every 40<sup>th</sup> unit after the initial 80 units.

### VI. LOT STANDARDS - GENERAL

1. Lot Distribution. This development is intended to provide a variety of lot and home sizes and types to serve a diverse community. It is understood that the flexibility in the percentages is necessary since this development will occur over a period of years and market conditions and the needs of the community will change. The following table provides a summary of the densities and allowable percentages ranges of various product types. These percentages are based on dwelling units and not land area.

<i>Lot Type</i>	<i>Underlying Standards</i>	<i>Minimum Lot Frontage</i>	<i>Minimum Lot Size</i>	<i>Minimum Home Size</i>	<i>Planned Units</i>	<i>Planned Percentage</i>	<i>Allowable Percentage Range</i>
Townhomes SFR-A	PD Section V-3	25'	2500	1000	175	2.16%	0 – 5%
40' Res. Patio (SFR-40)	PD Section V-4	40'	4000	1200	545	15.00%	0 - 15%
56' Res. Cottage (SFR-56)	PD Section V-5	56'	6500	1400	315	11.51%	0 - 15%
60' Res. Traditional (SFR-60)	PD Section V-6	60'	7200	2000	710	28.73%	0 - 40%
70' Res. Traditional (SFR-70)	PD Section V-7	70'	8400	2200	155	7.32%	0 – 15%
80' Res. Traditional (SFR-80)	PD Section V-8	80'	9600	2500	320	17.26%	10% - No Max
Estate (SFRE)	PD Section V-9	100'	12000	2800	45	3.03%	0% - No Max
55+ Residential (SFR-AA)	PD Section V-10	50	5000	1100	355	9.98%	0 – 10%
MF/Senior Residential (MF)	PD Section XV	N/A	1500	n/a	595	5.02%	0 – 10%

- a. The categories of SFR-40, SFR-56 and SFR-60 comprise the predominant use of the mixed residential lot types. The total of these categories may not exceed 60%.
  - b. The MF district shall incorporate senior living components of at least 25% of the category.
2. Each development plan and preliminary plat will be submitted with a lot mix chart showing what is included in the current plan/phase and what the cumulative status of the lot mix is.

**VII. ARCHITECTURAL STANDARDS**

1. Masonry standards. Pursuant to the Development Agreement, the City Council of the City of Burleson and parties to the Development Agreement designated the district as an area of architectural importance and significance for the purposes of Chapter 3000 of the Texas Government Code (the “Code”). In accordance with the Agreement and pursuant to Section 3000.002(d) of the Code, the district is subject to the application of all City rules, charter provisions, ordinances, orders, building codes, and other regulations existing as of June 7, 2021, that govern the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building in the district, including but not limited to Article XVI (Masonry Construction Standards) of Chapter 10 (Buildings and Building Regulations) of the City of Burleson Code of Ordinances, regardless of whether a different building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building. Additionally, in accordance with the Agreement and pursuant to Section 3000.002(d) of the Code, the district is subject to the application of the regulations that establish a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building, regardless of whether the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building.
2. Unless otherwise provided in this Ordinance, the Development shall adhere the City’s zoning ordinances to establish uses and design standards for any lot categories that have been identified and are in effect at the time the Planned Development ordinance is initially approved.
3. All single family detached dwellings shall utilize at least five (5) of the following design features to provide visual relief along the front of the residence and any side of the residence facing a street. For homes on corner lots or where there is a direct line of sight to full side of home, the minimum design features must be at least six (6) of the following. Elevation and design standards specifically stated under the specific zoning type shall be adhered to over these standards.
  - a. Carriage style garage door
  - b. Garage door not facing the street
  - c. Bay window, must project no more than 18” in the front or rear yard, and no more than 12” in the side yard.
  - d. Eyebrow or arched front windows
  - e. Cast stone accents on the front elevation, minimum of 3% of front elevation
  - f. Covered front porches of a minimum of 50 square feet
  - g. Front porch railings of either wood or wrought iron



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- h. Front door with at least 20% area covered with decorative glass or wrought iron
  - i. Cupolas or turrets
  - j. Dormers
  - k. Gable
  - l. Decorative attic or gables feature, minimum 2 square feet
  - m. Two or more offsets in the front façade of at least 24" depth
  - n. Metal roof accents
  - o. Recessed entry, a minimum of three (3') deep
  - p. Variable roof pitch equal to or greater than 8:12
  - q. Exterior shutters on at least 75% of the windows on the front façade
  - r. Masonry arches
  - s. At least two types of masonry materials (stone, brick or stucco)
4. The Developer agrees to include all architectural standards established with the Planned Development into deed restrictions filed with the County with or prior to the filing of the final plat. These standards may alternatively be incorporated into the homeowners' association documents which shall be filed as a part of the deed.

### **VIII. OPEN SPACE/PARKS**

1. An overall plan with a description and distance of each open space and parks improvement is included as an exhibit to this ordinance.
2. A detailed park and trails plan will be required as part of the development plan for each Development Section. The exhibit shall show each home to be within 3,000 feet of a neighborhood or community park.
3. Per the City's Subdivision and Development Ordinance at the time of the Development Agreement, parkland shall be dedicated at one acre per 100 residential units. This development proposes approximately 3,066 residential units which results in 30.66 acres of parkland dedication required. The Developer proposes to dedicate approximately 102 acres of parkland which has been established in the Agreement as a satisfaction of the parkland dedication requirement.
  - a. Dedication of property by the Developer shall satisfy any contribution typically required by the builder of homes in the community or otherwise incurred at the time of final plat. The park dedication in this section shall fully satisfy the park dedication requirement.
4. The development plan will include parkland dedication amounts, which shall be a minimum cumulative rate of 1.5 times the City's current required dedication on a per phase basis (i.e. 200 residential units equals three acres of parkland dedication). Prior developed phases may be included in this cumulative count. Trails are included in the parkland dedication amount.

5. The City's parkland infrastructure fee shall be waived for this development due to construction of park improvements by the developer. The fees shall be considered through development of the PID Service and Assessment Plan (SAP).
  - a. The establishment of a Public Improvement District will replace improvement fee requirement typically required by the builder of homes in the community or otherwise incurred at the time of final plat. The park infrastructure fee in this section shall fully satisfy the park infrastructure fee requirement.
6. All public parkland will be deeded to the City upon filing of the final plat for the developed phase and indicated as public parkland on the plats. All amenities and trails for each platted area shall be installed and accepted by the City prior to the final inspection approval for any residence in that phase.
7. Neighborhood parks shall be given a specific focus while adhering to the overall theme and brand. Recommended focuses include but are not limited to park uses intended for young children, older adults, active lifestyle, passive space, inclusive of disabilities, etc.
8. Any areas that are proposed to be private common space need to be delineated clearly on the plats.
9. Where possible, stormwater management features (detention ponds, bioswales, etc.) shall be used as park amenities either by incorporating retention with an aeration fountain or as a dry playfield.
10. The Preliminary Concept Plan in the Development Agreement shows conceptual locations of planned park areas, which includes a Community Park and an Equestrian Center. These locations are conceptual, but in no case shall fewer park locations be provided.
  - a. The community park shall be a minimum of 10 acres and shall generally conform to the Community Park concept included as an exhibit.
  - b. Neighborhood Parks shall generally conform to the Neighborhood Park concept included as an exhibit.
  - c. Parks shall generally be constructed in accordance with the following:
    - (i) Community Park shall be constructed with the first phase of residential development and with a design that follows the description in these standards.
    - (ii) Community Park shall include the Community Building that follows the description in these standards. The Community Building shall be a minimum of 2,400 square feet in size.

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- (iii) At least one of the Neighborhood Parks will include a community pool of approximately 5,000 square feet. The neighborhood park with the pool will be easily accessible by pedestrians and vehicles. The specific pool size will be identified with the development plan for the section it is in. The pool amenity may be split between parks and may also include alternate water amenities/features.
- (iv) With each development plan, a summary of parkland dedication per phase and a cumulative total of prior parkland dedication must be provided.
- (v) All parks to be managed and maintained by an association management company with funding participation by the PID unless expressly agreed to otherwise by the City. At the expiration of the current PID assessment, or when otherwise agreed to by City Council, maintenance responsibility will be established for the parks (i.e. a new PID assessment, HOA dues, City funds, or alternative solution).
- (vi) The Preliminary Concept Plan shows a number of amenities. These are conceptual in nature. A more detailed description of the planned amenities shall be submitted with the development plan for that Development Section. A formal plan shall be submitted prior to or concurrent with the construction plans for the surrounding infrastructure in that phase and shall be approved by City Council. It is anticipated that the final plans will deviate from the concept plan, but the number and nature of the amenities will need to be comparable.

<b>Park Amenities</b>	<b>Community Park</b>	<b>Neighborhood Park</b>
Minimum acreage	10	3
Off Street Parking	R	O
Playground (min 1000 square feet)	R	R
Restroom	R	O
ADA Accessibility	R	R
<b>Site Furnishings</b>		
Benches (3 per acre)	R	R
Picnic Tables (2 per acre)	R	R
Trash Receptacles (2 per acre)	R	R
Pet Waste Stations (1 per 1,000-ft of trail)	R	R
Landscape Improvements (Irrigated)	R	R
Signage (to be approved by Parks)	R	R
Drinking Fountains (1 for every 5 benches)	R	R
Trails/Pathways	R	R

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Shade over play features (min. 2 per playground)	R	R
Bike Racks (2 per Community/Neighborhood Park)	R	R
BBQ Pits (1 for every 4 picnic tables)	R	O
Lighting	R	R
<b>Optional Amenities</b>		
<b>Primary</b>		
Outdoor fitness equipment (min. 3 stations)	O	O
Sports Courts (min.3 for Community Park)	O	O
Sports Fields (min. 2 for Community Park)	O	O
Ponds	O	O
Skate Park (min. 3,000 square feet)	O	O
Dog Park (min 15,000 square feet)	O	O
Splash Pad (min 1,500 square feet)	O	O
Fishing pier	O	O
Musical Play Features (min. 2 stations)	O	O
<b>Secondary</b>		
Natural Area (min. 25,000 square feet)	O	O
Gardens (min. 1,000 square feet)	O	O
Public Access/Fencing	O	O
Shade Structures (other than over playground) (1 for every 5 picnic tables)	O	O
Shelters (min. 4 shelters)	O	O

R = Required | O = Optional

- 1) The Community Park shall have at least 5 of the primary optional amenities and 3 of the secondary optional amenities listed above.
  - 2) Neighborhood parks shall have at least 2 of the primary optional amenities and 2 of the secondary optional amenities listed above.
  - 3) Two of the neighborhood parks may have a reduction in the number of amenities in favor of high quality passive park space.
- d. The Equestrian Center will be added to the development as an amenity for horse owners, enthusiasts and hobby riders. The Equestrian Center and associated improvements are intended to be private and maintained by the HOA. It is comprised of two separate buildings:
- (i) Horse Facility - The existing horse facility is located at the eastern property shown on PD attachment (d) along County Road 1016. The facility is

approximately 30,000 square feet, open-air and under-roof and contains stalls and horse training equipment. The concept of the facility would be to make it available for private rental for those in Chisholm Summit interested in owning a horse. The HOA would manage the rentals as well as any community or public events to utilize the facility. Additional barns exist near the Facility that may be included in the programming as well.

- (ii) Visitor Center / Offices – The existing 3,000 square feet house southwest of the main facility may be converted to a facility for professional operations related to the Facility. The HOA would manage the building.

## IX. LANDSCAPING

1. A general landscaping plan will be required with the development plan for each Development Section, with call-outs and descriptions for specific landscape components throughout the Section. Care shall be taken to ensure adequate roadway and intersection sight visibility.
2. A detailed landscape plan will be required for the construction of each phase within the Development Section showing the landscape elements along the public roadways, parks and trails. All landscaped areas to be irrigated with a quick connect within 50 feet of every ornamental bed.
3. Street trees will be utilized primarily as an addition to the median but may be located within the parkway upon approval by the City. Major collectors and arterials will be required to have street trees, as well as those streets which function as minor collectors inside the development, connecting multiple neighborhood sections. Street trees shall be consistent throughout these areas of the development and selected from the list below. Street trees located within the parkway shall be ornamental trees selected from the “Small Trees” list below and spaced not to exceed 20 feet on center. Trees located outside of the parkway shall be selected from either the “Medium Trees” or “Large Trees” list below and spaced not to exceed 50 feet on center. All street trees shall be a minimum of three (3) caliper inches at the time of planting.

<b>Small Trees</b>	<b>Medium Trees</b>	<b>Large Trees</b>
Redbud	Bald Cypress	Chinkapin Oak
Eastern Red Cedar	Chinese Pistachio	Bur Oak
Mexican Plum	Desert Willow	Red Oak
Holly		Cedar Elm

4. Landscaping will be required where ornamental metal fence is present adjacent to a major collector, minor arterial or major arterial. Landscaping along roadway-adjacent ornamental fencing shall be placed such that it provides opaque screening for the adjacent homes. This landscaping will be designed with the roadway plans

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for the adjacent roadway. Factors for consideration in design are housing type, location of parks, location of trails, location of street calming measures, specific theme in the neighborhood section, specific theme for neighborhood parks, etc.

5. All common landscaping shall be installed prior to final acceptance of the public infrastructure for each phase.

### X. ENHANCED WALLS AND FENCING

1. Fencing standards will vary based on the location of the property in the development and shall generally adhere to the following:
  - a. Properties with a rear yard adjacent to both Lakewood Drive (existing County Road 914 and its extension) and the existing east/west thoroughfare (existing County Road 1016 and its extension) shall be screened primarily with a six-foot ornamental metal fence (including a minimum four-foot wrought iron element) with Chisholm Summit branding and landscape screening (shown as Image 4 below). A six-foot masonry wall with seven-foot masonry columns may be used in areas where additional screening may be necessary (shown as Image 3 below). Screening will be provided with landscaping to follow the approval process described in the above section. Additionally, no residential lots shall have direct access to these roads. Fencing/screening shall be designed and approved with the roadway plans



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for the adjacent roadway. A detailed wall and fencing plan shall be required with the final plat submittal. A visibility analysis based on future roadway sections shall determine if additional visibility triangles or right-of-way is required.

- b. Fencing for the Townhomes will follow the regulations given in the SFR-A residential category established by this Ordinance. Fencing for the 55+ Residential community will follow the regulations given in the SFR-AA residential category.
- c. Where fencing is installed abutting open space areas, the fencing must be ornamental metal fence of at least six (6) feet.
- d. Where fencing is installed for the Community Building, the fencing must be ornamental metal fence of at least (6) feet.
- e. Fencing located on typical rear yards or between residential lots shall meet the City's fencing and screening ordinance.
- f. Any transitional fencing must meet City's fencing and screening ordinance.
- g. Fencing of land abutting major roadways (except as defined above in subsection X.1a) that is part of a future phase for the Chisholm Summit development may be pipe rail fence with linseed oil treatment similar to that shown near the Chisholm Summit Equestrian Center as attached in this ordinance.
- h. Where additional fencing is installed for the Equestrian Center, the fencing may be pipe rail fence with linseed oil treatment.
- i. Fencing and screening shall be installed prior to final inspection approval for a dwelling unit abutting any space; or on the lot where said fencing and/or screening is required by this ordinance.
- j. Properties adjacent to Lakewood Dr or anywhere abutting pipe rail fencing shall not be allowed a fence that exceeds six feet in height, this provisions includes side yard fences that meet perpendicular to any pipe rail fencing. In all cases no fence shall be erected directly parallel (up to 15 feet parallel from existing fence) to any existing wall or fence.

## **XI. STREET LAYOUT**

1. All other roadways shall be designed in accordance with the Master Thoroughfare Plan as approved at the time of adoption of this Ordinance.

2. In lieu of curvilinear requirements, the street design shall incorporate traffic calming methods to reduce speeds throughout the development. The following are examples of methods of traffic calming that may be considered in lieu of curvilinear requirements.
  1. Integrated traffic calming methods, such as traffic circles, chicanes, bump outs with landscaping or other methods
  2. Neotraditional development with narrow streets, street trees, reduced front yard setbacks
  3. Cul de sacs
  4. Short block lengths
  5. Curvilinear methods, if necessary
  6. Table top speed breaker at designated cross walks approved by the City

## **XII. TRAILS**

1. Primary trail locations are shown on the exhibit. The trail locations shall generally conform to the trail park location concept. Primary trails shall be 10 feet wide and constructed to City design standards. Trails will be lighted; lighting fixtures shall be placed 75 to 100 feet apart depending on the placement of trees and the curve of the path. Additional lighting will be required in a tunnel or at overpasses, at trailheads, bridge entrances and exits, natural public gathering places, along streets, at crosswalks, where the path crosses another path or sidewalk, and on signage. Additional benches and trash receptacles will be added where a long distance exists between trail park nodes. Trail design may be modified based on mutually agreeable circumstances which may include but are not limited to pipeline location, tree preservation, accessibility, slope requirements, etc. Crossing warning signage (lit) and bollards at road/drive intersections will be installed where required by City standards.
2. Secondary trails are not identified on the Land Use Plan but may be established with individual phases. Secondary trails shall be a minimum of 5 feet wide and constructed to City standards.
3. Equestrian trails will be specifically designed in the development plan for the Development Section including the equestrian center. Trails will be guided by a national standard such as the *Equestrian Design Guidebook* published by the U.S. Forest Service and the Federal Highway Administration. Trail type may vary based on the existing terrain and intended user experience. Trail design options may include:
  - a. 6-foot trail comprised of two 3-foot tread areas
  - b. 4-foot trail comprised of two 2-foot tread areas
  - c. Material of native soil with no road base plus wood chip in low drainage areas
  - d. Material of native soil with mixed-in crushed rock aggregate where needed



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- e. Avoid hardened and smooth trail surfaces such as concrete, soil cement, asphalt, and non-permeable soil stabilizers.
- 4. Trail park nodes. The trail park nodes shall generally conform to the trail park nodes concept on PD attachment (d). These are conceptual and will be specifically identified with each phase. Each park node shall include a seating area or picnic area and shall have at least one of the following amenities.
  - a. Bocce Ball
  - b. Bag Toss
  - c. Horseshoes
  - d. Shuffleboard
  - e. Chess/Checkers Tables
  - f. Fitness Stations
  - g. Art Installments
  - h. Science/Engineering Installments
- 5. Trails shall be coordinated with the most recent adopted bike and trail plan.
- 6. Trails as generally shown on PD attachment (d); Parks, Trails, and Open Space, and in accordance with approved Final Plats must be completed and accepted by the City for each platted area prior to the issuance of a certificate of occupancy for any residence in that phase.

### **XIII. LIGHTING**

- 1. Exterior lighting shall be of a style and character which is in harmony with the character of the community's overall western theme. Lighting standards in parking areas shall not exceed twenty (20) feet in height. Luminaries shall have shielded light sources to prevent glare. Pedestrian walkways shall be illuminated by light bollards or other low level lighting standards with shielded light sources. All outdoor lighting shall be designed for safety, convenience and security while minimizing sky glow, an adverse effect from illumination upon the size, enjoyment and value of nearby property and upon the appearance of the community. Examples of acceptable lighting fixtures (conceptual) are prescribed below. Lighting fixture of equivalent theme and quality may be approved by the Director of Development Services.





2. Decorative street light equipment shall have a black powder-coat finish and must be raised at least nine-inches above finished grade on a concrete pedestal.
3. A lighting plan will be submitted for approval by City staff with the construction plans of each phase and will include an example of the lighting type to ensure consistency with prior phases and adherence to the overall theme. The maximum spacing of street lights shall be 200 feet, except when needed to ensure that lights are placed at lot lines or not to interfere with geographical concerns or driveways (deviations of the 200 feet requirement must be approved by the Public Works Director or their designee). All cul-de-sacs and stub-end streets exceeding 130 feet in length, measured from the street light location at the intersection to the right-of-way line at the end of the cul-de-sac or street, shall have a decorative street light within the bulb, or in the case of a stub-end street, at the end of street barricade. Pedestrian crosswalks and intersections shall have at least one decorative street light. Four way intersections shall have two lights and shall be annotated on the lighting plan.

**XIV. SIGNS**

1. Community signs will be utilized as a method of both wayfinding and branding throughout the development. Sign locations will be shown on the construction plans for each phase.
2. Entry signage for the main entry points in the Chisholm Summit development must be generally provided in the character illustrated on the exhibits.
3. Wayfinding signage may be included throughout the community and used along the arterial roads, collector roads, and points of intersection to denote entries into individual neighborhoods. Any signage will be considered by separate permit and adhering to applicable ordinances. Signage should fit into the character of the community and should follow MUTCD guidelines.
4. Entry and wayfinding signage will resemble each other in such a way to identify both with the Chisholm Summit development.

**XV. MULTI-FAMILY/SENIOR LIVING**

1. Per the approved concept plan in the Chapter 380 Development Agreement, Multifamily development is not proposed in Development Area “A” or Development Area “B” and is not allowed unless specific action is taken by the City Council to modify the concept plan and this Planned Development ordinance is amended.
2. Architectural features shall reflect the theme of the development. The MF, multiple dwelling district shall be established to provide adequate space and site diversification for multiple-family apartments and condominium developments where the maximum density does not exceed 24 dwelling units per acre.
3. Standards for this district will be established with the Planned Development addendum or amendment as this phase is developed. Generally, the district is intended to be a mixture of high-density dwelling units that meet the requirements of the Development Agreement.
4. The area designated for Multifamily / Senior Living will be established with at least 25% focused on the “senior living” component, promoting a district in that serves the full life-cycle of a community.
5. The public trail in this area should be sufficiently connected to the buildings and with a design that is conducive to the senior population.

**XVI. COMMERCIAL ELEMENTS**

1. The Preliminary Concept Plan envisions a centrally-located commercial node that would be a focal point for the Chisholm Summit community, connected in a way that allows for pedestrian and vehicular movement to and from the commercial and retail operations, and has a unique sense of place that complements the community.
2. Uses for the commercial area will be established with the Planned Development ordinance as this phase is developed. Generally, the uses will be Neighborhood Service to light General Retail, providing opportunities for shops and stores while limiting the uses found in a broader commercial category.
3. Developer will evaluate a form-based code for inclusion in the Planned Development ordinance to place a focus on the building design.

**XVII. COMMUNITY BUILDING(S)**

1. A main Community Building will be located in the Community Park. Refer to PD attachment (e) of the Agreement for additional information and a general depiction of the conceptual layout and design. This Community Building will include at a minimum:
  - a. Party rooms for HOA-member use
  - b. Covered patio
  - c. Fire pits
  - d. Outdoor kitchen
  - e. Restrooms
  - f. HOA office
  - g. Pedestrian connections to Community Park amenities
  - h. Dedicated parking for building use
  - i. Strand light plaza
2. The building space will be privately-owned and maintained by the HOA unless otherwise agreed by City. A separate water and power meter not attached to the park will be required for the building.
3. A separate community building will be considered for a neighborhood park in the area shown on the Land Use Plan as Multifamily / Senior Living.

**XVIII. ATTACHMENT DESCRIPTIONS**

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1. The standards of this Ordinance have been further illustrated by attachments described and referenced in the above sections. The attachments are incorporated into this Ordinance by reference for all purposes. The attachments to these development standards are as follows:
  - a. Preliminary Concept Plan (PD attachment “a”)
  - b. Development Sections (PD attachment “b”)
  - c. Theme Imagery (PD attachment “c” - 2 pages)
  - d. Parks, Trails and Open Space (PD attachment “d”)
  - e. Community Park Concept Design (PD attachment “e” - 3 pages)
  - f. Neighborhood Park Concept Design (PD attachment “e”)
  - g. Fencing and Landscaping Design (PD attachment “g” - 2 pages)