

EXHIBIT B
PLAN OF DEVELOPMENT
LAKES OF CANE ISLAND

Deleted: MORTON 180 TRACT

A. Introduction

This proposed development is an important opportunity for Waller County to participate in the strategic planning of a single family community, further setting the tone for future development in the area. The proposed plan is intended to align elements of the County's requirements and goals with the goals and objectives of a contemporary master-planned development. The quality and cohesiveness of this development should continue to set the standard for the type of development the County desires to promote within its jurisdiction.

Lakes of Cane Island (Project) is a single family community consisting of approximately 221.5 acres, located north of Morton Road, south of Clay Road, and approximately half a mile west of Pitts Road. It is located fully within Waller County.

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The developer desires to construct a community consisting of recreational amenities and open space, with a range of housing types and prices.

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This Plan of Development (PD), its description, rules, and regulations shall apply to the entirety of property as is depicted on Figure 2 - Conceptual Plan. The land plan depicted in Figure 2 is preliminary and subject to change.

1. This Plan of Development includes the following sections:

- A. Introduction
- B. General Provisions
- C. Land Uses
- D. Development Regulations
- E. Parks, Recreation and Trails
- F. Street Plan & Cross-Sections
- G. Building Regulations

B. General Provisions

1. The PD approved herein will be constructed, developed, and maintained in compliance with this Development Agreement and other applicable ordinances of the County. If any provision or regulation of any County ordinance applicable in the Lakes of Cane Island Plan of Development is not contained in this PD, all the regulations contained in the County's ordinance applicable to the Lakes of Cane Island PD in effect on the effective date of this ordinance will apply to this PD as though written herein, except to the extent the County regulation or provision conflicts with a provision of this ordinance.
2. If there are discrepancies between the text of this document and the figures attached, the text shall prevail.
3. The Project shall be developed in accordance with the following figures that are attached to and made part of this PD:

Figure 1 - Boundary Exhibit
 Figure 2 - Conceptual Plan
 Figure 3 - Landscape and Open Space Plan
 Figure 4 - Street Type Designation Map
 Figure 5 - Street Cross-Section, Local Residential Street
 Figure 6 - Street Cross-Section, Collector Street
 Figure 7 - Fence Exhibit

4. A homeowners' association shall be established and made legally responsible to maintain all common areas, private streets, recreation reserves, and community amenities not otherwise dedicated to the public. All land and facilities dedicated to a Municipal Utility District shall be maintained by said District.
5. The homeowners' association shall enforce deed restrictions.
6. Developer agrees to provide "Increased Standard" street concrete thickness as provided in the table below, unless a geotechnical analysis demonstrates that improvements to subgrade will provide better long-term stability and reduced maintenance burden for the road, in which case the "Minimum Standard" below shall be provided with the recommended subgrade composition per the analysis.

Paving Standards	Local Streets	Collector Streets
Minimum Standard	6" thick concrete	7" thick concrete
Increased Standard	7" thick concrete	8" thick concrete

7. The developer or Municipal Utility District shall maintain a maintenance bond which shall commence on the effective date of the acceptance of the roads by the County and continue for a minimum one-year period but no longer than the earlier to occur of a two-year period or until 100% of the residences which are served by the accepted roads are substantially completed.

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8. Waller County Municipal Utility District No. 58 ~~has been~~ created upon the property associated with the Project described in Exhibit 'A' to the Agreement.
9. Along the eastern boundary of the Project there are two public right-of-ways that abut the subject property, Hall-Thompson Road and Katy Prairie Drive. These are gated and only accessible through the private neighborhoods to the east. As such, a variance was approved by the City of Houston Planning Department on November 10, 2022 to not extend the public right-of-way for Hall-Thompson Road or to dedicate additional right-of-way for Katy Prairie Drive into and within the subject property.
10. The developer shall provide a fee in lieu of making improvements to Clay Road, Morton Road, ~~and Bartlett Road~~. The current cost to construct one half of a major thoroughfare boulevard is approximately \$375 per linear foot. Since the Project has approximately 1,770 linear feet of frontage along Clay Road, the developer shall provide \$663,750 to Waller County when the first final plat is submitted that abuts Clay Road. Furthermore, since the Project has approximately 510 linear feet of frontage along Morton Road, the developer shall provide \$191,250 to Waller County when the first final plat is submitted that abuts Morton Road. ~~Lastly, since the Project has approximately 2,641 linear feet of frontage along Bartlett Road, the developer shall provide \$990,375 when the first final plat is submitted that abuts Bartlett Road.~~ If the cost to construct one half of a major thoroughfare boulevard has decreased by the time of plat submittal, the developer shall be permitted to submit a revised cost estimate for improvements to Clay and Morton to reflect the updated cost and, upon the County's approval of the revised cost estimate figures, shall only be obligated to pay the County the revised cost.
11. The developer shall dedicate up to 60 feet of right-of-way for Morton Road and Clay Road so that the ultimate right-of-way width for each road can be 120 feet. The dedication shall occur in a piecemeal fashion along with each plat that abuts a portion of Morton Road or Clay Road.

C. Land Uses

1. The maximum number of single-family lots shall not exceed ~~650~~ lots (unless additional tracts of land are acquired and added to this PD). Currently, there is planned to be approximately ~~568~~ lots.
2. Within the boundary of the proposed Plan of Development, land shall be dedicated for neighborhood park purposes, to equal one acre for each 54 proposed dwelling units. A minimum of 10.1 acres shall be dedicated for these purposes (~~568~~ lots/54 = ~~10.5~~ acres). If additional lots are platted, the commensurate amount of parkland shall be dedicated. A parkland dedication table shall be provided with each plat to ensure compliance with this requirement. The requirements for the parkland are described in Section E. Each plat does not need to stand on its own with regard to parkland dedication as parkland dedication shall be considered on a project total basis.

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D. Development Regulations

Area within the PD shall be developed in accordance with the following regulations:

1. The maximum number of lots shall not exceed 650 lots (unless additional tracts of land are acquired and added to this PD).
2. Minimum lot size: 40 feet minimum width and 5,000 square feet minimum area as approved by variance by Commissioner's Court on September 28, 2022, and described in Exhibit D.
3. Maximum lot coverage: 65% calculated as the ground covered by building structures, principal, or accessory, of the gross lot surface area.
4. Minimum front yard building setback: 25 feet; measured from the front property/right-of-way line.
5. Minimum side yard building setbacks: five feet for interior, non-corner lots and the non-street side of corner lots; 15 feet exterior side yard for corner lots. Minimum 25 feet garage setback if the garage door faces the side street.
6. Minimum rear yard building setback: Ten feet, except when the rear utility easement width is greater than ten feet, the greater width is the minimum rear yard building setback. When a lot or a reserve is either directly adjacent to a major or minor arterial right-of-way or directly adjacent to a reserve less than 15 feet wide that is adjacent to a major thoroughfare, the minimum rear yard building setback is 25 feet measured from the street right-of-way line and a minimum of ten feet from the rear property line. When a residential lot backs to a designated major thoroughfare and a detached one-story garage is constructed on the residential lot, the rear yard between the detached one-story garage and the rear property line may be reduced to a minimum of three feet if a minimum of 25 feet is maintained between the rear of the one-story detached garage and the right-of-way line of the major thoroughfare.
7. The minimum right-of-way width for local streets within the PD shall be 50 feet as approved by variance by Commissioner's Court on September 28, 2022, and described in Exhibit D.
8. The minimum right-of-way width for collector streets within the PD shall be 60 feet as approved by variance by Commissioner's Court on September 28, 2022, and described in Exhibit D.
9. For local streets, curves shall have a minimum centerline radius of 300 feet. Reverse curves shall be separated by a tangent distance of not less than 50 feet. This shall not apply to "L type" intersections. These types of intersections shall have a minimum centerline radius

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of 50 feet. The provisions of this standard were approved by variance by Commissioner's Court on September 28, 2022, and are described in Exhibit D.

10. For collector streets, curves shall have a minimum centerline radius of 650 feet. Reverse curves shall be separated by a tangent distance of not less than 150 feet. The provisions of this standard were approved by variance by Commissioner's Court on August 16, 2023, and are described in Exhibit D.
11. Cul-de-sac bulbs shall have a 60-foot right-of-way radius and a 50-foot paving radius as approved by variance by Commissioner's Court on September 28, 2022, and described in Exhibit D.
12. Shade Trees:
 - (a) All lots shall have a minimum of one tree, planted in the front yard setback. The trees must be a minimum of 2.5 inches in caliper width and a minimum height of eight feet as measured at the tree trunk from the ground as planted.
 - (b) In addition, on corner lots, one tree shall be provided within 15 feet of a street-side lot line per 50 feet of lot frontage on the side street, or portion thereof. Required trees shall be placed within the side yard setback.
13. Parking:
 - (a) Each single-family home in the Project shall be subject to parking restrictions to be memorialized in separately filed covenants and restrictions as follows:
 - (b) Resident Parking Vehicles of residents shall be parked in the resident's garage or driveway.
 - (c) Guest parking Guests of residents must park in the driveway of the single-family residence they are visiting and may only park on the street if the driveway is not capable of parking another vehicle. This provision does not apply to law enforcement vehicles, emergency services vehicles, vehicles of service workers, such as landscapers, construction workers, or plumbers, but does apply to vehicles belonging to caregivers or domestic help that routinely provide services to the resident.
 - (d) Enforcement The enforcement of these Parking Restrictions shall be done both in accordance with Chapter 684 of the Texas Transportation Code relating to the towing of vehicles, and in accordance with provisions relating to the issuance of fines and the granting of variances from the Parking Restrictions to be contained in separately filed covenants and restrictions.

14. Screening:

- (a) Where residential lots are platted adjacent to major thoroughfares, a minimum 8-foot-tall masonry/pre-cast concrete fence shall be built along the back or side lot line adjacent to said major thoroughfares, as shown on Figure 7 - Fence Exhibit.

E. Parks, Recreation and Trails – As shown in Figure 3 - Landscape and Open Space Plan, an integrated network of open space and recreational amenities shall be provided in accordance with the following regulations:

1. At least 50% of the acreage required for neighborhood parkland shall be provided by the following:
 - (a) Pocket parks: recreation reserves of a minimum 1/4 acre.
 - (b) Community parks: recreation reserves of a minimum of 1/2 acre.
 - (c) Each home shall be located within 1/4 mile of a pocket park or 1/2 mile from a community park.
2. The remainder of the acreage required for neighborhood parkland may be provided by the following:
 - (a) Unencumbered landscape buffer and open space
 - (b) Land encumbered by detention areas, lake and drainage channel borders, or other similar characteristics, which shall qualify at a 50% credit for public park, if it complies with criteria listed below:
 - Areas along lake and drainage channel borders have an average width of at least 30 feet and a minimum width of 20 feet.
 - Side slopes do not exceed a four to one (4:1) ratio
3. All pocket parks; community parks; unencumbered landscape buffer and open space; and land encumbered by detention areas, lake and drainage channel borders, or other similar characteristics shall comply with the criteria listed below:
 - Front a minimum of 60 feet on a public street.
 - Contain additional man-made improvements provided by the developer, such as concrete cart paths, sidewalks, benches, playgrounds, or shelters that facilitate an active/passive human recreational role.
4. Minimum four-foot-wide sidewalks shall be provided along both sides of local residential streets. All sidewalks shall be constructed in accordance with the County details and shall meet the State of Texas ADA standards.
5. Minimum four-foot-wide sidewalks shall be provided along both sides of internal collectors within the property. At the discretion of the developer, an eight-foot-wide joint use trail may be constructed on only one side of the right-of-way in lieu of two separate four-foot-wide sidewalks on both sides of the right-of-way. In either case, the sidewalks or joint use trail may meander out of the right-of-way and into an adjacent landscape reserve if so provided. And

if so provided, the HOA or District, (not Waller County) shall be responsible for the maintenance of the joint-use trail and its ancillary signage, and landscape.

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F. Street Plan and Cross-Sections

All new construction will be concrete curb and gutter with ultimate storm sewer.

1. Street cross sections listed below.
 - Figure 5 - Street cross-section, Local Residential Street.
 - Figure 6 - Street cross-section, Collector Street
2. Street improvements: Streets shall be built in phases as the Project develops in accordance with the County's Engineering Design Criteria and Development Agreement.

G. Building Regulations – Single-family homes within the PD shall be developed in accordance with the following building regulations:

1. Primary exterior finishes are limited to brick, stone (natural, cast, or cultured-textured), real stucco (wire mesh, cement lime based), fiber cement siding (i.e. Hardie Plank siding), and glass, and shall comprise at least 70% of the front façade (the area of the front façade shall exclude eaves, fascia, and door and window openings) and 50% of the remaining façades.
2. Secondary exterior finishes shall include wood and ceramic tiles.
3. Use of architectural metals may include canopies, roof systems, and miscellaneous trim work and such use shall meet the durability standards of the development code.
4. The following building materials shall not be used on the exterior finish:
 - i. Vinyl siding, wood fiber hardboard siding, oriented strand board siding, plastic, or fiberglass panels
 - ii. Smooth or untextured concrete surfaces
 - iii. Exterior Insulated Finish Systems (E.I.F.S.)
 - iv. Unfired or underfired clay, sand, or shale brick



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