

## PROPOSED PD ORDINANCE

That Ordinance Number XXX, being the Zoning Ordinance and Map of the City of Heath, Texas, showing the locations and boundaries of certain districts, and said Zoning Ordinance and Map having been made a part of an Ordinance and passed and approved XXXX, as amended, is hereby further amended so as to rezone the following described area from its classification of Agriculture to a Planned Development (PD) District for SF-43 Uses as amended and omitted herein;

### Description of Land:

43.61 ACRES, OUT OF THE J. O. HEATH SURVEY, ABSTRACT NO. 0116, AND IDENTIFIED AS THE NORTHWEST CORNER OF THE INTERSECTION OF FM HIGHWAY 1140 AND TERRY LANE, CITY OF HEATH, ROCKWALL COUNTY, TEXAS AS DEPICTED ON THE ATTACHED EXHIBIT "A" INCORPORATED HEREIN BY REFERENCE.

### 1) Intent

- a) The intent of this Planned Development District is to provide for high end single-family detached residential development in a natural setting that will complement the open, rural atmosphere of the city. In case of conflict or omission between this Planned Development District and current City ordinances and or regulations, the priority of interpretation of this Planned Development District shall come after the current City ordinance, and or regulations in place at the time this Planned Development District is accepted by the City.

### 2) Uses

- a) The following uses are permitted by right in this Planned Development District:
  - i) Agricultural uses on unplatted lands, in accordance with all other adopted ordinances;
  - ii) One detached single-family dwelling per lot;
  - iii) A single one-story detached building used as a tool or storage shed, playhouse or similar use, provided the floor area does not exceed 120 square feet and the height does not exceed ten feet;
  - iv) A single-detached building, built of like materials and design as the main building that does not exceed 2% of the total square footage of the lot or parcel of land and 15 feet in height or 50% of the main building area. The maximum size may not exceed 1,200 square feet in area or 15 feet in height;
  - v) Temporary real estate office located on property being sold, limited to the period of construction for the lots with an initial two-year period with one-year extensions being authorized by the Planning and Zoning Commission, such sales offices to be maintained at all times;
  - vi) Temporary on-site construction offices, limited to the period of construction, initial two-year

period with one-year extensions being authorized by the Planning and Zoning Commission, such offices to be maintained at all times;

- vii) Home occupations;
  - viii) Paved automobile parking areas which are necessary to the uses permitted in this district;
  - ix) All municipality owned or controlled facilities, utilities and uses;
  - x) Private residential swimming pools as an accessory to a residential use;
  - xi) Temporary concrete batching plants, limited to the period of construction, upon approval of location and operation by the Building Official;
- b) Prohibited Uses
- i) Any building erected or land used for other than one or more of the preceding specified uses;
  - ii) The storage of equipment, material or vehicles, including abandoned vehicles which are not necessary to the uses permitted in the district;
  - iii) Any use of the property that does not meet the required front, side and rear yard dimension, and/or lot width; or exceeds the maximum height or building coverage.

### 3) Area Requirements

- a) Minimum lot area; the lots must be a minimum of 26,250 square feet and have a cumulative per lot average of 35,000 square feet;
- b) Maximum number of single-family detached dwellings per lot one;
- c) Minimum square footage per dwelling unit: 3,000 square feet;
- d) Minimum lot frontage width at front building line: 90 feet;
- e) Minimum lot depth; 175 feet;
- f) Minimum depth of front setback:
  - i) 30 feet for lots in Blocks A and B;
    - 20 feet for lots 5, 12, 13 Block A.
  - ii) 20 feet for lots in Block C.
- g) Minimum depth of rear setback: 25 feet for main building and ten feet for accessory buildings;
- h) Minimum width of side setback:
  - i) Internal lot: 15 feet;

- ii) Side yard abutting street: 30 feet;
- i) Minimum distance between separate buildings on same lot: 15 feet;
- j) Minimum length of driveway pavement: 20 feet from public right-of-way or building;
- k) Maximum building coverage as a percentage of lot area: 35%;
- l) Maximum structure height: 35 feet;
- m) Minimum number of paved off-street parking spaces for:
  - i) One single-family dwelling unit: two. An enclosed garage shall not be considered in meeting the off-street parking requirement.
  - ii) All other uses, see §§159.60 through 159.68.

#### **4) Parkland Dedication**

- a) Parkland dedication shall comply with Section 158.57.

#### **5) Streets and Trails**

- a) The minimum street cross section is 50-feet of right-of-way a minimum 31-feet of pavement, measured from back of curb to back of curb.
- b) The maximum cul-de-sac length in this development is 1,400 feet north of the creek and 600 feet south of the creek.
- c) The developer is required to construct a hike and bike trail is required to be constructed as shown on the attached Concept Plan.

#### **6) Homeowner's Association**

- a) Where common items or areas are proposed, a property owners association shall be created to enforce the restrictions of this ordinance at the expense of the property owners association.
- b) Said association shall also maintain required and/or common masonry screening walls, street landscaping, monument signage, irrigation, and other common areas of the development. HOA's are required to pay for electricity and irrigation. Accounts should be established in those association names.
- c) Documentation establishing such association shall be submitted at the time of final plat review.
- d) Accessory uses and/or buildings and parking or storage such as accessory or storage buildings, parking or storage of RV's or boats, parking on streets, are items that should all be addressed in the deed restrictions.

**7) Fences**

- a) Stockade or privacy fences are prohibited. The only fences allowed are open decorative iron fences.

**8) Residential Design Standards**

- a) The front entry to a house shall be well-defined and kept proportional to the house. The front entry must be designed so as not to distract from the rest of the house.
- b) Only specialty windows such as box windows or circular windows may be flush mounted to the exterior face of the building, all other windows are to be inset to create relief on the elevations.
- c) Facades shall avoid large expanses of uninterrupted, single exterior materials and must be broken up by changes in plane, window placement, window trim, or color changes.
- d) Shutters, if provided, shall be sized and shaped to match the associated openings.
- e) Gutters, if provided, shall be copper, galvanized steel, aluminum or painted if exposed to the street.
- f) All asphalt roof shingles shall be laminated architectural shingles with a three dimensional appearance and warranted for at least thirty (30) years.
- g) A minimum roof pitch of 8:12 (inches of rise per inches of run) from side to side shall apply to the predominant roof, except a tile or slate roof may have a minimum roof pitch of 5:12 (inches of rise per inches of run) from side to side. A variety of roof pitches may be incorporated into the roof design provided that the predominant roof meets the minimum roof pitch requirement.
- h) In order to encourage variety, the exterior facades of houses on a continuous block shall vary within every 10 houses. When a house is constructed, the same combination of brick, stone, masonry-like materials and paint shall not be used on other houses within five (5) lots on either side of that house. The rear facade of a house on a lot that backs up to a street with two or more lanes shall vary in design and construction materials from the rear facade of other houses within three (3) lots on either side of that house that also back up to the same street.
- i) Design between garage and house shall use same or complementary colors and materials.
- j) Other quality products are encouraged, including but not limited to: tile, slate or metal roofs suited to the architecture of the house; decorative columns and railings; wood garage doors; insulated garage doors varied patterns, style and type of materials; and architectural details such as tile work, wood trim, and moldings; or accent materials integrated into the facade.
- k) All exposed wood accents or wooden garage doors shall be stained, sealed or painted for protection and regularly maintained.
- l) Front porches that are fully covered and have a minimum depth of seven (7) feet may encroach a maximum distance of five (5) feet into the minimum front yard setback.