



**CITY OF HUTTO, TEXAS
REGULAR CITY COUNCIL MEETING
THURSDAY, APRIL 18, 2019 AT 7:00 PM**

**CITY HALL - CITY COUNCIL CHAMBERS
500 WEST LIVE OAK**

CITY COUNCIL

Doug Gaul, Mayor
Tom Hines, Place 2, Mayor Pro-tem
Scott Rose, Place 1
Nathan Killough, Place 3
Vacant, Place 4
Patti Turner, Place 5
Terri Grimm, Place 6

AMENDED AGENDA

1. **CALL SESSION TO ORDER**
2. **ROLL CALL**
3. **INVOCATION**
4. **PLEDGE OF ALLEGIANCE**
5. **CITY COUNCIL COMMENTS**

5A. General Comments from City Council

6. **PUBLIC COMMENT**

Any citizen wishing to speak during public comment may do so after completing the required registration form.

In accordance with the Texas Attorney General's Opinion, any public comment that is made on an item that is not on the published final agenda will only be heard by the City Council.

No formal action, discussion, deliberation, or comment will be made by the City Council. Comments must be courteous and respectful. Accordingly, concerns, complaints, and assertions of character regarding specific individuals, including any citizens, staff member, City Board or Commission member or City Council member shall not be raised in a public forum; but should be addressed separately and privately with the City Manager or individual member of the City Council. Any person who violates these rules will have their speaking time ended immediately. Any person, including persons in the audience, who acts in an inappropriate or disruptive manner may be asked to leave the City Council Chambers. Each person providing public comment will be limited to 3 minutes.

6A. Remarks from visitors. (*Three-minute time limit*)

7. **ORDINANCES:**

7A. Consideration of a public hearing and possible action on the first reading of an ordinance approving the Planned Unit Development (PUD) zoning ordinance amendment for the Hutto Crossings PUD, 465.00 acres, more or less, of land, located at the southwest corner of Chris Kelley Boulevard and US 79 West. (Ashley Lumpkin)

7B. Consideration and possible action approving an ordinance directing the City Manager and City Attorney to exercise the right of eminent domain for the purposes of acquiring for public use approximately 209 acres of land, generally located near the intersection of US Highway 79 and CR 132.

8. **CITY MANAGER COMMENTS:**

8A. Presentation announcing the project and lead tenant for Project Expansion.

8B. Presentation of the City Financials for the Month of March as required by the fiscal and budgetary policy. (Michel Sorrell)

9. **PUBLIC HEARINGS:**

9A. Open and conduct the second public hearing regarding the proposed annexation of the HISD Tract, 65.0 acres, more or less, of land located on the east side of FM 1660 North. (Ashley Lumpkin)

9B. Open and conduct the second public hearing regarding the proposed annexation of the HISD Tract, 100.0 acres, more or less, of land located on the east side of FM 1660 North. (Ashley Lumpkin)

10. **CONSENT AGENDA ITEMS:**

All items listed on the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Council member in which event, the item will be removed from the consent agenda and considered as a regular agenda item.

10A. Consideration and possible action approving the minutes of the April 4, 2019 Regular Council Meeting and April 11, 2019 Special Called City Council Meeting. (Lisa Brown)

10B. Consideration and possible action on the second and final reading of an ordinance regarding the proposed annexation of the HISD Tract, 65.0 acres, more or less, of land located on the east side of FM 1660 North. (Ashley Lumpkin)

- 10C. Consideration and possible action on a resolution authorizing the City Manager to enter into a contract with NAPCO Chemical Company for the purchase of Phosphates.(MD Hossain)
- 10D. Consideration and possible action on a resolution authorizing the Creekside Park Improvements, Task Order #4, related to the Proposition C Bond park projects. (Tony Host)
- 10E. Consideration and possible action on the second and final reading of an ordinance regarding the proposed annexation of the HISD Tract, 100.0 acres, more or less, of land located on the east side of FM 1660 North. (Ashley Lumpkin)
- 10F. Consideration and possible action on a resolution approving the proposed Hutto Crossing Phase 4 Revised Preliminary Plat, 24.24 acres, more or less, of land, 87 residential lots, 7 open space lots, located at the southwest corner of Chris Kelley Boulevard and US 79 West. (Ashley Lumpkin)
- 10G. Consideration and possible action on a resolution approving the proposed Hutto Crossing Phase 4 Section 10 Final Plat, 24.242 acres, more or less, of land, 87 residential lots, located at Knowles Drive and Duroc Drive. (Ashley Lumpkin)
- 10H. Consideration and possible action on a resolution approving the proposed Mustang Creek Preliminary Plat, 170.655 acres, more or less, of land, 506 residential lots, 1 commercial lot, 1 church lot, 1 lift station lot and 54 open space/greenlink lots, located on FM 100 North. (Ashley Lumpkin)
- 10I. Consideration and possible action on a resolution approving the proposed Star Ranch Parcel 13B Final Plat, 0.453 acres, more or less, of land, 1 commercial lot, located within Hutto's extraterritorial jurisdiction (ETJ) on Klattenhoff Lane. (Ashley Lumpkin)
- 10J. Consideration and possible action to appoint Cara Hanna as in-house City Attorney, and setting executive pay as determined by the City Manager.

REGULAR AGENDA ITEMS

11. RESOLUTIONS:

- 11A. Consideration and possible action on a resolution adopting the Hutto Strategic Plan. (Eliska Padilla)
- 11B. A resolution of the City Council of the City of Hutto, Texas, in support of the creation of a Municipal Management District to be known as Hutto Municipal Management District No. 1. (Eliska Padilla)
- 11C. Consideration and possible action on a resolution denying an administrative variance request by Castlerock. (Ashley Lumpkin)

12. **OTHER BUSINESS:**

- 12A. Consideration of and possible appointments to City Boards and Commissions. (Lisa Brown)

13. **EXECUTIVE SESSION:**

The City Council for the City of Hutto reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above as authorized by the Texas Government Code Sections 551.071 [Litigation/Consultation with Attorney], 551.072 [Deliberations regarding real property], 551.073 [Deliberations regarding proscriptive gifts and donations], 551.074 [Deliberations regarding personnel matters] or 551.076 [Deliberations regarding a security audit, or deployment/implementation of security personnel or devices] and 551.087 [Deliberations regarding Economic Development negotiations].

- 13A. Executive Session, as authorized by Texas Government Code, Section 551.087, for deliberations regarding Economic Development negotiations, to discuss Project Expansion.

14. **ACTION RELATIVE TO EXECUTIVE SESSION:**

- 14A. Consideration and possible action regarding Project Expansion.

15. **ADJOURNMENT**

CERTIFICATION

I certify that this notice of the April 18, 2019 Hutto City Council meeting was posted on the City Hall bulletin board of the City of Hutto on April 15, 2019 at 6:45 pm.



Lisa L. Brown, City Secretary

The City of Hutto is committed to comply with the American with Disabilities Act. The Hutto City Council Chamber is wheelchair accessible. Request for reasonable special communications or accommodations must be made 48 hours prior to the meeting. Please contact the City Secretary at (512) 759-4033 or lisa.brown@huttotx.gov for assistance.

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 7A.

AGENDA DATE: April 18, 2019

PRESENTED BY: Ashley Lumpkin, AICP, Executive Director of Infrastructure & Development Services

ITEM:

Consideration of a public hearing and possible action on the first reading of an ordinance approving the Planned Unit Development (PUD) zoning ordinance amendment for the Hutto Crossings PUD, 465.00 acres, more or less, of land, located at the southwest corner of Chris Kelley Boulevard and US 79 West. (Ashley Lumpkin)

**STRATEGIC GUIDE
POLICY:**

Well Balanced & Diversified Economy

ITEM BACKGROUND:

Hutto Crossing is an approximately 466.6 acres of land located south of US 79. 125.9 acres of the property sits west of State Highway 130, at the corner of 130 and 79, and the remaining 340.7 acres is east of State Highway 130 and west of Chris Kelley.

The site contains single family residences, apartments, retail, office, and mixed use areas, with parkland and trails. The proposed amendment will allow for industrial uses on the west side of State Highway 130.

Owner: Hutto Option Mezz Holdings, LLC

Applicant: Sean Compton, TBG Partners

Current Zoning: Hutto Crossing Planned Unit Development

Proposed Zoning: Planned Unit Development

Surrounding Zoning and Land Use:

North: B-2, ETJ (Church, Commercial, Vacant)

East: B-2, SF-1 (School, Commercial, Single-Family)

South: SF-1, ETJ (Industrial, Vacant) and Brushy Creek

West: ETJ (Residential and Self-Storage)

Summary of Request:

The proposed changes allow for general and heavy industrial use in Development Area D. The proposed amendment also would allow self-storage facilities in Development Areas B, C and D with certain conditions.

Staff Review:

The Planned Unit Development (PUD) process and zoning designation allows creativity, innovation and flexibility in land use, density, site planning and design for a parcel that would result in a project more appropriate and desirable than what would result from strict application of the UDC. Development standards are required for a parcel that would be developed as a PUD. Staff has reviewed the proposed PUD amendments against the required criteria.

1. *The PUD is consistent with the spirit of the community, neighborhood and other applicable land use and development plans, compatible with the character of adjacent development or recommended land uses, it would not adversely affect property near the site, and it achieves the benefits of improved design.*

The proposed PUD amendments are consistent with the desired flexibility guidelines of the existing Hutto Crossing district, yet provide additional guidelines and regulations to continue the patterns and growth within the District. The proposed amendments give the commercial areas of the development more flexibility in design, and the new wayfinding signage will enhance the overall sense of community within the district.

2. *The PUD will not adversely affect land with significant historical, cultural, recreational or aesthetic value.*

The uses within the existing PUD will not change. The entire Hutto Crossing Development does not adversely affect the land or City of Hutto.

3. *The PUD will give benefits through providing open space, parks, conservation of environmental features, aesthetic features and harmonious design, and/or energy efficient site design.*

The existing Hutto Crossing PUD contains open spaces and a trail system. These areas are part of the aesthetics of the developing community, and will not be changed. All parkland dedications were calculated with the original PUD adoption and platting processes.

4. *The benefits of preserving land for open space, parks or other public amenities outweigh the potential impact from more intense or dense development of the site.*

These PUD amendments provide clear and concise standards for an intense, dense development, with active open space and design guidelines to provide a cohesive, pedestrian-oriented commercial district. The new wayfinding signage will enhance the cohesiveness of the community, and the updated design standards ensure a quality commercial development.

5. *The PUD controls external effects on nearby land uses such as movement and congestion of traffic; lighting; trash accumulation and litter; noise, air and water pollution; and other factors affecting public health, welfare, safety and convenience.*

The proposed development amendments include guidelines for increased street connectivity and overall site guidelines that are designed to minimize hazards while promoting a sense of community. The new standards will not negatively affect the health, safety, and general welfare of the community.

6. *The PUD will be served by adequate facilities including streets, fire protection, water and sanitation.*

The proposed amendments do not affect the existing plats for the development. The development will continue to meet Code standards.

7. *The PUD does not have a significantly greater burden on the city's existing infrastructure, public improvements and services than development at a density permitted under the current zoning or suggested under community, neighborhood and other applicable land use and development plans, or that arrangements are made to mitigate impacts.*

The proposed amendments do not affect the existing infrastructure plans for the development. The development will continue to meet Code standards.

8. *PUD architectural design, landscaping, hardscaping and signage parameters must give evidence of compatibility with adjacent development, internal consistency of design, and conformance to city design standards.*

The proposed amendments do not allow for non-compatible development within the community. New construction must conform to the design guidelines already approved with the existing PUD Development Plan.

All property owners within 200 feet of the boundary of the development have been notified by mail of the proposed zoning change.

Notice was published in the Taylor Daily Press. Notice has also been posted on the City of Hutto website.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

The Planning and Zoning Commission recommended approval to City Council on April 8, 2019.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

As the Planning and Zoning Commission recommended approval unanimously and all staff comments have been addressed, Staff finds that the proposed PUD amendments for the Hutto Crossing Planned Unit Development meet the intent of all provisions for PUD Review Criteria as listed in Section 10.203.10.3 of the UDC. Therefore, staff recommends that the City Council approve the proposed amendments to the PUD on first reading and dispense with the second reading.

SUPPORTING MATERIAL:

1. [Notice Posted](#)
2. [Ordinance - Hutto Crossing Planned Unit Development \(PUD\) Ordinance Amendment \(Red-Line Version\)](#)
3. [Ordinance - Hutto Crossing Planned Unit Development \(PUD\) Ordinance Amendment](#)

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

PUBLIC NOTICE NOTICE OF A PUBLIC HEARING

NOTICE IS HEREBY GIVEN TO
ALL INTERESTED PERSONS
THAT THE HUTTO CITY COUNCIL WILL
HOLD A PUBLIC HEARING REGARDING:

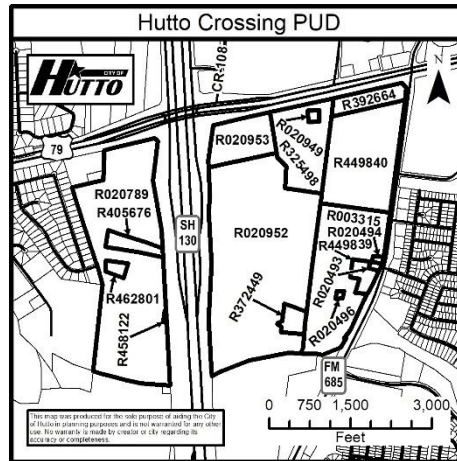
Planned Unit Development (PUD) zoning
ordinance amendment request for the
property known as **Hutto Crossing Planned
Unit Development (PUD)**, 465.0 acres, more
or less, of land, located at the southwest corner
of Chris Kelley Boulevard and US 79 West.

The public hearing will be held on:
April 18, 2019 at 7:00 p.m.

Hutto City Hall
500 W. Live Oak St., Hutto, Texas

For additional information the public
may contact Development Services at
512-759-3479 or planning@huttotx.gov

Publication Date: March 31, 2019



Hutto Crossing Planned Unit Development

April 16, 2013

Applicant's PUD Amendment: January 25, 2018

PUD Amendment #3: March 18, 2019

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Attachment A – Use-specific Design Standards for Self-storage Facilities

Attachment B – Additional Permitted Uses and Design Standards for Development Area D

1. GENERAL PROVISION

1.1. Title

This ordinance is known as “Hutto 465 Ac Tract Planned Unit Development Ordinance”, and may be cited as “Hutto 465 Ac Tract PUD” , “this PUD” or “the District”.

1.2. Purpose and Intent

Hutto 465 Ac Tract PUD Ordinance is intended to encourage innovative planning and flexibility in land use, density, site planning and design for development of the 465-acre property. This PUD accommodates development with a mixed of uses, and allows a degree of flexibility in the application of standards and rules based the Unified Development Code of the City of Hutto.

Designation of a single use zoning district and application of standard development provisions would be too rigid for practical application on the unique and bifurcated property, challenged with difficult access constraints, including the abutting Union Pacific Railroad ROW, Brushy Creek and SH130.

This ordinance is enacted to promote the following:

- Promote good planning practice, design, architecture and urban design; and orderly land use
- Preserve open space and prevent overcrowding.
- Provide the physical infrastructure needed to serve city residents and visitors
- Secure safety from fire and other dangers, and provide for adequate sun, light and air.
- Merge rules governing land use and development into one accessible and comprehensible document for the property.

1.3. PUD Criteria

The PUD plan and development standards set forth in this Ordinance are consistent with the following criteria:

- The PUD would not adversely affect property near the site, and it achieves the benefits of an improved design
- The PUD will not adversely affect land with significant historical, cultural, recreational or aesthetic value
- The PUD will give benefits through providing City parkland, open space, harmonious design, and energy efficient site design
- The PUD will be served by adequate facilities including streets, fire protection, water and sanitation
- Architectural design, landscaping, hardscaping and signage parameters set forth in this PUD give evidence of compatibility with adjacent development and internal consistency of design.

1.4. Compatibility with Gateway Overlay

Hutto 465 Ac Tract PUD Ordinance acknowledges the design principles and intent of the Gateway Overlay District as stated in the Gateway Overlay intent statement. The PUD recognizes that the Gateway Overlay District goals set forth below are to be reflected in the PUD standards:

- Coordinate with ongoing planning efforts for the Hutto Gateway and to further goals, policies and objectives outlined in the Comprehensive plan.

- Ensure the integrity of the ongoing planning process so public discourse can take place involving affected property owners and city residents while still ensuring individual development proposals are consistent with Comprehensive plan goals, policies and objectives.
- Ensure new development incorporates the following:
 - Pedestrian-friendly environment with wide sidewalks, tree-lined streets, active shopfronts, short blocks and variety of uses
 - Variety of public gathering places such as squares and civic greens
 - Naturally calmed streets, shaded by rows of trees that allow for on-street parking
 - Streets and sidewalks that form a connected network, providing a variety of pedestrian and vehicular routes to any single destination in and out of the development
 - Variety of compatible uses, allowing people the opportunity to live, work and play near one another, including, specifically, residential uses above ground floor commercial uses, as appropriate
 - Opportunities for housing choice and variety, including attached and detached homes available for both rental and ownership
 - Buildings placed close to the local or internal collector streets, oriented to the sidewalk and street front, providing easy access for pedestrian activity
 - Building facades that create visual interest through horizontal and vertical articulation with windows, multiple entrances facing streets and sidewalks, and no blank walls
 - Parking located to the rear or side of buildings (to the extent practical)
 - Central Texas native landscaping and trees in parking areas and along bordering walkways
 - Protection and enhancement of the natural features of the site, using them as the framework in creation of any site plans
 - Internal principal (“main”) street as part of the organization of development on the site
 - Development that does not turn its back on arterial streets (to the extent practical), but instead focuses on taming the street edge with element such as slip roads, landscaping and pedestrian-oriented features

1.4.1. General applicability and interpretation

Hutto 465 Ac Tract Planned Unit Development Ordinance applies to all regulations and other matters regarding land use and development of land within the PUD boundary, including zoning, subdivision, platting and urban design.

This ordinance is referenced to the “**Unified Development Code of the City of Hutto, Texas**” (amended 03-09-2012) in effect on the date of adoption of this ordinance, which may also be cited as the “UDC”. In those cases where in conflict, this PUD shall take precedence over the UDC.

1.5. Severability

If a regulation, article, section, phrase, clause, term, word, or part of this PUD is considered invalid, it will not affect the applicability and enforceability of the remaining portions.

1.6. Amendments to Ordinance

Technical, site planning or engineering considerations that meet the intent of this PUD may call for minor deviations from the approved PUD. The Development Services Department may approve minor deviations if they promote flexibility in design and are consistent with the intent of the original PUD approval.

- An administrative approval is a ruling that would permit a practice that is not consistent with a specific provision of this Ordinance but is justified by the provisions of the Section 1.2 Intent and Purpose and Section 1.3 PUD Criteria above. The Development Services Department shall have the authority to approve or disapprove administratively a request for an administrative approval pursuant to regulations established by the Development Services Department and approved by the City Council. Where no specific criteria for granting of the modification are specified, an administrative approval may be granted only for a dimensional deviation of less than 10% of the specified standard.
- The request for an amendment to the PUD Ordinance shall not subject the entire application to public hearing, but only that portion necessary to rule on the specific issue requiring the relief.

1.7. Definitions

Definitions set forth in **Section 10.202 of the UDC**, including general abbreviations, terms, definitions and conditions for use indicated throughout this ordinance shall apply to this PUD.

Sign height: distance from the bottom of the sign face to the top of the sign.

Sign, PUD identification: sign identifying the name and/or logo of the Hutto PUD district without advertising individual developments within the PUD. A PUD identification sign is characterized by expressing a coherent character or features of the District and is distinct from a development sign internal to the PUD that identifies a neighborhood, apartment, residential subdivision or other development within the PUD.

Sign, wayfinding: sign which provides orientation, information, directions or wayfinding within or about the District. Wayfinding signs may be free standing (pole), kiosk, monument wall or other permitted sign type for the District.

Sign face area: area of the smallest rectangle enclosing the extreme limits of the sign lettering. The sign area calculated shall be measured on a single side. Sign face area does not include a supporting structure, monument, monument base, pole cover, or landscape feature unless used to convey a message.

Clear vision area: unobstructed view area at corner lots and curb cuts. The clear vision area is a triangle formed between points on flow lines following property lines 30 ft. from the point of intersection at a corner lot, and 20 ft. along a property line and a driveway edge of pavement at a curb cut.

Fence height: distance from the top of the fence or wall to the finish grade of the lot directly under it. Berms, walls or similar features constructed for increasing the height of a fence or wall are considered part of the fence or wall.

1.8. Development Review Process

The development review process for property within the boundary of this PUD shall comply with the **Section 10.203 the UDC**, except that applications under this PUD shall be eligible to utilize the following by right:

- Applications shall be processed with priority over those under the existing conventional zoning code or the UDC, including those with earlier filing dates.

1.9. Vested Development Rights

The effective date and expiration of vested development rights for property within the boundary of this PUD shall comply with **Section 10.204 the UDC**.

1.10. Reviewing and Administration Parties

The reviewing and administrative parties, their responsibilities and processes established in **Section 10.208 of the UDC** shall apply for development of this PUD.

Development Services staff as identified in this PUD shall include City of Hutto Planning, Engineering, Parks and Recreation and other City departments as appropriate.

1.11. Interpretation

Interpretation of this PUD shall follow the procedures established in **Section 10.209 of the UDC**.

Photos are not considered official, adopted parts of the PUD.

Photos and drawings used in this PUD are examples intended to explain certain design concepts. Some features shown in photos and drawings may not conform to other sections of this PUD. If there is a conflict of meaning or implication between the text of this PUD and any heading, drawing, table, figure or illustration, the text will control.

Images depicting a business are not considered an official endorsement.

2. DEVELOPMENT PLAN

2.1. Permitted Uses in the PUD

Permitted uses within the boundaries of the PUD are as follows:

2.1.1. Residential Uses

2.1.1.1. Single household detached, village, and zero lot line

The single household use is a setting for single household residential development of a medium density detached, village or zero lot line character, with support facilities and services that are compatible with single household residences. Density may range from four to eight dwelling units per acre, depending on the context of the development.

2.1.1.2. Two to four household

The two to four household use is a setting for two household, three household and four household residential structures of a medium density, suburban and village character, along with support facilities and services that are compatible with residential areas. Density may range from eight to 14 dwelling units per acre, depending on the context of the development.

2.1.1.3. Single Household attached (Townhouse and condominium)

The single household attached use is a setting for townhouse and condominium attached residential structures of a medium density character, along with support facilities and services that are compatible with a range of residential areas. Density may range from six to 20 dwelling units per acre, depending on the context of the development.

2.1.1.4. Multiple unit household

The multiple unit household use is a setting for development of multi-unit residential structures and developments, such as apartment and condominium complexes, garden and courtyard multifamily residential buildings, and residential loft buildings. Density may range from 14 to 25 dwelling units per acre, depending on the context of the development.

2.1.2. Commercial and retail use

2.1.2.1. Commercial and retail use

The commercial and retail use is a setting for low to mid intensity retail uses, offices and personal services intended to serve residents of a neighborhood and surrounding community. Additionally, commercial and retail use is a setting for development of a wide range of retail uses, offices and personal and business services. Commercial and retail use should be clustered at locations accessible to the community. Site and building design standards are intended to encourage high quality development, promote internal and external pedestrian connectivity, and prevent potential harm to adjacent residential uses.

2.1.3. Industrial Uses

2.1.3.1. Light industry

Light industry use is composed of land and structures used primarily to provide space for commercial enterprises involved in research and development, light manufacturing, packaging, warehousing, distribution, and skilled mechanical trades. Light industry uses should be grouped together in large, contiguous areas, close to transportation facilities, well separated or buffered from low density residential areas. See Attachment B for additional light industry uses and design standards limited to Development Area D. Attachment B is part of the Hutto Crossing PUD.

2.1.3.2. General Industry

General industry uses are limited to Development Area D. See Attachment B for general industry use description and design standards. Attachment B is part of the Hutto Crossing PUD.

2.1.3.3. Heavy Industry

Heavy Industry uses are limited to Development Area D. See Attachment B for heavy industry use description and design standards. Attachment B is part of the Hutto Crossing PUD.

2.1.4. Recreational Uses

2.1.4.1. Recreation use

The recreation use accommodates recreation and resort uses that take advantage of the land, encourages large outdoor recreation uses that could not easily be provided in the already urbanized portions of the area, and permits commercial and service uses connected with recreational activities. Recreation use should be generally separated or buffered from low density residential areas.

2.2. Use Descriptions and Standards

Refer to **Sections 10.306 – 10.311 of the UDC** for definitions of uses and standards for residential uses, commercial and retail uses, industrial uses, institutional and civic uses, temporary uses and accessory uses permitted in the PUD.

2.2.1. General performance standards

The general performance standards for property within the boundary of this PUD shall comply with **Section 10.312 the UDC.**

2.2.2. PUD uses

Permitted uses set forth in this section 2.2.2 in the PUD must conform to **Exhibit A, PUD Development Plan.**

2.2.2.1. Permitted Use table abbreviations

	Context
X	Permitted use permitted by right, subject to conditions and performance standards for the use. All permitted uses are subject to conditions set forth in Section 10.202 of the UDC .
-	Not a permitted use
* —	Permitted use permitted by right within the designated overlay area and shown on Exhibit A – PUD Development Plan, subject to conditions and performance standards for the use. All permitted uses are subject to conditions set forth in Section 10.202 of the UDC

Permitted Uses

2.2.2.2 Residential Uses

Residential Uses	DevAreaA	DevAreaB	DevAreaC	DevAreaD
Assisted living facility	X	X	X	X
Boarding and rooming house	-	-	-	-
Dwelling: live-work	X	X	X	X
Dwelling: accessory unit	X	X	X	X
Dwelling: manufactured	-	-	-	-
Dwelling: multiple unit	X	X	X	X
Dwelling: single household attached	X	X	X	X
Dwelling: single household detached	-	X	X	X
Dwelling: single household village	-	X	X	X
Dwelling: single household zero lot line	-	X	X	X
Dwelling: two to four household	-	X	X	X
Group home	-	-	-	-
Halfway House	-	-	-	-
Independent living facility	X	X	X	X
Manufactured home park	-	-	-	-
Nursing home	X	X	X	X

2.2.2.3 Commercial and Retail Uses

Commercial and retail uses	DevAreaA	DevAreaB	DevAreaC	DevAreaD
Adult oriented use	-	-	-	-
Bakery: retail	X	X	X	X
Bank	X	X	X	X
Campground, recreational vehicle park	-	-	-	-
Car wash	-	-	-	-
Club/lodge facility	X	X	X	X
Convenience store	X	X	X	X
Convenience store: with gasoline sales	X	X	X	X
Day care: child (1-6 children)	X	X	X	X
Day care: child (greater than 6 children)	X	X	X	X

Hutto Crossing

April 16, 2013

PUD Amendment #3 ~~January 25, 2018~~ March 18, 2019

Commercial and retail uses	DevAreaA	DevAreaB	DevAreaC	DevAreaD
Day care: adult (1-4 persons)	X	X	X	X
Day care: adult (greater than 4 persons)	X	X	X	X
Day care: pet	X	X	X	X
Day labor agency	-	-	-	-
Entertainment facility, theater	X	-	X	X
Farm product sales	X	X	X	X
Food catering	X	X	X	X
Funeral home	X	-	X	X
Gas station	X	-	X	X
Grocery store	X	X	X	X
Indoor recreation facility	X	-	X	X
Instructional facility	X	X	X	X
Kennel	-	-	-	-
Large item sales and rental: class 1	X	-	X	X
Large item sales and rental: class 2	X	-	X	X
Lodging establishment	X	X	X	X
Lodging establishment: bed and breakfast	X	X	X	X
Manufactured home sales	-	-	-	-
Nightclub	X	-	X	X
Office: medical	X	X	X	X
Office: professional	X	X	X	X
Outdoor recreation facility	X	X	X	X
Personal and business service shop	X	X	X	X
Print shop	X	X	X	X
Restaurant, bar	X	X	X	X
Retail store (no more than 10,000 sq. ft.)	X	X	X	X
Retail store (greater than 10,000 sq. ft.)	X	-	X	X
Special services	-	-	-	-
Travel plaza, truck stop	-	-	-	-
Vehicle auction	-	-	-	-
Veterinary clinic	X	X	X	X
<u>Enhanced architectural self-storage facilities</u>		<u>*</u>	<u>*</u>	<u>X</u>

2.2.2.4 Industrial Uses

Industrial uses	DevAreaA	DevAreaB	DevAreaC	DevAreaD
General industrial use	-	-	-	<u>X</u>
Heavy industrial use	-	-	-	<u>X</u>
Junkyard	-	-	-	-
Light industrial use	-	-	X	X
Research laboratory	-	-	X	X
Self-storage facility	-	<u>*</u>	<u>*</u>	<u>-X</u>
Trade use	X	-	X	X
Vehicle minor repair facility	X	-	X	X
Vehicle major repair facility	-	-	-	<u>-X</u>
Vehicle storage facility	-	-	-	-
Warehouse and distribution facility	-	-	X	X

2.2.2.5 Institutional Uses

Institutional and civic uses	DevAreaA	DevAreaB	DevAreaC	DevAreaD
Amenity center	X	X	X	X
Aquatic facility	X	X	X	X
Athletic facility	X	X	X	X
Cemetery	-	-	-	-
Community facility	X	X	X	X
Golf course	-	-	-	-
Hospital	X	-	X	X
Park	X	X	X	X
Park and ride lot (as principal use)	X	-	X	X
Place of worship or assembly	X	X	X	X
Public utility substation	X	X	X	X
School: no more than 5 students	X	X	X	X
School: at least 6 students	X	X	X	X
Transit station	X	-	X	-

2.2.2.6 Temporary Uses

Temporary uses	DevAreaA	DevAreaB	DevAreaC	DevAreaD
Construction equipment storage lot	-	-	X	X
Construction field office	X	X	X	X
Garage sale	X	X	X	X
Model home / lot sales	X	X	X	X
Portable storage container	X	X	X	X
Temporary building	-	-	X	X

* A self-storage facility overlay area within Development Areas A and C extending south 300 feet from the northern property line adjacent to the Union Pacific Railroad and east within Development Area A to the private drive serving the commercial pad site uses fronting Chris Kelley Boulevard (see Exhibit A – PUD Development Plan). Within this overlay area, self-storage facilities are a permitted use.

2.2.2.7. Accessory uses

Accessory uses and structures are intended to allow property owners the full use of their property while maintaining the character of the surrounding area. Accessory uses and structures must be built and used only for purposes that are secondary and normal to the principal use of the property and must be placed on the same lot with the principal use.

Accessory uses	DevAreaA	DevAreaB	DevAreaC	DevAreaD
Antenna, radio hobbyist $\leq$ max ht in district	X	X	X	X
Antenna, radio hobbyist $\geq$ max ht in district	-	-	-	-
Antenna, non-residential: $\leq$ 15 ft. above roofline	X	X	X	X
Antenna, non-residential use: other	X	X	X	X
Wireless facility: attached	X	X	X	X
Wireless facility: concealed	X	X	X	X
Wireless facility: freestanding	-	-	-	-
Donation drop-off box	X	X	X	X
Drive through facility	X	X	X	X
Home occupation	X	X	X	X
Residential accessory structure	X	X	X	X
Satellite dish	X	X	X	X
Swimming pool	X	X	X	X
Vending machine (outdoor)	X	X	X	X

Accessory uses	DevAreaA	DevAreaB	DevAreaC	DevAreaD
Free-standing cisterns	X	X	X	X
Wind energy system	X	X	X	X

2.2.3. Applicability and enforcement

2.2.3.1. New and undefined uses

As commerce and technology evolve, new types of land uses will develop and forms of land use not anticipated may seek locations in the city. To provide for contingencies, Development Services staff will consider the appropriateness of an undefined use in this PUD and may administratively approve such uses. Approval criteria include:

- Impacts of the use, including externalities and use of public services and infrastructure
- The use is similar in nature and impact to a use listed and defined as a permitted use in the PUD
- The use is not similar in nature and impact to a use defined and listed as a prohibited use in the PUD, or prohibited in the PUD but permitted in a different district
- The use conforms to the intent of this PUD
- The interpretation does not lower the protection given to the public by this PUD
- The use does not have the potential to create a dynamic that would harm the vitality or future development potential of surrounding commercial, industrial and residential areas
- Performance standards and conditions for uses similar in nature and impact are also considered

If Development Services staff finds the proposed land use is not appropriate for the district, the applicant may appeal the decision to the City Council within 60 days of determination.

2.3. Use Specific Design Standards

2.3.1. Large item sales and rental (Class 1, 2, and 3)

2.3.1.1. Architecture

Separate structures (service building, car wash, used car sales building, etc.) on a site must share architectural detail and design elements similar or compatible to the host building to provide a cohesive project site.

Vehicle service areas and bays must be screened or sited so they are not visible from the street.

Garage doors cannot face the street.

Garage doors must be integrated into the overall design theme of the site with color, texture, and windows.

2.3.1.2. Parking, circulation, and stacking

Vehicle display parking and inventory areas are not exempt from site planning standards.

Large expanses of concrete or asphalt must be avoided. Unrelieved pavement in vehicle display areas and other areas often visited by customers must be limited by using landscaping, contrasting colors and banding or pathways of alternate paver material.

Vehicle/pedestrian conflict points must be clearly defined with textured and colored pavement or pavers.

Service areas must provide adequate stacking space that does not impede vehicle circulation through the site or result in vehicles stacking into the street.

2.3.1.3. Landscaping

Vehicle display parking and inventory areas are not exempt from landscaping standards.

Inventory cannot be stored, parked or displayed in landscape areas.

2.3.2. Vertical mixed use

2.3.2.1. Definition

A single building containing more than one type of land use; or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary, cohesive whole. Vertical mixed use buildings are building where two or more different uses occupy the same building usually on different floors, for instance, retail on the ground floor and office and/or residential uses on the second and/or third floors.

2.3.2.2. Applicability

Vertical mixed use buildings and development containing residential uses permitted in table 2.2.2.2 and commercial and retail uses permitted in table 2.2.2.3 are permitted in designated areas conforming to **Exhibit A, PUD Development Plan.**

2.3.3 Self-storage facilities

Use specific design standards for self-storage facilities are set forth in Attachment A – Use-specific Design Standards for Self-storage Facilities and made a part of the Hutto Crossing PUD.

Exhibit A- PUD Development Plan ~~note — exhibit A to be replaced~~



3. Site Design Standards

3.1. General Standards

3.1.1. Utilities

3.1.1.1. Utility lines

All new utility service lines must be placed underground. Transmission lines are exempted.

3.1.1.2. Utility boxes

- Utility boxes must be as small as practical.
- Utility boxes greater than 2 ft. tall cannot be placed in the clear vision area, or interfere with use of streets, alleys, sidewalks, and bicycle paths.
Utility boxes in the front yard on a block must be painted a uniform earth tone color.

3.1.2. Lot dimensions and area

Required lot dimensions and area are as follows:

	Single Family				Two-to-Four Unit	Single Family Attached	Multifamily	Vertical Mixed Use; Institutional	Commercial and Retail	Industrial
	Detached	Detached alley load, cul-de-sac or detached garage	Zero Lot Line	Village						
Lot area (min)	5,175 sq. ft.	5,500 sq. ft.	4,950 sq. ft.	4,500 sq. ft.	4,500 sq. ft.	1,500 sq. ft. per unit	20,000 sq. ft.	10,000sq. ft.	10,000sq. ft.	43,560 sq. ft. (± 10,000 sq. ft.)
Lot width at front setback line (min)*	45 ft.	45 ft.	45 ft.	45 ft.	45 ft.	20 ft.	100 ft.	75 ft.	75 ft.	100-75 ft.

* except flag lots, which shall be 30 ft.

- Flag lots must have at least 30 ft. frontage along a public right-of-way.

3.1.3. Building envelope

3.1.3.1. General

If there is a conflict among the setback and landscape/buffer yard standards in this PUD when applied to a certain site, the setbacks set forth in this section will apply.

3.1.3.2. Primary and accessory structures

Default bulk standards for primary and accessory structures are as follows:

	Single Family			Two-to-Four Unit	Single Family Attached	Multifamily	Vertical Mixed Use; Institutional	Commercial and Retail	Industrial
	Detached	Zero Lot Line	Village						
Front yard (min)	15 ft.	15 ft.	15 ft.	15 ft.	15 FT	15 ft.	5 ft.	10 ft.	25 ft.
Front yard on loop lane (min)	15 ft.	10 ft.	10 ft.	n/a	n/a	n/a	n/a	n/a	n/a
Front yard: garage door (min)	20 ft.; 20 ft. side load yard	20 ft.; 20 ft. side load yard	20 ft.; 20 ft. side load yard	20 ft.	20 ft.; 20 ft. side load yard	25 ft.	20 ft.	25 ft.	25 ft.
Side yard (min)	5 ft.	0 ft. one side, 12 ft. other	5 ft.	5 ft.; 0 ft. for common walls	5 ft.; 0 ft. for common walls	15 ft.	0 ft. for common walls or 10 ft.; 50 ft. from existing residential uses	0 ft. for common walls or 10 ft.; 50 ft. from existing residential uses	0 ft. for common walls or 10 ft.; 50 ft. from existing residential uses
Rear yard (min)	15 ft.	10 ft.	15 ft. (house and garage)	15 ft.	15 ft.	25 ft.	25 ft.; 50 ft. from existing residential uses or building height	25 ft.; 50 ft. from existing residential uses or building height	25 ft.; 50 ft. from existing residential uses
Side and rear yard for accessory building (min)	5 ft.	5 ft.	5 ft.	5 ft.; 0 ft. for common walls	5 ft.	15 ft.	Same as main building	Same as main building	Same as main building
Spacing between buildings (min)	10 ft.	10 ft.	10 ft.	10 ft.; 0 ft. for common walls	10 ft.; 0 ft. for common walls	20 ft.	0 ft. for common walls or 20 ft.	0 ft. for common walls or 50% height of taller building, at least 20 ft.	0 ft. for common walls or 50% height of taller building, at least 20 ft.
Building height (max)	35 ft. / 2.5 stories	35 ft. / 2.5 stories	35 ft. / 2.5 stories	35 ft. / 3 stories	3 stories	3 stories	3 stories; 5 stories along US 79, FM 685 and SH 130	3 stories; 5 stories along US 79, FM 685 and SH 130	3-5 stories*
Building height, accessory (max)	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15-100 80 ft.*

	Single Family			Two-to-Four Unit	Single Family Attached	Multifamily	Vertical Mixed Use; Institutional	Commercial and Retail	Industrial
	Detached	Zero Lot Line	Village						
<u>*Height of main or accessory structures, exclusive of appurtenances, such as railings, light fixtures and antennas, for permitted heavy industrial use in Development Area D may exceed maximum height limitations with administrative approval by Development Services staff.</u> Accessory structures are prohibited between the front building line of the primary building and the public right-of-way, <u>except for industrial uses permitted in Development Area D.</u> The cumulative gross floor area of all accessory structures on the site may be no more than 25% of the yard where they are located, <u>except for industrial uses in Development Area D.</u> Accessory structures must be placed at least 10 ft. or a distance equivalent to their height from primary structures on a site, whatever is lesser, <u>except for industrial uses in Development Area D.</u> Building permitting and setback standards do not apply to accessory structures no more than 20 sq. ft. in area Required buffer yards may result in larger required setbacks.									

3.1.4. Riparian setbacks

Minimum structural setbacks from riparian areas (edge of 100-year floodplain or delineated wetlands), wherein structures are defined as substantial impervious cover improvements, are:

- Watercourses draining an area at least 0.5 square mile and having a defined bed and bank, designated 100-year flood plains, and Category 3 wetlands: 0 ft.
- Watercourses draining an area of 0.5-20 square miles, and Category 2 wetlands: 5 ft.
- Watercourses draining an area of greater than 20 square miles, and Category 1 wetlands: 10 ft.

3.1.5. Setback encroachment and exceptions

These uses and structures may encroach into a yard or required setback as follows:

Type of structure or use	Residential uses	Non-residential uses
Air conditioning equipment	Any part of the side and rear yard	n/a
Arbors and trellises	Any yard, at least 5 ft. from neighboring PL	
Awnings	no more than 3 ft. into front, side or rear setback; may hang over easements	no more than 6 ft. into front, side or rear setback; may hang over easements; may hang over public ROW with approval of City Council
Backflow prevention devices	Any part of the side and rear yard	Any yard on the site
Bay windows, chimneys, entry vestibules less than 8 ft. wide and less than 33% of the wall length, overhanging eaves	no more than 3 ft. into any setback	
Newspaper vending boxes, pay telephones	n/a	Any yard on the site; property must be occupied by a principal building
Open deck and covered patio in which the finish grade is greater than 5 ft. above grade	at least 5 ft. into rear setback, if area underneath is left unscreened/unenclosed	n/a
Open deck and covered patios in which the finish grade is no more than 5 ft. above grade	No more than 10 ft. into rear setback	n/a
Ramps and other access devices required by the ADA.	Any yard on the site	
Retaining walls	Any yard on the site	
Satellite dishes at least 1m in diameter	Side and rear yard, at least 10 ft. from PL	

Encroachments across property lines, into the public right-of-way, or into utility, drainage, access, conservation or riparian easements are prohibited.

3.1.6. Buffer yard

3.1.6.1. Buffer yards between lots

Buffer yards planted and/or screened in conformance to landscape and/or fencing standards in this PUD, are required between adjacent lots as follows. A buffer yard shall be measured from property line of the adjacent development use. Sidewalks and internal walkways are a permitted use within a buffer yard. A public street and private drive may cross a buffer yard.

Proposed development	Adjacent development				
	Residential 1-4 Units	Residential 4+ Units	Vertical Mixed Use, Institutional	Commercial and Retail	Industrial
Residential: 1-4 Units	n/a	5 ft.	5 ft.	25 ft.	50 ft.
Residential: 4+ Units	5 ft.	n/a	n/a	n/a	50 ft.
Vertical Mixed Use, Institutional	10 ft.	10 ft.	n/a	n/a	25 ft.
Commercial and Retail	25 ft	10 ft.	n/a	n/a	25 ft.
Industrial	50 ft. + 6 ft. min tall masonry wall or 6 ft. min tall earthen berm (both wall/berm and footage required)	50 ft. + 6 ft. min tall masonry wall or 6 min ft. tall earthen berm (both wall/berm and footage required)	25 ft.	25 ft.	n/a

A 6ft ht. min. tall masonry (brick, stone, decorative CMU, similar materials) wall or 6 ft. ht. min. tall earth berm may substitute for buffer yard up to 100 ft. in depth.

Buffer yards must be landscaped per Section 3.5.

3.1.6.2. Landscape buffer yards between parking lots and streets

Landscape buffer yards, planted per applicable landscaping standards in Section 3.5.3.4, are required between a parking lot and a street with the intent to screen prominent views of parking lots and streets from off-site views as follows:

- SH 130 and FM 685: 10 ft. buffer yard setback from right-of-way.
- Other streets: 5 ft. buffer yard setback from right-of-way.
- A landscape buffer yard is not required along the UP Railroad in Development Area D.

A 10 ft. landscape buffer yard shall be required in Development Area D along SH 130 right-of-way. In addition to a landscape buffer yard complying with this Section, the following buffering techniques meet the intent of a landscape buffer yard in Development Area D between parking lots and streets to SH 130: a 6 ft ht. min. tall masonry wall (brick, stone, decorative CMU or similar durable materials) or 6 ft. tall earthen berm. A landscape buffer yard, or its equivalent described in this Section, shall be provided to the extent practical and only to the extent that it is deemed functional and appropriate by Development Services staff. If the landscape buffer yard, or equivalent techniques described in this Section, does not achieve the intended objective of this Section, this requirement shall be administratively waived by Development Services staff.

3.1.6.3. Landscape buffer yards elsewhere

- Landscape buffer yards, planted per landscaping standards in Section 3.5, are required between a development perimeter wall along a street between wall and sidewalk or right-of-way edge: 5 ft. from sidewalk or right-of-way.

3.1.7. Residential adjacency

3.1.7.1. Loading area screening

Off-street loading areas must be screened from view, to the greatest extent practical, using one or more of the following: Wing walls, ~~landscape screens~~, changes in building orientation, and/or other architectural elements, and/or landscape screening or earthen berms to buffer loading docks located less than 150 ft. from a residential use, lodging establishment, nursing home or assisted living facility. ~~Off-street loading areas in Development Area D shall be screened from view to the extent practical.~~

3.1.7.2. Vehicle intensive use screening

One or more of the following: wing walls, ~~landscape screens~~, changes in building orientation, and/or other architectural elements, and/or landscape screening or earthen berms must be used to the greatest extent practical to buffer drive-through aisles and mechanical commercial uses when they are located less than 150 ft. from a residential use, lodging establishment, nursing home or assisted living facility. ~~Vehicle intensive and mechanical commercial uses in Development Area D shall be screened from view to the extent practical.~~

3.1.7.3. Vehicle service bays

Vehicle service bays and loading area garage doors located less than 150 ft. from a residential use must face away from residential uses, unless separated by a building, ~~or~~ permanent architectural feature and/or landscape screening or earthen berms. Walls 6 ft. ht. min. ~~(or vegetative screening)~~ separating service bays from a residential use must be masonry (stone, brick, decorative CMU, or similar solid and durable materials) with ~~no~~ limited openings shall satisfy this screening requirement. ~~Vehicle service bays and loading area garage doors in Development Area D shall be screened from view to the extent practical.~~

3.1.7.4. Dumpster enclosures

Dumpster enclosures in nonresidential areas of the PUD must be located at least 50 ft. from a residential use.

3.2. Site Design

3.2.1. Siting and Orientation

3.2.1.1. One to Four Household, Attached Single Family Dwellings and Developments

3.2.1.1.1. Applicability

These standards apply to all development with residential uses other than multiple unit dwellings.

3.2.1.1.2. Building orientation

One and two household dwellings must be oriented where the front façade is parallel to and facing the street as much as possible, and not another dwelling on an adjacent lot. On corner lots, houses may face the corner of either fronting street.

3.2.1.2. Multiple Unit Household Development and Structures

3.2.1.2.1. Applicability

These standards apply to all residential development with multiple unit dwelling uses.

3.2.1.2.2. Building orientation

Buildings must be oriented towards the perimeter streets, or an internal drive or road network, rather than orientation only to internal parking lots.

3.2.1.2.3. Common open space

3.2.1.2.3.1. Common open space required

The minimum amount of common open space (as a percentage of net land area) for a multiple household development is 10%.

3.2.1.2.3.2. Common open space siting

Common open space must be amassed into meaningful, quality open spaces. Clustering of buildings is encouraged to minimize small, narrow, unassigned strips in front of and between buildings. Designated common open space may be in a natural, undisturbed state, landscaped for more formal courtyards or plazas, or developed for active or passive recreation.

Common open space land must be compact and contiguous to the maximum extent practicable, unless the land is used as a continuation of an existing greenway, trail, or other linear park, or unless specific topographic features require a different configuration.

Common open space must be reasonably accessible to all residents of the development.

3.2.1.2.3.3. Areas not considered as common open space

The following do not count towards required common open space:

- Private lots, yards, balconies and patios dedicated for use by a specific unit.

- Public right-of-way or private streets and drives.
- Parking areas and driveways for dwellings.
- Land covered by structures except ancillary structures associated with use of open space such as gazebos and picnic shelters.
- Designated outdoor storage areas.
- Land areas between buildings less than 30 ft., and land area between a building and parking lots or driveways less than 30 ft.
- Required rear and side yard setbacks. Detention/retention facilities, including drainage swales, unless for use as accessible and useable year-round community amenities for residents of the development (e.g., picnic areas, passive recreation areas, playgrounds, ponds for fishing and/or boating, walking trails, etc.).
- Wetlands that are saturated for greater than 50% of the year.

3.2.1.3. Non-Residential Sites of Structures

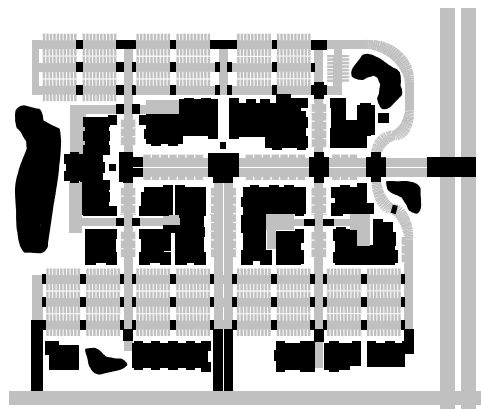
3.2.1.3.1. Applicability

These standards apply to all development with commercial and retail uses.

3.2.1.3.2. Orientation to streets

The primary façade and pedestrian entrance of a building must be oriented towards the public right-of-way when not facing an internal street or drive.

In shopping, commercial centers and developments with multiple buildings, buildings must be oriented towards either the perimeter streets or an internal drive or road network that orients buildings towards an internal street, rather than orientation only to internal parking lots.



Retail Village

3.2.1.3.3. Orientation to walkways

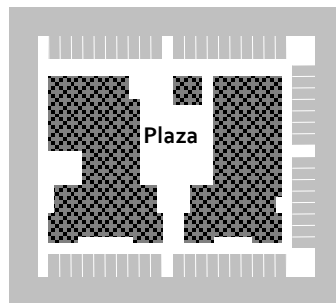
One building entrance must open directly onto a connecting walkway with pedestrian frontage. Sides of a principal building facing a public street must have one or more customer entrances.

3.2.1.3.4. Plazas

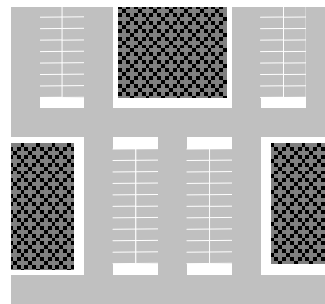
Commercial buildings 25,000 SF and larger must be placed in a way that creates plazas and/or pedestrian gathering areas that are large enough to encourage active pedestrian use and buffer pedestrians from street traffic .

3.2.1.3.5. Clustering

Clustering of buildings in larger master planned and multiple building developments is required, to the greatest extent practical.



Do this: cluster buildings to create plazas and pedestrian gathering areas



Don't do this : separate buildings with parking lots

3.2.1.3.6. Building perimeter wall spacing from driving surfaces

Building walls must be placed at least 5 ft. from drive aisles and parking areas. This buffer area may be breached for loading areas, drive-through windows, garage access and similar uses.

3.2.1.3.7. Solar orientation

When building orientation to the east and west is unavoidable, landscaping, canopies, arcades, roof overhangs, or similar features must be used to shade facades and building walls that face into the summer afternoon sun to the greatest extent practical.

3.2.2. Sidewalks

3.2.2.1. Sidewalks required

Sidewalks in conformance to Section 4.8 and Section 4.9 must be provided along both sides of public or private street frontages to promote an active pedestrian environment and reduce potential conflicts.

3.2.2.2. Sidewalks required for use change

Sidewalks in conformance to Section 4.8 and Section 4.9 must be constructed along the public right-of-way adjacent to any lot that changes use. A Certificate of Occupancy for new construction will not be issued until the sidewalk is constructed and accepted by the city.

3.2.3. Internal Pedestrian Circulation

3.2.3.1. Applicability

The following standards apply to all development with residential uses with multiple unit dwellings, and commercial, retail and industrial uses.

3.2.3.2. Internal walkways

Internal walkways must be provided along all façades featuring a customer entrance and along all façades abutting public parking areas. Internal walkways must be placed at least 4 ft. or more from the façade or wall along at least 30% of its length, to provide opportunities for beds for foundation landscaping, outdoor seating and patios, and building articulation (except for storefronts with a zero setback). Sidewalks are not required within service areas, loading docks and other non-customer areas.

3.2.3.3. Pedestrian connectivity

Connecting walkways, at least 5 ft. wide for a commercial development and at least 5 ft. for MF development, must link perimeter public sidewalks to primary building entries, including through parking areas, and to buildings on adjacent parcels, to the greatest extent practical. Circulation patterns must be as obvious and simple as possible. All likely pedestrian routes must be considered to minimize shortcuts to the extent practical through parking and landscape areas.

3.2.3.4. Conflict points

Internal pedestrian walkways must be distinguished from driving surfaces by textured and colored pavement or similar contrasting technique, to emphasize conflict points and enhance pedestrian safety.



Well-defined conflict point

3.2.3.5. Aggregation of plazas

Pedestrian areas and plazas shall be aggregated in high activity areas to the greatest extent practical, and not distributed in low impact areas such as building peripheries, areas behind blank walls.

3.2.3.6. Orientation of plazas

Pedestrian areas and plazas shall be oriented to views of activities, architectural landmarks or useable open space wherever possible.

3.2.4. Public transit facilities

Commercial and residential developments that could generate high volumes of transit use must accommodate the potential for public transit facilities. If the development is in an existing transit service area, it must provide for an appropriately scaled transit facility; otherwise, the development must make accommodations for a potential future public transit facility.

Transit routes, access points and shelter locations should be addressed along city adopted transit streets in and on the perimeter of nonresidential projects. Bus stop areas and bus shelters within a city adopted transit service area must be placed close to significant clusters of buildings.

There must be an uninterrupted durable pedestrian path connecting transit stops and/or shelters with the nearest sidewalk or pedestrian path.

3.2.5. Service Areas

3.2.5.1. Applicability

These standards apply to all development with multiple unit residential dwellings, commercial, retail and industrial uses. Uses in Development Area D shall comply with requirements set forth in this Section to the extent practical.

3.2.5.2. Orientation

Service entrances, loading docks, waste disposal areas and similar uses, also referred to as 'back of house uses' must be oriented toward service roads and drives internal to the development to the greatest extent practical and away from the public right-of-way and residential areas, unless adequately screened to the extent practical. It is recognized that uses in Development Area D will inherently contain a large amount of back of house uses that do not require screening within Area D. Screening and orientation of back of house uses shall comply with requirements set forth in this Section to the extent practical from prominent views from SH 130. The following screening techniques meet the intent of this Section in Development Area D between back of house use to SH 130: landscape buffer screening as set forth in Section 3.1.6.2, a 6 ft ht. min. tall masonry wall (brick, stone, decorative CMU or similar durable materials) or 6 ft. tall earthen berm. Orientation and screening, as described in this Section, shall be provided to the extent practical and only to the extent that it is deemed functional and appropriate by Development Services staff. If back of house orientation or screening described in this Section does not achieve the intended objective of this Section, this requirement shall be administratively waived by Development Services staff.

Service areas may not be located where they will be readily visible from primary facades of adjacent buildings without appropriate screening to screen service area views from the primary facades of adjacent or where they will harm important or identified view corridors. This requirement does not apply to service area orientation to primary facades of adjacent buildings within Development Area D.

3.2.5.3. Screening

Service entrances, loading docks, waste disposal areas and similar uses must be screened from public streets, pedestrian gathering areas and primary building entrances with fencing, walls and/or landscaping, with design elements compatible with the architectural theme of the host building. Uses in Development Area D shall comply with screening requirements set forth in this Section to the extent practical.



Effective use of wing wall used to screen loading dock

3.2.5.4. Coordination of service area locations

Service area location must be coordinated with adjacent developments wherever possible to promote use of shared service drives.

3.2.5.5. Access routes

Service circulation in a development must be designed to provide safe movement for anticipated vehicles.

Fire lanes and routes for service, emergency and utility access must be clearly marked.

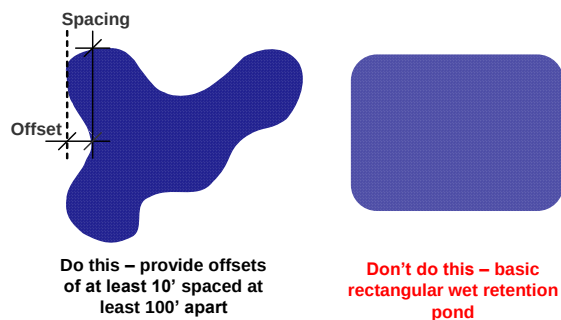
3.2.5.6. Gas tank bed pipes

Tank vent pipes must be screened, placed in an inconspicuous location and painted a dark color, or integrated into or adjacent to the building.

3.2.6. Water Bodies and Retention Areas

3.2.6.1. Shape

Permanent wet retention ponds visible from a street or other public area must be designed to appear natural by having edge alignment offsets to the greatest extent practical.



3.2.6.2. Project incorporation

Natural and manmade water bodies at least 20,000 sq. ft. that are located next to a public right-of-way must be integrated into the overall design of a development in one of the following ways:

- Provide a walkway at least 5 ft. wide, with native tall trees on average 30 ft. centers and a bench and/or picnic table next to the water body every 150 ft.
- Provide a plaza or pedestrian gathering area at least 200 sq. ft. with a bench and/or picnic table close to the water body.

3.2.6.3. Slope

Retention basins must be designed with at least 5:1 side slopes to 2 ft. below the normal water line.

Fenced retention basins will be approved administratively by City Engineer staff, only in extreme situations, and may be placed to the side and/or rear of the parcel as far from a public street as possible.

3.2.6.4. Fencing

Metal decorative fences may be used to fence manmade water bodies and retention basins.

3.2.7. Land Disturbance

New development should respect and maintain the natural topography on a site through sensitive site organization and minimizing land disturbance. Layout of new development should follow and respect the natural topography of the site to the maximum extent possible. Over lot grading to create a large level lot or site shall be limited to disturbed sites and in all cases minimized to the extent practical.

Extensive grading or unusual site improvements (e.g. large retaining walls) to force a preconceived design onto a particular piece of property is strongly discouraged. Berms, channels, swales, and similar man-made changes to the landscape must be designed and graded to be an integral part of the natural landscape and to provide a smooth transition in changes of slope.

3.3. Parking and Access

3.3.1. General standards

3.3.1.1. Applicability

Parking, access and design standards apply to all uses, unless otherwise stated. Vehicle display and storage areas at vehicle dealers, vehicle repair businesses and vehicle storage facilities, and areas intended for the storage or movement of vehicles on industrial sites in Development Area C are not exempt. Uses Parking, access and design standards for customer and visitor parking in Development Area D shall comply with requirements set forth in this Section to the extent practical; however, it is recognized that permitted uses in Development Area D typically have limited customers and visitors and therefore will have limited application. Circulation in industrial uses in Development Area

D shall prioritize functionality, operations, safety and efficiency of heavy vehicle circulation, storage and loading. Parking, access and design standards for industrial equipment and industrial use vehicles do not apply in Development Area D.

3.3.1.2. Large vehicles and equipment

Outdoor storage or overnight parking of semi-trucks, semi-trailers, and other vehicles having a gross vehicle weight rating of at least 17,000 pounds is prohibited in residential and commercial use areas, except within commercial service or storage yards and loading areas. Exceptions are pickup trucks, personal recreational vehicles not being used for habitation, and vehicles associated with a business on a commercial site. Construction equipment may only be stored on lots in residential and commercial use areas while construction is permitted.

3.3.1.3. Parking and Access in Development Area D

Circulation in industrial uses in Development Area D shall prioritize functionality, , safety and efficiency of heavy vehicle circulation, storage and loading. Uses in Development Area D will comply with other circulation, access and multi-modal functions and standards set forth this Section to the extent practical.

3.3.2. Access

3.3.2.1. Shared access

- Shared and master planned access, rearage roads and/or access easements across parcels are permitted and encouraged and will be required where considered necessary by Development Services staff and/or city engineer, with administrative approval, to minimize potential congestion, decrease accident potential and reduce the number of curb cuts and conflict points along a street.
- Commercial and individual development must be designed to provide for shared access with adjacent commercial and industrial parcels to the greatest extent practical. Provisions must be made for connection of pedestrian and vehicle circulation systems with adjacent parcels.
- Property owners cannot block access to parking lot connections on adjacent parcels.
- Vehicular access easements from one lot to adjacent lots and for private driveways within a lot may be provided on the subdivision plat or by separate recorded instrument. Such access easements may be specifically defined or blanket access easements.

3.3.2.2. Curb cuts

- Curb cuts and ramps must be placed at convenient and safe locations. Curb cuts must be limited to the fewest necessary to provide adequate circulation and workable access to a parking area.

- Commercial and industrial driveway connections to public streets shall be designed to align with opposing driveways or be offset a minimum of 80 feet, measured from face of curb or edge of pavement to face of curb or edge of pavement on undivided streets.
- Curb cuts must be spaced at intervals of at least 250 ft., or at least 500 ft. along major arterials, unless this would prevent access to a separate property (not an outparcel) and a rearage road is not possible.
- When a parcel fronts on two different streets, or a street and a rearage road, the curb cut must be from the street with the lower functional classification unless otherwise administratively approved by Development Services staff.
- Curb cuts and ramps must avoid crossing or funneling traffic through loading areas, drive-through aisles and outdoor trash storage and collection areas.

3.3.2.3. Driveway throats

- Driveway throats to parking areas serving <50,000 sq. ft. of commercial, industrial or civic GFA accessing non-arterial streets must be at least 20 ft. long.
- Driveway throats to parking areas serving at least 50,000 sq. ft. of commercial, industrial or civic GFA, and those accessing arterial streets, must be at least 30 ft. long.
- Driveway throat length is measured from the right-of-way line.

3.3.2.4. Entry orientation

Entrance drives should align with focal points in a development such as landmark towers or landscape features, whenever practical.

3.3.2.5. Emergency access

Site design elements must reasonably accommodate access standards of emergency vehicles and services.

3.3.2.6. Service functions

Service functions must be integrated into the circulation pattern in a way that minimizes interaction with customer vehicles and pedestrians.

3.3.2.7. Connectivity for multi-family residential development

Multifamily residential development must not be planned as “pods”, isolated from surrounding development, but instead must be integrated into the larger grid of public streets and internal access driveways. Residential development with multiple unit dwellings must have pedestrian and vehicular connections to adjacent residential and commercial development.

3.3.3. Circulation

3.3.3.1. Circulation routes

- Circulation and parking areas in a development must be designed to be safe, efficient and attractive, considering use by all modes of available transportation.
- Parking lots must provide well-defined circulation routes for vehicles, bicycles and pedestrians that minimize conflicts to the greatest extent practical.

- Circulation routes must focus on main entries and exits, and provide for secondary access points to the greatest extent practical.
- Redundant circulation cannot reduce land available for landscaping or walkways.
- Vehicle circulation paths must be designed and sited to calm traffic where practical without the required need for vertical deflection devices such as speed bumps and humps. Horizontal deflection and psychological traffic calming (traffic circles, corner neckdowns, chicanes, tapers, landscape medians, small turn radii, decorative paving) is encouraged.

3.3.3.2. Safety and conflict points

Circulation areas must be designed so vehicles can proceed safely without posing a danger to pedestrians or other vehicles, and without interfering with parking areas. Standard traffic control devices and signs must be used to direct traffic where necessary.

To the maximum extent practicable, pedestrians and vehicles must be separated through walkways or sidewalks. Where complete separation of pedestrians and vehicles is not possible, landscaping, bollards, decorative paving, lighting and other permanent methods must be used to delineate pedestrian areas and other conflict points.

3.3.4. Parking Aisles

3.3.4.1. Aisle and curb cut dimensions

Access drive lanes and aisles must have the following widths (excluding added width from curb return areas) at the gutter line:

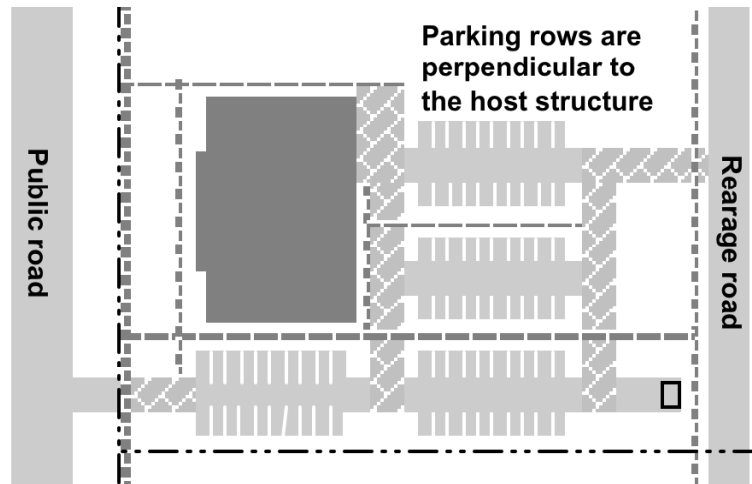
- Residential driveway: 8 ft. - 24 ft.
- Residential parking lot: 10 ft. - 14 ft. one way, 20 ft. - 24 ft. two-way
- Nonresidential parking lot to 99 spaces: 10 ft. - 14 ft. one way, 20 ft. - 24 ft. two-way
- Nonresidential parking lot 100 spaces or more: 10 ft. - 24 ft. one way, 24 ft. - 36 ft. two-way
- Service access driveways: drive width sized for adequate vehicular access and turning movement

Parking area aisles must have these minimum widths:

- Angle 0° / parallel to aisle: at least 12 ft. one way, at least 20 ft. two-way.
- Angle 30°: at least 11 ft. one way, at least 20 ft. two-way.
- Angle 45°: at least 13 ft. one way, at least 21 ft. two-way.
- Angle 60°: at least 18 ft. one way, at least 23 ft. two-way.
- Angle 90°: at least 24 ft.

3.3.4.2. Aisle orientation

In large parking lots, parking aisles must be oriented perpendicular to buildings where practical in order to minimize the need for pedestrians to walk parallel to moving cars and across landscaped areas.



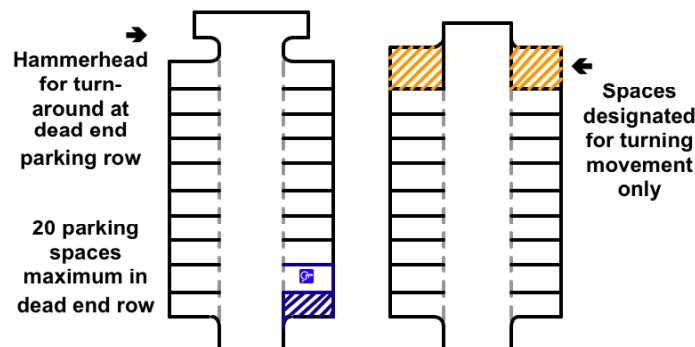
3.3.4.3. Mixture of angles and one-way and two-way aisles

Mixture of one-way and two-way parking aisles, or different degrees of angled parking in a parking area is prohibited, except when individual parking areas are separated by a landscape buffer at least 5 ft. wide.

3.3.4.4. Dead end aisles

Dead end aisles must be avoided wherever possible. Where a dead end aisle is unavoidable, adequate space for unimpeded turn-around must be provided.

Dead end aisles may contain no more than 20 parking spaces.



3.3.4.5. Head-in/head-out and parallel parking from the public right-of-way

Parking areas larger than 12 spaces fronting on residential local street or lower must be designed so vehicles can leave without backing or fronting out onto a public street, or having to reenter a public street to access another aisle on the same lot. Driveways for single household dwelling units are exempted.

3.3.5. Stacking/Queuing Areas

3.3.5.1. Drive-through aisles

Minimum length of off-street stacking lanes for drive-through aisles must be provided as follows:

Bank teller window, ATM: at least 50 ft. measured from teller, window or ATM.

Restaurant drive-through: at least 50 ft. measured from order box, at least 30ft. between order box and first payment or pick-up window.

Other uses with drive-through windows (pharmacy, dry cleaners, etc.): at least 50 ft. measured from window.

Drive-through aisles must be physically separated from parking and circulation areas, and:

- Cannot interfere with the on-site parking and circulation for other vehicles on the site.
- Cannot interfere with on-site parking.
- Cannot result in traffic queuing into a drive aisle, adjacent property or street.

Drive-through aisles must be 10 ft. - 12 ft. wide.

Drive-through aisles and pickup windows cannot be on a street-facing side of the building.

Reduction of minimum length of queuing length may be approved by Development Services staff if it can be demonstrated that it is necessary and feasible.

3.3.5.2. Gas pumps

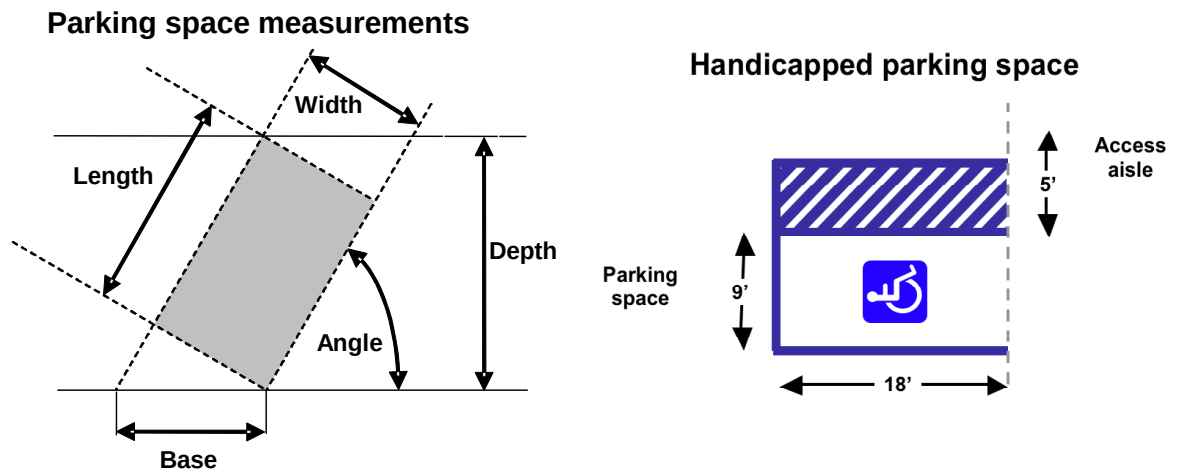
There must be at least 20 ft. space for one vehicle stacked behind the vehicle at the far end of a row of gas pumps, and room for other vehicles to bypass stacked vehicles at fueling areas.

3.3.6. Parking and Loading Space Bulk Standards

3.3.6.1. Parking space dimensions

Parking spaces must have the following dimensions:

- Standard parking space (perpendicular or angled to the aisle): 9 ft. x 18 ft.
- Standard parking space (parallel to the aisle): 8 ft. x 23 ft.
- Handicapped parking space: 9 ft. x 18 ft., plus a clear 5 ft. x 18 ft. loading area to the side. Two handicapped spaces may share one loading area.
- Motorcycle space: 4.5 ft. x 9 ft.
- Off-street loading space: 12 ft. x 25 ft.
- Bicycle space: a stationary object where a user can secure both wheels and the frame of the bicycle with a 6 ft. cable and lock. The stationary object may be a freestanding bicycle rack, a wall-mounted bracket; an enclosed bicycle locker; a three point bicycle rack; or a fenced, covered, locked or guarded bicycle storage area.



3.3.6.2. Parking space location

3.3.6.2.1. Lots and Parcels Fronting along FM 685, Carl Stern Boulevard and SH 130 in Development Area C

Parking for non-residential buildings on non-corner lots must have at least 50% of the parking spaces placed behind the front building line.

Parking for non-residential buildings on corner lots must have at least 30% of the parking spaces placed behind the front building line.

Parking for non-residential buildings larger than 50,000 sf. is exempt from this parking space location requirement.

3.3.6.2.2. Lots and Parcels Fronting along internal streets

Parking for non-residential buildings on non-corner lots must have at least 70% of the parking spaces placed behind the front building line.

Parking for non-residential buildings on corner lots must have at least 50% of the parking spaces placed behind the front building line.

Parking for retail, commercial and industrial uses in buildings larger than 50,000 sf. is exempt from this parking space location requirement.

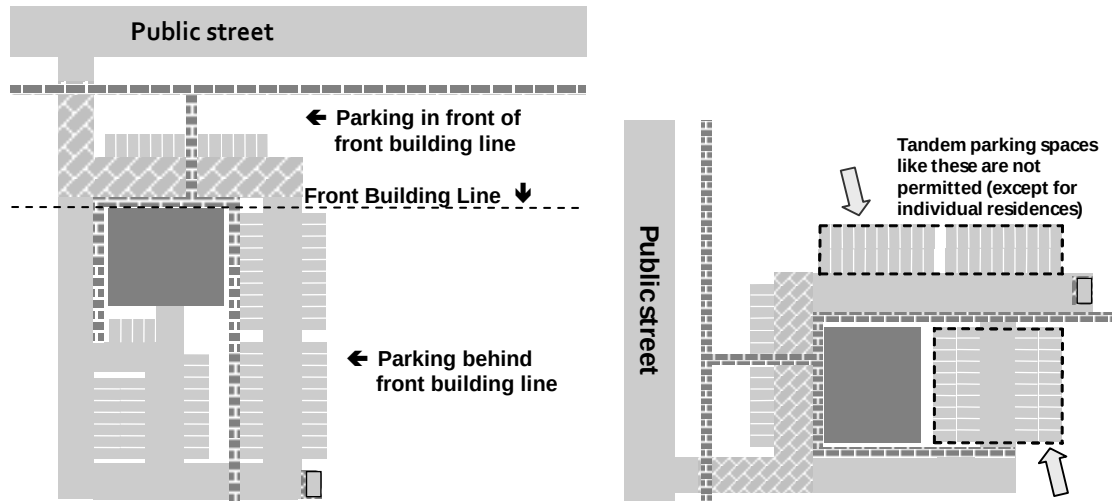
3.3.6.2.3 Lots and Parcels Fronting along UP Railroad Right-Of-Way and SH 130 in Development Area D

Parking for non-residential uses may be located without limitation, provided that landscape screening is provided along the UP Railroad right-of-way and the SH 130 ROW in Development Area D that comply with requirements set forth with Section 3.5.3.4

Parking lot and vehicular use screening
3.1.6.2 Landscape buffer yards between parking lots and streets.

3.3.6.3. Tandem parking

Tandem parking spaces, where the only access to a parking space is from another parking space, are permitted only for individual residential units.



Parking for non-residential buildings

3.3.7. Parking and Loading Space Number Standards

3.3.7.1. Required parking spaces

Uses should offer only the minimum amount of parking that is necessary to meet anticipated normal demand. The number of required off-street parking and truck loading spaces for a use is as follows.

Residential use classification	Required spaces (minimum)	Maximum spaces	Required loading spaces (minimum)
Dwelling unit: single household	2 per dwelling	n/a	n/a
Dwelling unit: single household + accessory unit, at least 2 units	1.5 per dwelling	n/a	n/a

Commercial use classification	Required spaces (minimum)		Required loading spaces (minimum)
Multi-tenant retail buildings (shopping centers); indoor recreation facility	1 per 400 sq. ft. GFA	n/a	1 per tenant; may be administratively waived by Development Services staff
Restaurant, bar/tavern, adult oriented use (live entertainment), nightclub, club/lodge	1 per 150 sq. ft. GFA	n/a	1
Retail uses, including: art studio, performing; art studio, visual; bank; bakery, retail; convenience store; funeral home; gas station; grocery store; instructional facility; large item sales and rental; personal and business service shop; print shop; retail store; vehicle minor repair.	1 per 400 sq. ft. GFA	n/a	1 per tenant; may be administratively waived by Development Services staff
Office uses, including medical office, professional office, veterinary clinic	1 per 400 sq. ft. GFA	n/a	1 per building
Child day care facility, pet day care and boarding, elderly day care facility	1 per employee + 3 (n/a for child day care in a home)	n/a	n/a
Lodging establishment (all) (restaurants, bars, nightclubs and other accessory uses computed separately)	1.2 per guest room + 1 per 100 sq. ft. GFA meeting/banquet room	n/a	1 + 1 per 5000 sq. ft. GFA meeting room area
Entertainment facility: theater	1 per 4 seats	n/a	1
Farm product sales, flea market, kennel, plant nursery, greenhouse	No requirements	n/a	n/a
<u>Enhanced architectural self-storage facilities</u>	<u>1 per 2,500 sq. ft. GFA</u>	<u>n/a</u>	<u>1 per building</u>

Industrial use classification	Required spaces (minimum)		Required loading spaces (minimum)
Light industrial use, trade use, vehicle major repair	1 per 1000 sq. ft. GFA in Development Area C No set requirement in Development Area D	n/a	1 per 2500 sq. ft. GFA or 2 per user/tenant, whatever is more in Development Area C No set requirement in Development Area D
Research laboratory	1 per 400 sq. ft. GFA in Development Area C No set requirement in Development Area D	n/a	1 per building in Development Area C No set requirement in Development Area D
Warehouse and distribution facility	1 per 2000 sq. ft. GFA in Development Area C No set requirement in Development Area D	n/a	1 per 5000 sq. ft. GFA in Development Area C No set requirement in Development Area D
General industry use	No set requirement		No set requirement
Heavy industry use	No set requirement		No set requirement
Self-storage facilities	1 per 1,000 sq. ft. GFA	n/a	1 per 10,000 sq. ft. GFA
Vehicle storage facility	1 per 400 sq. ft. GFA office space + 1 per stored vehicle	n/a	n/a

Note: parking space count and off-loading space count for industrial uses in Development Area D shall be based on the intended use and as necessary to meet the normal day-to-day needs of the use and administratively approved.

Institutional use classification	Required spaces (minimum)		Required loading spaces (minimum)
Community facility, amenity center	1 per 500 sq. ft. GFA	n/a	n/a
Hospital (excluding general medical office space)	0.5 per bed + 1 per 500 sq. ft. GFA inpatient treatment area + 1 per 400 sq. ft. GFA outpatient treatment area	n/a	1 per 20,000 sq. ft. GFA
Place of worship or assembly	1 per 5 seats in primary sanctuary or assembly area	n/a	Required for accessory uses (school, etc.)
School: elementary, middle and high	1 per 10 seats in auditorium/cafeatorium	n/a	1 per cafeteria + 1 per gymnasium + 1 per assembly hall + 1 bus per 2 classrooms

Temporary use classification	Required spaces (minimum)	Maximum spaces	Required loading spaces (minimum)
Christmas tree lot, carnival, construction equipment field storage lot, vehicle sales-off site	No set minimum; parking plan requires approval by CD staff	No set maximum n/a	No set minimum; parking plan requires approval by CD staff
Construction field office	3 per facility	n/a	n/a
Garage sale, lot sales office, model home	No requirements	No requirements	No requirements

Accessory use classification	Required spaces (minimum)	Maximum spaces	Required loading spaces (minimum)
Agricultural activity, antenna-radio hobbyist, antenna-non-residential use, boat house, CMRS facility (attached), dock, home occupation, satellite dish, swimming pool	No requirements	No requirements	No requirements
CMRS facility (freestanding), public utility substation	No requirements	No requirements	1 per site
Drive-through facility	Refer to queuing area standards	n/a	n/a

3.3.7.2. Variance to minimum parking requirements and parking space location

Reducing minimum parking requirements may be approved by the Board of Adjustment if it can be demonstrated that the parking space location or required minimum number of spaces are not necessary to meet the normal day-to-day needs of a proposed use.

Reducing any established minimum parking and off-street loading space requirements in Development Area D may be approved administratively if it can be demonstrated that the parking space location or required minimum number of spaces are not necessary to meet the normal day-to-day needs of a proposed use.

3.3.7.3. Handicap designated parking spaces

Handicapped designated parking spaces must be placed on the shortest possible accessible route of travel to an accessible building entrance. The number of handicapped designated parking spaces required for nonresidential uses is:

Total spaces	<25	36-50	51-75	76-100	101-150	151-200	201-300	301-400	401-500	501-1000	greater than 1000
Handicapped spaces	1	2	3	4	5	6	7	8	9	2%	20 + 1 per additional 100 total spaces

3.3.7.4. Motorcycle parking spaces

One or more motorcycle parking spaces must be provided for every 100 standard vehicle parking spaces provided for non-residential uses, when the parking lot has greater than 50 spaces.

3.3.7.5. Bicycle parking

One or more bicycle parking spaces must be provided for every 20 vehicle parking spaces required as a minimum for non-residential uses. Bicycle parking design must follow standards recommended by the Association of Professional and Bicycle Professionals.

3.3.7.6. Shared parking facilities

Agreements which share parking between uses with non-conflicting parking demands (eg. a church and a bank) are encouraged as a means to reduce the amount of land area devoted to parking if the applicant can demonstrate that shared parking is feasible. Where different uses create staggered parking demand periods, shared parking calculations among adjacent parcels is permitted to justify reducing the amount of required parking.

3.3.7.7. On-street parking

Designated on-street parking spaces no more than 200 ft. from the main entrance of a building with a commercial use may be counted towards the required amount of parking spaces for commercial and retail use. These spaces do not count towards the permitted parking space location requirements. Designated on-street parking spaces no more than 100 ft. from the entrance of a building may be counted towards the required amount of parking spaces for residential use with multi-unit dwellings. On-street parking being counted towards the required amount of parking spaces for any use or business, other than a residential amenity center, recreation use, common open space use, or parkland must not encroach into single family detached residential areas.

3.3.7.8. Building or use enlargement

When a building or use is enlarged 25% or more, additional parking and loading spaces, in compliance with Section 3.3.7, minimum required parking, must be provided based on the building area associated with the enlargement.

3.3.7.9. Space computation and fractions

Fractional results will be rounded up when computing the number of required parking and loading spaces.

3.3.8. Landscaping Areas

3.3.8.1. Applicability

These standards do not apply to single household dwellings, two to four household dwellings, single family attached dwellings, ~~or~~ parks and common open space, or industrial uses in Development Area D.

Specific plant material standards are detailed in the landscaping standards in this chapter. Parking setback and buffer yard standards are detailed in the bulk standards section in this PUD.

3.3.8.2. Parking lot interior landscaping

Landscape areas must consist of at least 10% of the interior area of a parking lot. Landscaped islands may be clustered or evenly distributed.

3.3.8.3. Parking lot entrances

Landscape islands at least 10 ft. wide must be used to define primary parking lot entrances.

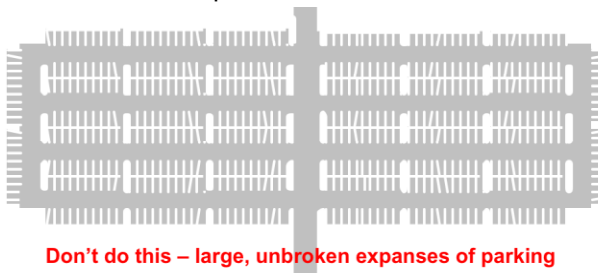
3.3.8.4. Parking rows

Landscape islands of at least 180 sq. ft. must be placed at both ends of a parking row.

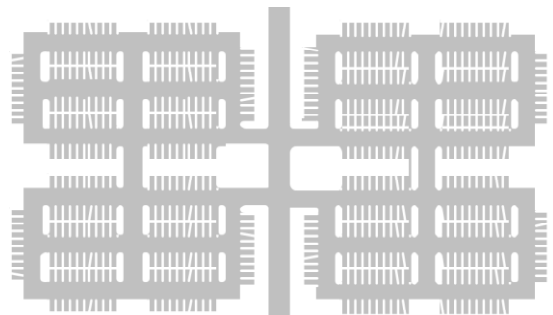
Parking rows cannot extend for greater than 10 spaces without an interrupting landscape island of at least 180 sq. ft.

3.3.8.5. Division of large parking lots

Large parking lots must be visually and functionally segmented into smaller lots with no more than 150 parking spaces, by landscape islands at least 10 ft. wide, to the greatest extent practical.



Don't do this – large, unbroken expanses of parking



Do this – divide large parking areas into a series of connected lots.

3.3.8.6. Connecting walkways

The landscape area following a connecting walkway within a commercial center must be at least 5 ft. wide.

3.3.8.7. Parking overflow to landscape areas

Parking cannot overflow onto areas outside of the designated parking area that does not meet the minimum pavement standards for the use. Parking and vehicle display on pedestrian and landscaped areas is prohibited.

3.3.8.8. Street corners

A corner landscape area must be provided if parking or a drive aisle is between a building and the street corner. Parking spaces and drive aisles must be at least 30 ft. from the intersection point of property lines at the corner.

3.3.9. Development Standards

3.3.9.1. Surface standards and paving materials

3.3.9.1.1. Permanent surfacing

- Parking and loading areas must have a permanent surface of asphalt, concrete, brick, paver blocks or a solid surface of similar or better durability and performance characteristics. Designated office facilities and designated customer and visitor parking areas in Development Area D shall have permanent surfacing.
- Porous pavement and concrete may be used for individual parking spaces and lightly used drive aisles. Porous pavement and concrete is discouraged for busy drive aisles, service drives and truck/freight loading areas. Porous pavement cannot be used for handicapped parking spaces.
- Parking and loading areas for heavy use and industrial vehicles in heavy serving industrial uses in Development Area D may be surfaced with compacted gravel, which is not considered a permanent surfacing. Compacted gravel yards shall be fenced, to the extent practical and only to the extent that it is deemed functional and appropriate by Development Services staff. If the fencing described in this Section does not achieve the intended objective of this Section, this requirement shall be administratively waived by Development Services staff.
-

3.3.9.1.2. Permanent surfacing exception: single and two-household dwellings

- Porous pavement may be used as a parking surface for single and two household dwellings.
- Driveways may have a “Hollywood driveway” design, where the driving surface is broken up into paved tracks at least 2.5 ft. wide for the wheels, separated by a planted strip.
- Driveway width shall be no wider than a 2-door garage at property line; driveways for 3rd garage door must flare out.
- Parking on an unpaved surface is prohibited.



Separated Hollywood driveway strips

3.3.9.1.3. Permanent surfacing exception: temporary uses

Permanent parking surfaces are not required for temporary uses. A parking plan must be approved for temporary uses, subject to Development Services staff review.

3.3.9.2. Grading and drainage

Parking and loading areas must be graded and drained to dispose of all surface water, in conformance to the approved drainage plan for the site.

3.3.9.3. Markings

Parking spaces, aisles, entryways, loading spaces and queue spaces surfaced in permanent materials must be marked to show their location.

Handicapped parking spaces must be marked with the international symbol of accessibility on the space and on a sign at the head of the parking space.

Motorcycle parking spaces must be marked with a sign at the head of the space, from 3 ft. and 5 ft. above the parking surface.

Parking space markings for one, two and three household dwellings are not required.

3.3.10. Shopping cart return areas

Shopping cart return areas must be defined by curbs and landscaping.

3.4. Architectural design

3.4.1. Single Household and Two- to Four-Household Residence Design

3.4.1.1. Mandatory homeowner association

A mandatory homeowner association shall be created and maintained for all single household and two-to-four-household residential development.

3.4.1.2. Required elements

Single household and two to four household dwellings must include at least one of the following elements:

- Side, detached, rear or alley-loaded garage
- Masonry (brick, stone) wainscot at least 4 ft. on front and side exterior walls, if the side walls are not those materials
- One story scaled entries recessed or covered with a porch, canopy, or other shading device
- Functional front porch at least 72 sq. ft.
- One of the following green building certifications:
National Association of Home Builders National Green Building Program: ANSI ICC 700-2008 National Green Building Standard, Bronze, Silver, or Gold.

U.S. Green Building Council Leadership in Energy and Environmental Design (LEED): Certified, Silver, Gold or Platinum.

3.4.1.3. Exterior Wall Standards:

- Exterior surface area (all stories) of primary buildings shall consist of un-painted clay brick, ledge stone, fieldstone, cast stone, granite, tile, painted or tinted stucco, glass façade, glass block (or alternative glazing e.g. Kalwall) and factory tinted (not painted) split faced concrete masonry unit, cementitious-fiber planking (not panels) or similar material approved by the Development Services staff.
- Solid wood planking, decorative cementitious-fiber panels and other materials approved by the Development Services staff may be used for accent features.
- A minimum of fifteen percent (15%) of the front primary building façade for buildings shall consist of window or door openings.
- All building fronts shall have at least four different design features to break the wall plane. The following are examples of the types of design features that meet this requirement: horizontal off-sets, recesses or projections, porches, breezeways, porte-cocheres, courtyards, awnings, canopies, alcoves, recessed entries, ornamental cornices, display or other ornamental windows, vertical "elevation" off-sets, peaked roof forms, arches, outdoor patios, architectural details such as tile work or moldings integrated into the façade, integrated planters or wing walls, accent materials, varied roof heights, premium roofing materials such as tile or standing seam metal, or similar design features approved by the Development Services staff. Windows shall have a maximum exterior reflectivity of twenty percent (20%).
- Design elements and detailing, including the presence of windows and window treatments, trim detailing, and exterior wall materials, must be continued around the structure. The percentage of design elements and detailing are not required to be consistent on all facades.



Façade with elevation design features, first floor articulation and detached rear garage



Example of façade with elevation design features, individual garage doors (projecting), and articulation of first story



Example of façade treatment through first and second floor articulation, elevation design features, color selection of garage doors (projecting)



Example of elevation design features



Example of elevation design features, first floor articulation, and individual garage doors (flush)



Avoid - flat and boxy 2-story facade with low-pitched roof and lacking elevation design features



Avoid – façade with flat pitch roof, lack of pedestrian-scaled entry and elevation design features

3.4.1.4. Facades - corner

Houses on corner lots shall be articulated on both street facades; continue siding material palette on both street-facing facades and incorporate architectural elements such as side porches, bay windows, gable roofs and similar design elements and detailing on side street facing façade. The percentage of design elements and detailing are not required to be consistent on both facades.



Corner lot/street facing facades - example of elevation detailing continued on both façades



Corner lot/ street facing facades – continuation of elevation design features



Avoid: Side street facing façade that lacks elevation design features



Avoid: Side street-facing facade that lacks elevation design features

3.4.1.5. Garages

3.4.1.5.1. Front-loaded garages

A front-loaded garage may occupy no more than 70% of the house frontage.

3.4.1.5.2. Garage doors - articulation

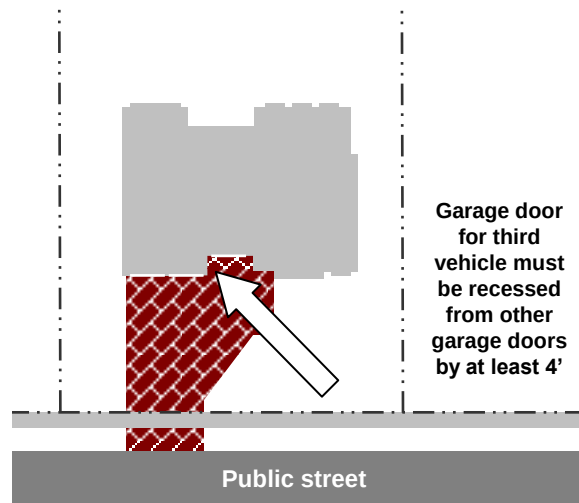
- Garage doors articulation shall include detailing and/or relief in the surface using wood or wood-like finished materials, windows are a preferred element
- Paint colors and/or stain for garage doors shall be compatible with the color palette of the building elevation on which the garage door is located
- Individual garage doors are preferred on street facing facades; garage doors are limited to 2-car garage size.
- The use of 3 garage doors on a street facing facade is discouraged; At least one of the 3 garage doors must be side facing or recessed a minimum of 4 ft. from the other garage doors.



Detailing of the wooden garage door provides required garage door articulation on street facing facades



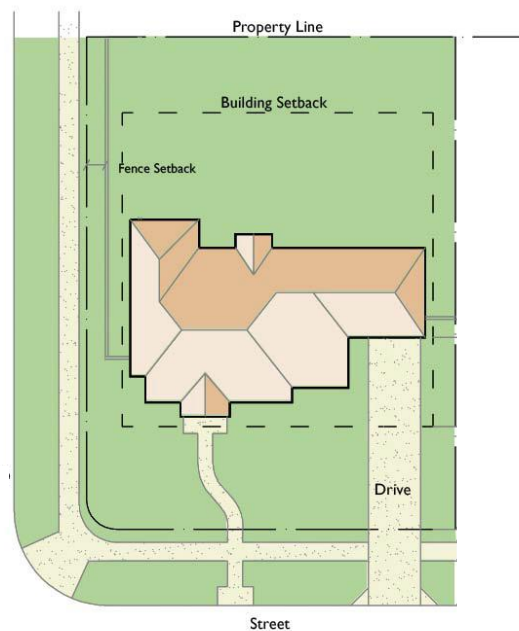
Three-car garage with detailed, individual garage doors; note required recess of two doors on right



Driveway flares out are required from the property line to accommodate the 3 garages

3.4.1.5.3. Orientation: corner lots and open space lots

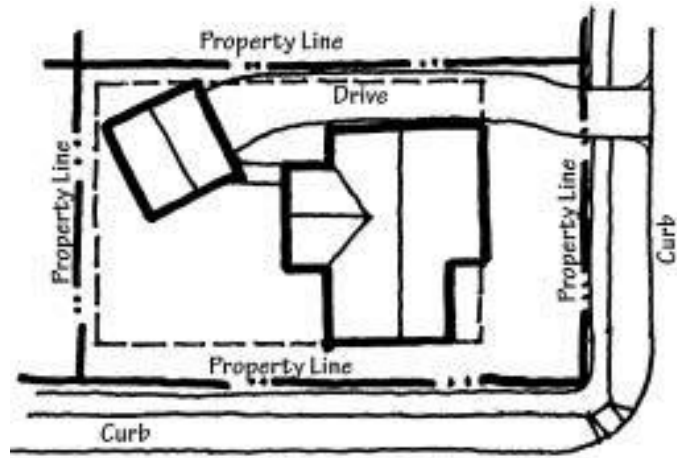
Garages for one and two household dwellings accessed from the fronting street must be located on the interior lot line side of the lot, opposite from the corner or open space lot.



Corner lot: locate garage/driveway away from the corner

3.4.1.5.4. Types of garages

3.4.1.5.4.1. Garage – detached rear



A detached rear garage is a permitted garage type.



Example of detached rear garage



Example of detached rear garage



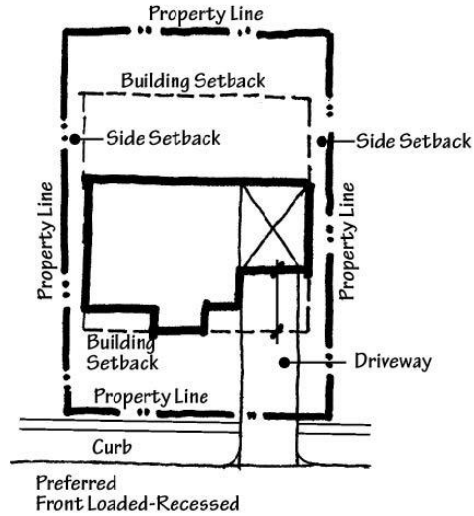
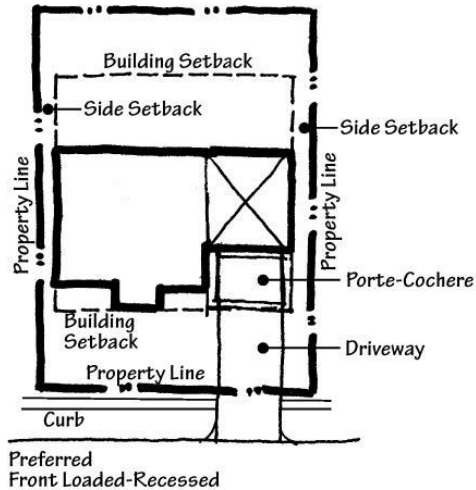
Example of detached rear garage



Example of detached rear garage

3.4.1.5.4.2. Garage - recessed

A garage door recessed from the face of the front façade is a permitted garage type. An overhead eave is a preferred detail element above the garage



Street facing garage with a large eave and individual garage doors



Recessed, tandem garage with individual garage door and detailing above



Recessed front garage creates a shadow line and emphasis on the rest of the facade

3.4.1.5.4.3. Garage - flush with façade

Garage doors flush with the street facing façade require detailing on the façade to de-emphasize the visual impact of the garage, including the following:

Trim or banding around the garage door

Garage door relief detailing and windows are a preferred element

Coordinated color selection to de-emphasize the garage door

Individual garage doors are preferred



Avoid - flush garage with completely flat 2- car garage door, no detailing or relief, highlight paint color on door inadvertently attracts attention, lack of trim around door, lack of first floor façade articulation above garage

3.4.1.5.4.4. Garage – projecting

Garages projecting in front of the street facing façade may protrude in front of the façade provided that detailing is provided on all exposed garage facades to de-emphasize the visual impact of the garage.

Windows and individual garage doors are preferred element.

The following are required on projecting garage:

- Integrated trim or banding around the garage door that matches the residential building
- Detailing and articulation of the door facade
- Color selection that does not emphasize the garage door
- An architectural top to the garage, such as a gabled roof



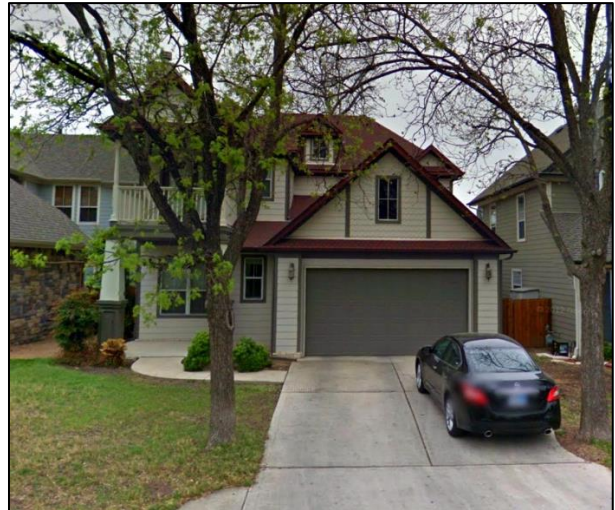
Projecting garage- example of integration of matched house/garage siding, trim detailing above, garage door detailing, accent colors, articulation of first floor level above garage, and use of gable above



Projecting garage – example showing windows on door, detailing and trim and good color selection



Projecting garage – example integration of masonry siding matching façade, good detailing, trim and color selection (note: garage door lacks adequate detail)



Projecting garage- example of integration of siding on garage trim, accent lights, accent colors, articulation of first story level, detailing on garage door, gable and centered window above

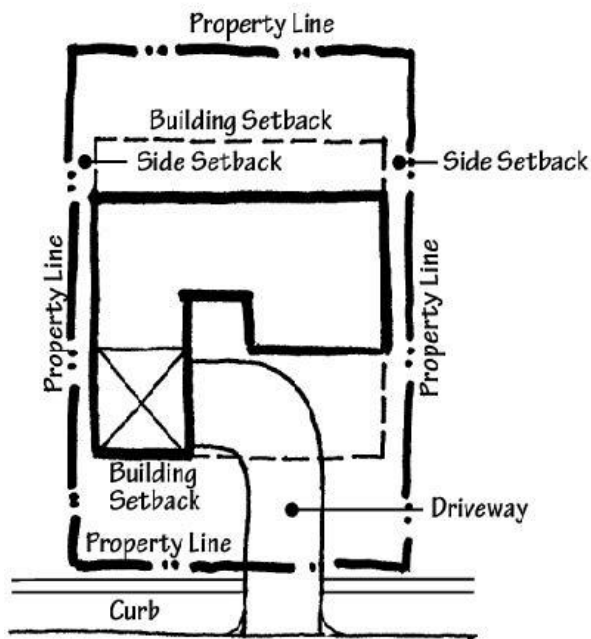


Avoid - projecting garage with completely flat 2-car garage door, no detail, paint color not complimentary to house façade. Light color masonry poor selection choice as it highlights the garage

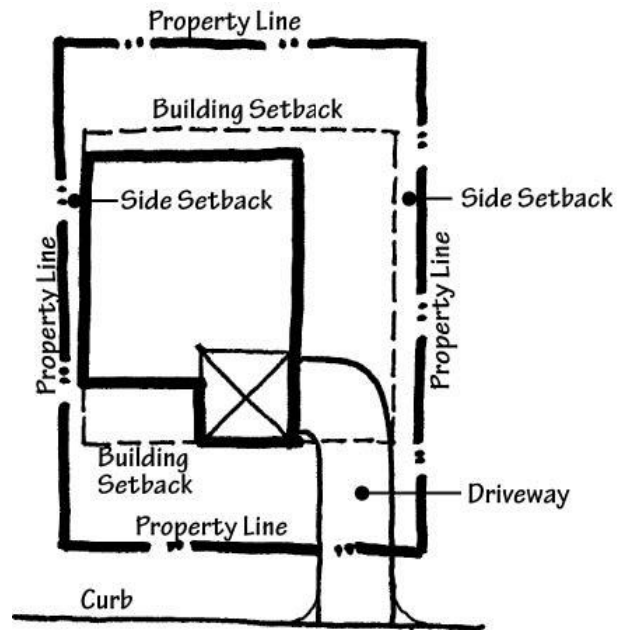
3.4.1.5.5. Garage - side-loaded

Garages that are side-loaded (in relation to the street) are a preferred and permitted garage type provided the following requirements are incorporated:

- Garage door articulation requirements are incorporated
- Placement of driveway pavement meets setback restrictions
- Driveway pavement is limited to the minimum necessary for safe vehicular movement



Inside Swing Side Loaded



Outside Swing Side Loaded



Side-loaded garage with individual doors and windows

3.4.1.5.6. Garage – Rear alley loaded

Alley loaded garages is a permitted garage type. Alley loaded garages may be attached or detached from the home.

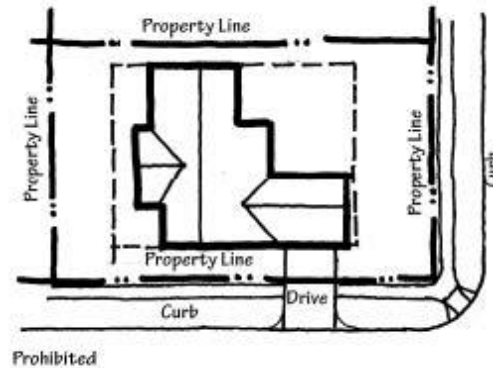
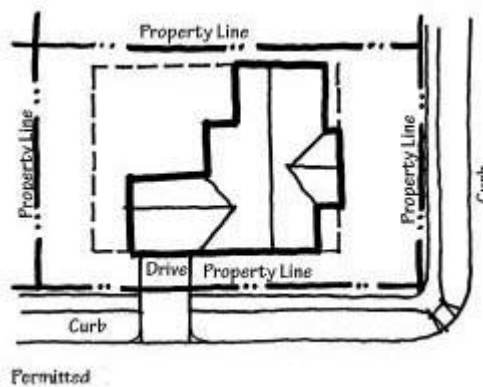


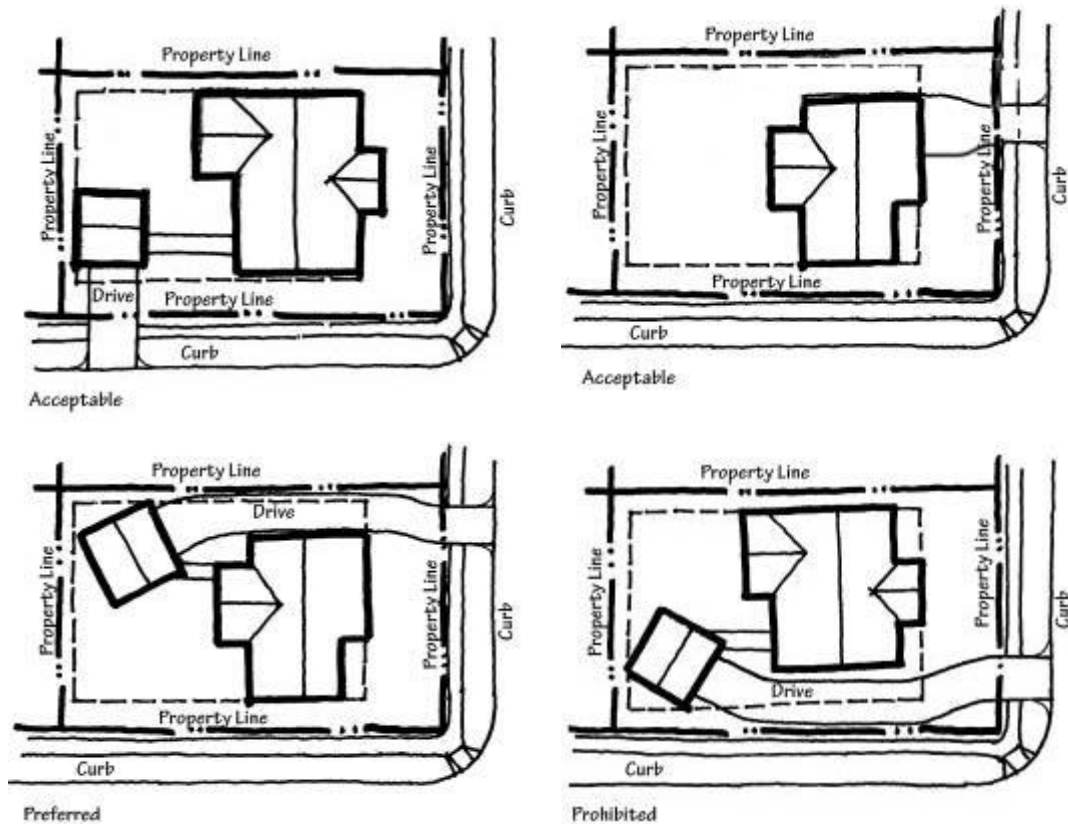
Garages access from rear alley

3.4.1.5.7. Corner lot garage placement

Minimize the visual prominence of garage and driveway placement on corner lots by incorporating the following:

- Avoid garage placement/driveway access from a side street that is:
 - Centered on an approaching street. It is visually prominent
 - Placed close to the street corner
- Avoid garage placement/driveway access from the fronting street that is:
 - Placed close to the street corner



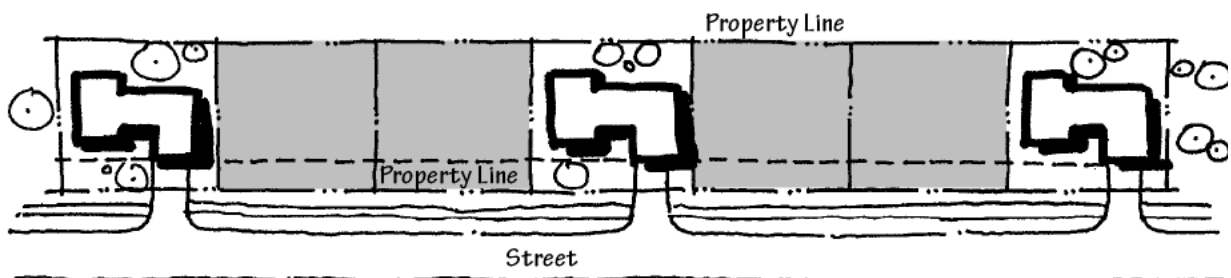


3.4.1.6. Plan spacing and repetition

No two elevations of the same style and plan type are permitted side-by-side within a given block face. Developments with single household and two household dwellings must adhere to the following minimum standards:

3.4.1.6.1. Same plan, different elevation, same side of the street

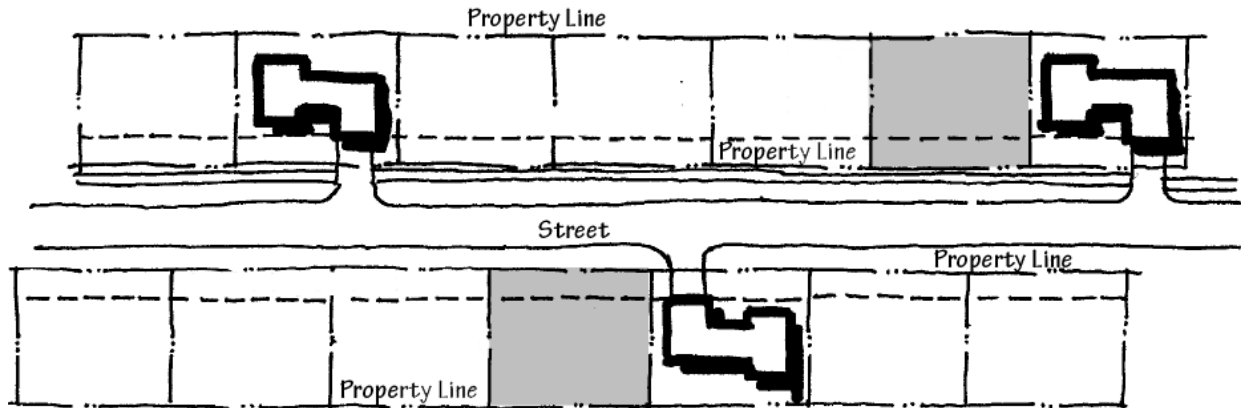
When building different elevations of the same plan on the same side of the street, two lots must be skipped and the home (same plan, different elevation) shall be placed on the third lot.



Same Plan, Different Elevation, Same Side of the Street

3.4.1.6.2. Same plan, different elevation, opposite side of the street

When the same plan, different elevation is on the opposite side of the street, the lot fronting the property, and the one beside it shall be skipped, for a total of two skipped lots, and the home (same plan, different elevation) shall be placed on the third lot. The lot fronting the subject lot is defined as a lot that has one or more side property lines directly across the street from the subject lot.

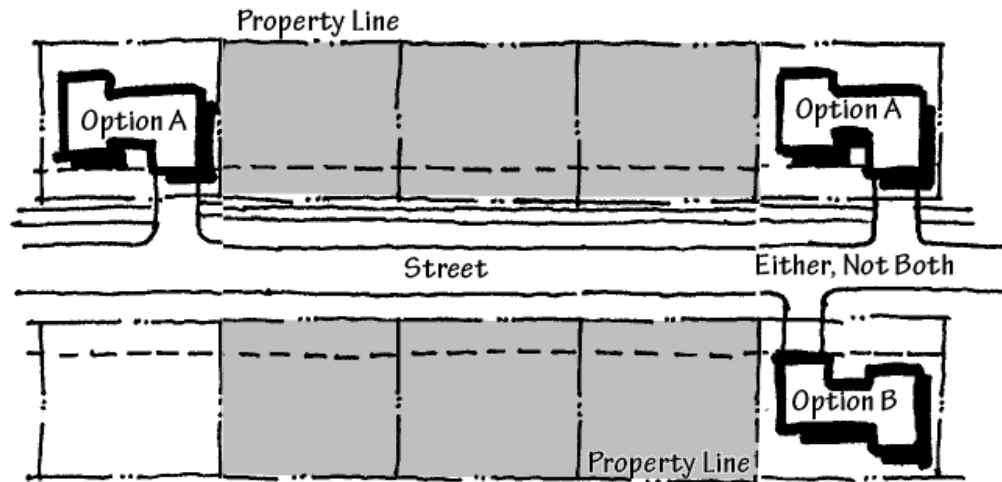


Same Plan, Different Elevation, Opposite Side of Street

3.4.1.6.3. Same plan, same elevation, same or opposite side of the street

When the same plan, same elevation is on the same side of the street, three lots shall be skipped and the home (same plan, same elevation) shall be placed on the fourth lot.

When the same plan, same elevation is on the opposite side of the street, the lot fronting the property shall be counted as the first lot, then count an additional two lots and place the home (same plan, same elevation) on the fourth lot. The lot fronting the subject lot is defined as a lot that has one or more side property lines directly across the street from the subject lot.



Same Plan, Same Elevation, Same or Opposite Side of Street



Same elevation on non-adjacent lots (2 lots must be skipped)



Diversity in elevations (even within the same architectural style), no duplicate elevations adjacent

3.4.1.7. Roofs

On buildings with pitched roofs, the minimum roof pitch is 6:12. Pitched roofs shall be clad in 25-year minimum composition shingles or low reflectivity galvanized metal roofing materials.

3.4.1.8. Mechanical equipment screening

Rooftop mechanical equipment is prohibited unless placed where they are not visible from the public ROW.

Ground mounted mechanical equipment (air conditioning units, utility boxes, etc.) must be hidden or screened with architecturally integral wing walls or landscape screening material that will grow to the same height as the equipment being screened, or placed where they are not readily visible from a public street, to the greatest extent practical.

Solar panels and rain collection tanks are exempt from mechanical equipment screening standards.

3.4.2. Single Household Attached and Multiple Unit Household Residence Design

3.4.2.1. Architectural style

Distinct groups of buildings on a site must share common, identifiable, complementary design elements and/or detailing in a multiple household residential development. This includes non-residential structures in the development such as amenity centers, laundry and maintenance buildings, garages, carports, and dumpster enclosures.

3.4.2.2. Form and mass

A single, large, dominant building mass should be avoided.

Multiple household residential building designs should incorporate visually heavier and more massive elements, details or colors at the building base, and visually lighter elements, details or colors above the base.

Changes in mass or form should be related to entrances, the integral structure and/or the interior space organization, and not just for cosmetic effect.

3.4.2.3. Exterior walls

3.4.2.3.1. Pattern

Facades must be articulated with bays, insets, balconies, porches, stoops or other similar design elements related to entrances and windows.

3.4.2.3.2. Four-sided design

All walls viewed must include materials and design characteristics consistent with those on the front. Lesser quality materials for side or rear walls are prohibited.

3.4.2.3.3. Long walls and facades

- The maximum length of a multiple household residential building is 200 ft.
- Wall and roof planes must have offsets or setbacks with a differential in horizontal plane of at least 2 ft. every no more than 50 ft.
- Up to six townhouse units may be attached in a single row.

3.4.2.3.4. Building entries

- Common balconies on perimeter walls providing access to two or more units are prohibited.
- Building entries next to a public street, private drive or parking area must be articulated to provide an expression of human activity or use in relation to building size through the use of doors, windows, entranceways, and other design features such as corners, setbacks, and offsets can be used to create articulation.

3.4.2.3.5. Garage doors

Front loading garage doors on multiple household residential building must include the following elements:

- Front-loaded garage doors may comprise no more than 50% of the total length of the front façade of a multiple residential building's front façade. Every two single-bay garage doors or every double garage door must be offset by at least 4 ft. from the plane of an adjacent garage door,
- Garage doors must integrate into the overall building design with color, texture or other similar design elements.

3.4.2.3.6. Windows and transparency

- All walls and elevations on all floors of multiple household buildings must include windows, except when necessary to assure privacy for adjacent property owners.
- Exterior windows should be located to promote occupant surveillance of entryways and common areas.

3.4.2.3.7. Building roofs

- On buildings with pitched roofs, the minimum roof pitch is 6:12.
- Roof forms must be designed to correspond and denote building elements and functions such as entrances and arcades
- On buildings where flat roofs are the predominant roof type, parapet walls must vary in height and/or shape at least once every no more than 50 ft. along a wall façade. Exceptions to the parapet standards may be administratively approved by Development Services staff if it can be demonstrated that the building design character meets the intent of this Section.
- On buildings where sloping roofs are the predominant roof type, each building must have a variety of roof forms

3.4.2.4. Materials and color

3.4.2.4.1. Building materials

- Building exterior materials must be high quality and durable. Masonry, stone and/or brick must be used as exterior materials for at least 40% of exterior facades, excluding doors, windows and trim. Wood, fiber-cement siding, corrugated metal, and stucco are suitable examples of appropriate secondary exterior materials.
- Deviations up to 10% to building material standards may be administratively approved by Development Services staff if it can be demonstrated that the building material meets the design intent of this Section.
- T-1-11 and other plywood-based siding materials are prohibited.
- Prefabricated and pre-engineered buildings are prohibited.

3.4.2.4.2. Roof materials

- Roof materials must be high quality and durable. Acceptable roof materials include concrete tile, architectural asphalt shingles, metal shingles and split seam metal.
- Flat roofs may utilize any roofing material but must include a parapet.

3.4.2.4.3. Material or color changes

- Material or color changes must only occur at a change of plane or reveal line.
- Exceptions to location of material or color change standards may be administratively approved by Development Services staff if it can be demonstrated that the location meets the design intent of this Section.
- Piecemeal embellishment and frequent material changes are prohibited.

3.4.2.4.4. Mechanical equipment screening

Rooftop mechanical equipment must be hidden or screened with architecturally integral elements at least as high as the equipment to be screened. Makeshift equipment screens, such as wooden or plastic fences, are prohibited.

Ground mounted mechanical equipment must be hidden or screened with architecturally integral wing walls and/or landscaping.

Mechanical equipment must be located where their acoustics will not be disruptive to abutting residential dwelling units.

Solar panels and rain collection devices are exempt from mechanical equipment screening standards.

3.4.3. Commercial, Office, Public, Institutional and Mixed-Use Building Design

3.4.3.1. Architectural style

Attached or distinct group of buildings on a site must share common identifiable, complementary design elements and/or detailing. This includes accessory structures such as freestanding canopies, accessory and maintenance buildings, and dumpster enclosures.

A building must have a single definitive, consistent style; mixing of various architectural styles on the same building is discouraged.

3.4.3.2. Form and mass

A single, large, dominant building mass must be avoided in new building additions involving changes to the mass of existing buildings. Changes in mass should be related to entrances, tenant spaces, the integral structure and/or the interior space organization and activities.

3.4.3.3. Exterior walls

3.4.3.3.1. Base and top

Façades and walls must have a recognizable base, with design examples achieving this criteria including (but not limited to):

- thicker walls, ledges or sills;
- integrally textured materials such as stone or other masonry;
- integrally colored and patterned materials such as smooth-finished stone;
- lighter or darker colored materials, mullions or panels; or
- planters;
- wainscoting or plinth course

Façades and walls must have a recognizable top, with design examples achieving this criteria including (but not limited to):

- cornice treatments, other than colored stripes or bands alone, with integrally textured materials such as stone or other masonry or differently colored materials;
- sloping roof with overhangs extending a minimum of 18 inches;
- stepped parapets.



Example of sloping roofed building with recognizable base and top.



Example of flat roofed building with recognizable base and top.

3.4.3.3.2. Four-sided design

All walls must include use materials and general design characteristics consistent those on the front.



Example of four sided design

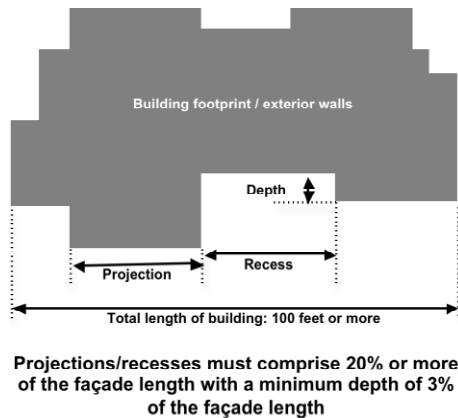


Example of four-sided design



3.4.3.3.3. Long walls and façade; projections and recesses

- Walls at least 100 ft. long must include wall plane projections or recesses having at least 3% depth of the façade length, and extending at least 20% of the façade length.
- Deviations up to 10% to wall plane projections or recesses may be administratively approved by Development Services staff if it can be demonstrated that the building wall design meets the design intent of this Section.



Large retail store with projections and recesses

3.4.3.3.4. Exterior walls

- Exterior walls cannot have a blank, uninterrupted length. greater than 50 ft. without including one or more of these the following design features: change in plane, change in texture or masonry pattern, windows, or other equivalent element(s) that subdivide the wall into human scale proportions. Side or rear walls may include false windows and door openings defined by frames, sills and lintels, or similarly proportioned modulations, only when actual doors and windows are not possible because of the building use. Deviations up to 10% to side or rear wall articulation may be administratively approved by Development Services staff if it can be demonstrated that the building wall design meets the design intent of this Section.

3.4.3.3.5. Primary building entrances

Primary building entrances must be clearly defined and shall be recessed or framed by a sheltering element such as an awning, arcade or portico to provide shelter from the sun and inclement weather.



Well-defined building entrance

3.4.3.3.6. Retail building entrances

Anchor stores (defined as a retail building containing greater than 25,000 sf), and freestanding, single-use buildings, must have a clearly defined, highly visible customer entrance with four or more of the following elements (but not limited to):

- Arcades
- Arches
- Canopies or porticos
- Details such as tile work and moldings integrated into the building structure and design
- Display windows
- Integral planters or wing walls that include landscaped areas and/or places for sitting
- Outdoor patios
- Overhangs
- Peaked roof forms
- Raised corniced parapets over the door
- Recesses and/or projections
- Clinging vines
- Bas-relief artwork or mosaics
- Trellis

At least 25% of the additional stores in a shopping center must have two or more of the elements listed above.



Projections, arches, raised cornice parapet, integrated tile work and molding



Outdoor patio, display windows



Peaked roof form, canopy, display windows, projections



Peaked roof form, projections, arcade, display window, arches

3.4.3.3.7. Awnings

Awnings may only be used in detached increments above individual windows, doors and entries.



Separate awnings above individual windows

3.4.3.3.8. Transparency in commercial buildings

At ground level floors, buildings must have a high level of transparency: façades and walls that face a public street, plaza, or primary customer parking areas (excluding the building rear and side facades and service areas) must be transparent between 2 ft. and 7 ft. above the grade or walkway along at least 50% of its length along the front facade, except where the internal arrangement of a building makes it impractical to provide transparency along a portion of a wall. In these conditions, a combination of sculptural, mosaic, or bas-relief artwork and transparent window areas or displays may substitute for 25% of required transparent areas, except when fronting on plaza areas.



Good door and window coverage on prominent elevations

3.4.3.3.9. Garage doors

- Garage bay doors fronting on a public street: design elements shall include the following: doors must be segmented, with windows covering at least 25% of the garage surface. Roll-up garage doors are prohibited. Garage doors must be recessed at least 2 ft. behind the building façade. Garage bay doors must be integrated into the overall design of the host building with color, texture, windows and similar or compatible design elements. Bay doors may not be visible from a residential use.
- Vehicle service areas and bays must be screened or sited so visibility from a public street is as low as possible: landscape screening shall comply with requirements set forth with Section 3.5.3.4 Parking lot and vehicular use screening.
- Roll-up garage doors are permitted in vehicle service areas and bays.



Garage doors integrated into building architecture

3.4.3.4. Building roofs

3.4.3.4.1. Roof form design

Roof forms must correspond to and denote building elements and functions such as entrances, arcades and porches. Roof forms should relate to adjacent buildings to the greatest extent practical.

3.4.3.4.2. Required features

Sloping roofs must have one of the following features:

- Overhanging eaves, extending at least 1.5 ft. past the supporting wall or facade.

- Sloping roofs that do not have an overhanging eave, or with an eave less than 1.5ft past the supporting wall or facade must have an average slope of at least 1 ft. of vertical rise for every 3 ft. of horizontal run and no more than 1 ft. of vertical rise for every 1 ft. of horizontal run.

3.4.3.4.3. Roof lines

The continuous plane of a roof line must be no more than 100 ft. unless it can be demonstrated it meets the intent of this Section. Exceptions may be administratively approved by Development Services staff.



Example of varied roof line plane

3.4.3.4.4. Drive through facilities

Drive through facilities must be architecturally integrated into the host structure.

Drive through facilities must be located to minimize or avoid conflict with internal pedestrian routes. Pedestrian paths must be distinguished from vehicular driving surfaces by textured and colored pavement or other contrasting design element to emphasize conflict points and enhance pedestrian safety.



Drive-through architecturally integrated into host structure

3.4.3.5. Canopies

3.4.3.5.1. Architectural integration

Canopies must include design elements found on the main building, such as color, exterior materials and/or roof pitch.

3.4.3.5.2. Canopy support poles

Canopy support poles must include design elements consistent with the overall architectural theme of the primary building, or pole covers at least 18 in. in diameter or width, with a similar surface material and architectural treatments as the dominant material on the host building.

3.4.3.5.3. Canopy fascia

Canopy fascia must be the same color as the dominant color of the host building. Striping and banding on canopies is prohibited.



Canopy design integrated into site

3.4.3.6. Materials and color

3.4.3.6.1. Building materials

- Predominant building exterior materials must be high quality and durable. Masonry (stone, brick, decorative CMU and similar materials) must be used as exterior materials for at least 40% of exterior facades, excluding doors, windows and trim. Wood, fiber-cement siding and textured concrete/EIFS are examples of appropriate secondary exterior materials.
- Corrugated metal is an acceptable material. Corrugated metal and ACM panels are examples of acceptable accent materials, and may have a cumulative surface area of no more than 30% of the area of all exterior walls on a building.
- Building-integrated photovoltaics (BIPV) may substitute for any amount of predominant and secondary exterior materials.
- Smooth-faced concrete block, painted masonry, and tilt-up and precast concrete panels are prohibited.
- T-1-11 and other plywood-based siding materials are prohibited.
- Prefabricated metal buildings and panels are prohibited.

3.4.3.6.2. Roof materials

- Roof materials must be high quality and durable. Acceptable roof materials include concrete tile, architectural asphalt shingles, metal shingles, split seam metal, photovoltaic roof tiles and shingles, and solar panels.
- Planted green roofs are permitted and strongly encouraged.
- Flat roofs may utilize any roofing material but must have a continuous parapet.

3.4.3.6.3. Building colors

- Building colors must be low reflecting, muted and neutral or earth toned. Roof colors should be muted and compatible with the dominant building color.
- High intensity colors, metallic colors, black, fluorescent colors, single color schemes and groups of stripes are prohibited as the predominant building color or color scheme.
- High intensity colors, and black or grey, may be used on building trim and accents.

3.4.3.6.4. Material or color changes

- Material or color changes must occur only at a change of plane or reveal line, unless when administratively approved by Development Services staff.



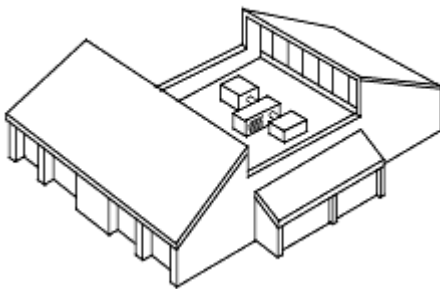
Change in materials at a change in plane.

3.4.3.7. Mechanical equipment screening

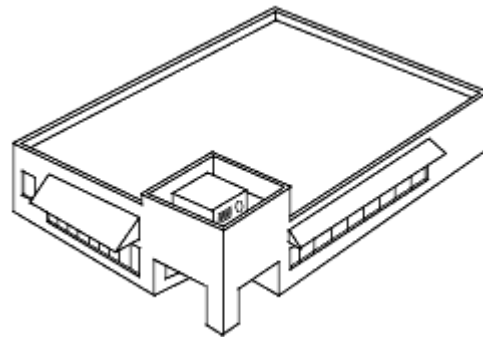
Rooftop mechanical equipment must be hidden or screened with architecturally integral elements at a height least as high as the equipment to be screened. Makeshift equipment screens, such as wood or plastic fences, are prohibited.

Ground mounted mechanical equipment must be hidden or screened with architecturally integral wing walls and/or landscaping to the greatest extent practical.

Solar panels and rain collection tanks are exempt from mechanical equipment screening standards.



Example of appropriate screening for rooftop mechanical equipment



Example of appropriate screening for rooftop mechanical equipment

3.4.3.8. Utility equipment screening

Electrical meters, switch boxes, panels, conduit, and related utility equipment must be placed in the most inconspicuous location practical.

Utility equipment must be painted or coated to match the color of the mounting surface, to the greatest extent practical.

Utility equipment located in an area that may be frequently seen by the general public must be screened to the extent practical with landscape screening or a wing wall architecturally integrated into the host building structure.



Utility equipment at back of building painted to match wall



Utility equipment in more visible location screened by wing wall

3.4.3.8.1. Cobranded uses

Cobranded uses such as restaurants and convenience stores must be well integrated into the host structure. Using disharmonious architectural elements, such as a non-compatible façade materials or disharmonious roof pitch from the host building structure is prohibited, unless it can be demonstrated that it meets the intent of this Section.



Cobranded uses with harmonious architectural elements

3.4.4. Industrial building design in Development Area C

3.4.4.1. Intent

This section shall not apply to industrial structures over 200,000 sq. ft. in area.

3.4.4.2. Character and image

In industrial developments located on a single site, each building must include compatible building design characteristics shared by all buildings in the development, such as façade materials and colors, so the development forms a cohesive place.

Distinct groups of buildings on a site must share a common, identifiable, complementary design or style. This includes accessory structures such as freestanding canopies, accessory and maintenance buildings, and dumpster enclosures.

3.4.4.3. Form and mass

A single, large, dominant building mass should be avoided in new buildings and, as much as possible, in projects involving changes to the mass of existing buildings. Changes in mass must be related to entrances, the integral structure and/or the organization of interior spaces and activities and not merely for cosmetic effect.

3.4.4.4. Exterior walls and facades

3.4.4.4.1. Pattern

Façades and walls must include a repeating pattern with an expression of architectural or structural bays through a change in plane, such as an offset, reveal, pilaster, projecting ribs, fenestration patterns, or piers; and any of the following elements:

- color change
- texture change
- material module change

Design elements must repeat at intervals of no more than 60 ft. Deviations up to 10% to the interval repetition may be administratively approved by Development Services staff.

3.4.4.4.2. Four-sided design

All façades and walls must include materials and design characteristics consistent with those on the front façade. Inferior or lesser quality materials for side or rear walls are prohibited.

3.4.4.4.3. Garage doors

Bay doors must be screened using wing walls, carefully placed berms on the site, or other effective screening and site planning techniques, or otherwise sited so visibility from the public streets is minimized. Bay doors must be integrated into the overall design of the host building with color, texture, windows and similar or compatible design elements. Segmented garage bay doors with windows are preferred to roll-up garage doors.

3.4.4.4.4. Primary building entrances

Primary building entrances must be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico to provide shelter from the sun and inclement weather.

3.4.4.5. Building roofs

3.4.4.5.1. Planted green roofs

Planted green roofs, solar panels and rain collection tanks are strongly encouraged

3.4.4.6. Materials and color

3.4.4.6.1. Building colors

- Building colors must be low reflecting, muted and neutral or earth toned. Roof colors must be muted and compatible with the dominant building color.
- High intensity colors, metallic colors, fluorescent colors, single color schemes and groups of stripes are prohibited as the predominant building color or color scheme.
- Brighter colors, and black or grey, may be used on building trim and accents.
- An exception to the color standards may be administratively approved by Development Services staff if it can be demonstrated that the color selection meets the design intent of this Section.

3.4.4.6.2. Building materials

Durable, high quality building materials must be used. Brick, stone, split-face CMU, EIFS, detailed tilt-up concrete panels, and building-integrated photovoltaics (BIPV) are examples of appropriate building materials.

- T-1-11 and other plywood-based siding materials are prohibited.
- Prefabricated and pre-engineered metal buildings and panels are prohibited.

3.4.4.6.3. Material or color changes

- Material or color changes must occur only at a change of plane or reveal line.
- An exception to the location of material or color change standards may be administratively approved by Development Services staff if it can be demonstrated that the location meets the design intent of this Section.
- Piecemeal embellishment and frequent material changes are prohibited.



Industrial building design: appropriate



Industrial building design: appropriate



Industrial building design: appropriate



Industrial building design: appropriate

3.4.4.7. Mechanical equipment screening

Rooftop mechanical equipment must be hidden or screened with architecturally integral elements at a height at least as high as the equipment to be screened. Makeshift equipment screens, such as wooden or plastic fences, are prohibited.

Ground mounted mechanical equipment must be hidden or screened with architecturally integral wing walls and/or landscaping to the greatest extent practical.

Solar panels and rain collection tanks are exempt from mechanical equipment screening standards.

3.4.4.8. Utility equipment screening

Electrical meters, switch boxes, panels, conduit, and related utility equipment must be placed in the most inconspicuous location practical.

Utility equipment must be painted or coated to match the color of the mounting surface to the greatest extent practical.

Utility equipment located in an area that may be frequently seen by the general public must be screened to the extent practical with landscape screening or with a wing wall architecturally integrated into the host building structure.

3.5. Landscaping

3.5.1. General standards

3.5.1.1. Visibility

Shrubs growing over 3 ft. tall at maturity must be placed at least 10 ft. from curb cuts. This is to maintain clear driver sight distance at driveway-street intersections.

3.5.1.2. Utilities

Tree trunks must be placed at least 10 ft. from streetlights and 5 ft. from wet utilities. Tree trunks must be placed at least 4 ft. from gas lines.

3.5.1.3. Clear zone at intersections

Trees in tree lawns must be at least 15 ft. from the curb return corner at street intersections.

3.5.2. Required landscaping: single and two-household dwellings

3.5.2.1. Tree number

Lots with single household and two household dwellings must have at least the following number of trees:

- Street tree - one native tall tree shall be installed per 25 ft. - 30 ft. of linear street frontage within the tree lawn area provided trees are set back from utilities. Required street trees may be installed in the front yard only if inadequate tree lawn area is available to meet the street tree frontage requirements. It is the responsibility of the installer to insure there are no conflict with utilities and complies with clear vision area

requirements. Intersection clear zones and curb cut visibility areas are not included in the street frontage calculations.

- One native tall tree or two native short trees for every 3,000 sq. ft. of lot area.

Existing native tall and short trees conforming to Section 3.18.3.3 may be used to meet minimum tree planting requirements.

3.5.2.2. Shrub number

Lots with single household and two household dwellings must have one or more native shrubs for every 1,000 sq. ft. of lot area. All of the required shrubs must be placed in the front half of the lot. Lots at least 50,000 sq. ft. do not need more than 100 shrubs.

3.5.2.3. Tree and shrub size

Native tall trees must have a trunk of at least 2 in. caliper and 10-12 ft. ht. Native short trees must have a caliper of at least 1.5 in. and 8-10' ht. Planted shrubs must have at least 1-gallon container or be at least 2 ft. tall, and grow to a height of at least 2 ft.

3.5.2.4. Groundcover

Groundcover must be planted on areas of developed parcels that are not part of an impervious surface, covered with porous paving, occupied by shrubbery or gardens, or under a tree drip line.

3.5.3. Required landscaping: non-residential and 3+ household residential development

3.5.3.1. Landscaping areas

Parcels with a non-residential use or 3+ household residential structures must be landscaped as follows. Additional plants may be required per buffer yard standards in Section 3.1.6, and mechanical equipment screening requirements.

Street tree - one native tall tree shall be installed per 25 ft. - 30 ft. of linear street frontage within the tree lawn area provided trees are set back from utilities. Required street trees may be installed in the front yard only if inadequate tree lawn area is available to meet the street tree frontage requirements. It is the responsibility of the installer to insure there are no conflict with utilities and complies with clear vision area requirements. Intersection clear zones and curb cut visibility areas are not included in the street frontage calculations.

Planting requirements set forth in this Section shall comply with standards set forth in Section 3.5.1. Minor deviations to the standards set forth in this Section may be administratively approved by Development Services staff if it meets the intent of this Section.

3.5.3.2. Minimum percentage

A minimum percentage of the total area being developed shall be landscaped in accordance with the following percentages:

- Commercial uses: 15%

- Commercial pad sites: 5%
- Multifamily dwellings: 20%
- Office and professional uses: 15%
- Institutional and civic uses: 15%
- Industrial or manufacturing uses in Development Area C: 10%
- Light and general industrial or manufacturing uses in Development Area D: 5%
- Heavy industrial uses in Development Area D: 2%

3.5.3.3. Tree and shrub requirement

For every 500 square feet of landscaping required, or portion thereof, at least two (2) large trees and four (4) shrubs are required. Two (2) small ornamental trees may be substituted for one (1) required large tree, not to exceed 50% of the required large trees.

3.5.3.4. Parking lot and vehicular use screening ~~—non-industrial uses~~

The perimeter of all vehicular use areas including parking areas, drive aisles, and loading areas shall be screened as follows:

- Vehicular use areas shall be screened from all abutting rights-of-way, including the UP Railroad and SH 130, by a continuous landscaped area not less than 10 ft. deep as described in Section 3.1.6.2.
- Vehicular use areas shall be screened from all abutting residential property by a continuous landscaped area not less than 8 ft. deep.
- Landscape screening shall contain one (1) large tree per thirty (30) linear feet, or portion thereof, and a continuous hedge not less than 3 ft. in height.
- In addition to the required vehicular use screening, all outdoor parking shall have landscaping islands within the parking area equal to not less than 7% of the gross parking lot area. This requirement does not apply to Development Area D.
- Landscape islands shall be required on both ends of all parking aisles, if such spaces are not adjacent to another landscaped area or entry throat. This requirement does not apply to Development Area D.
- Not more than ten (10) consecutive parking spaces shall be provided without a landscaped island. This requirement does not apply to Development Area D.
- Landscape islands shall be a minimum of 9 ft. wide and 18 ft. deep, and shall contain at least one (1) large tree and four (4) shrubs. This requirement does not apply to Development Area D.
- Driveways and entry throats accessing lots from public streets shall contain at least one (1) large tree and five (5) shrubs on each side.
- Required parking lot landscaping may be counted toward the minimum landscaped area required in Section 3.5.3.2.

~~3.5.3.5. Parking lot and vehicular use screening — industrial uses~~

- ~~• These landscape requirements do not apply to Development Area D.~~

3.5.3.5. Tree and shrub standards applicable to this Section

The following standards apply to trees and shrubs:

- Planting areas for each tree provided shall have a minimum undisturbed pervious area of at least 100 square feet and shall be planted or covered with grass, mulch, or other appropriate ground cover.
- Each development shall provide at least three (3) different species. No more than 50% of all trees, per development, shall be of the same species.
- Two (2) small ornamental trees may be substituted for one (1) required large tree, not to exceed 50% of the required large trees.

3.5.3.6. Tree and shrub size

Native tall trees must have a caliper of at least 2 in. and 10-12 ft. ht. Native tall trees used as street trees in tree lawns must have a caliper of at least 4 in. and 12-14 ft. ht. Native short trees must have a caliper of at least 1.5 in. and 8-10' ht. Planted shrubs must have minimum 1-gallon container or be at least 18 in. tall.

3.5.3.7. Tree and shrub placement

Trees and shrubs may be clustered in groups, to present a natural environment and ease maintenance. All trees must be placed on the parcel being developed, unless otherwise permitted. If Development Services staff finds that it is impractical to plant trees and/or shrubs on parcels being developed, those trees and/or shrubs may be planted elsewhere in the PUD. Minor deviations may be administratively approved by Development Services staff in cases where necessary due to site constraints.

3.5.3.8. Groundcover

Groundcover must be planted on areas on a developed parcel that are not part of an impervious surface, covered with porous paving, occupied by shrubbery or gardens, or under a tree drip line.

3.5.4. Materials, maintenance, and replacement

3.5.4.1. Plant materials

Plant choice must be based on the Central Texas ecological setting and site microclimate conditions.

3.5.4.2. Native tall trees

Native and adapted tall trees that can be planted or used to meet landscaping requirements include the following.

Anaqua	(Ehretia anacua)
Bald Cypress	(Taxodium distichum var. distichum)
Bigtooth Maple	(Acer grandidentatum)
Black Walnut	(Juglans nigra)
Blackjack Oak	(Quercus marilandica)
Bur Oak	(Quercus macrocarpa)
Cedar Elm	(Ulmus crassifolia)

Chinquapin Oak	(Quercus muhlenbergii)
Durand Oak	(Quercus sinuate)
Escarpment Live Oak	(Quercus fusiformis)
Lacebark Elm	(Ulmus parvifolia)
Monterey Oak	(Quercus polymorpha)
Montezuma Cypress	(Taxodium mucronatum)
Pecan	(Carya illinoensis)
Red Maple	(Acer rubrum)
Red Oak	(Quercus lobatae)
Sawtooth Oak	(Quercus acutissima)
Shumard Oak	(Quercus shumardii)
Southern Live Oak	(Quercus virginiana)
Texas Ash (female only)	(Fraxinus texensis)
Texas Red Oak	(Quercus texana)
Western Soapberry	(Sapindus drummondii)
Winged Elm (female only)	(Ulmus alata)
Yellow Buckeye	(Aesculus pavia var. flavescens)

Established deciduous and semi-deciduous (not coniferous or palm) canopy trees at least 30 ft. tall with a trunk of at least 4 in. caliper of other species, that are not on the nuisance tree list.

3.5.4.3. Native short trees

Native and adapted short trees that can be planted or used to meet landscaping requirements include the following.

American Smoke Tree	(Cotinus obovatus)
Anacacho Orchid Tree	(Bauhinia lunarioides)
Big Tooth Maple	(Acer grandidentatum)
Blackhaw Viburnum	(Viburnum prunifolium)
Carolina Buckthorn	(Frangula caroliniana)
Cherry Laurel	(Prunus caroliniana)
Chitalpa	(Chitalpa)
Crape Myrtle	(Lagerstroemia indica)
Desert Willow	(Chilopsis linearis)
Downy Serviceberry	(Amelanchier arborea)
Eve's Necklace	(Styphnolobium affine)
Evergreen Sumac	(Rhus virens)
Goldenball Lead Tree	(Leucaena retusa)
Kidneywood	(Eysenhardtia texana)
Lacey Oak	(Quercus laceyi)
Mexican Buckeye	(Unghadia speciosa)
Mexican Plum	(Prunus Mexicana)
Mexican Poinciana	(Caesalpinia mexicana)
Mexican Redbud	(Cercis canadensis var. Mexicana)
Mountain Laurel	(Calia secundiflora)
Possumhaw Holly	(Aquifoliaceae Ilex decidua)
Red Buckeye	(Aesculus pavia)
Rough Leaf Dogwood	(Cornaceae Cornus drummondii)
Rusty Blackhaw Viburnum	(Viburnum rufidulum)
Saucer Magnolia	(Magnolia x soulangiana)
Smokeberry	(Cotinus coggygria)
Soapberry	(Sapindus drummondii)

Spicebush	(Lauraceae <i>Lindera benzoin</i>)
Texas Mountain Laurel	(<i>Sophora secundiflora</i>)
Texas Persimmon	(<i>Diospyros texana</i>)
Texas Pistachio	(<i>Pistacia texana</i>)
Texas Redbud	(<i>Cercis canadensis</i> var. <i>texensis</i>)
Western Soapberry	(<i>Sapindus drummondii</i>)
Yaupon Holly	(<i>Ilex vomitoria</i>)

Established deciduous and semi-deciduous trees 10 ft. to 30 ft. tall with a trunk of at least 3 in. caliper of other species, that are not on the nuisance tree list.

3.5.4.4. Native shrubs

Recommended native and adapted shrubs that can be planted or used to meet landscaping requirements include the following.

Abelia	(Abelia)
Agarita	<i>Mahonia trifoliolata</i>
Agave	(Agavaceae)
American Beautyberry	(<i>Callicarpa Americana</i>)
Bamboo Muhly	(<i>Muhlenbergia dumosa</i>)
Barbados Cherry	(<i>Malpighia glabra</i>)
Beautybush	(<i>Kolkwitzia amabilis</i>)
Big Muhly	(<i>Muhlenbergia lindheimeri</i>)
Black Dalea	(<i>Dalea frutescens</i>)
Burford Holly	(<i>Ilex cornuta</i> 'Burfordii')
Bush Germander	(<i>Teucrium fruticans</i>)
Butterfly Bush	(<i>Buddleja davidii</i> , <i>Buddleja marrubifolia</i>)
Caellia	(Camellia)
Cenizo/Texas Sage	(<i>Eucophyllum frutescens</i>)
Coralberry	(<i>Symphoricarpos orbiculatus</i>)
Cotoneaster	(Cotoneaster)
Deer Muhly	(<i>Muhlenbergia rigens</i>)
Dwarf Chinese Holly	(<i>Ilex cornuta</i> Rotunda)
Elaeagnus	(<i>Elaeagnus pungens</i>)
Flame Acanthus	(<i>Anisacanthus quadrifidus</i>)
Flowering Senna	(<i>Senna corymbosa</i>)
Forsythia	(<i>Forsythia x intermedia</i>)
Fragrant Mimosa	(<i>Mimosa borealis</i>)
Fragrant Sumac	(<i>Rhus aromatica</i>)
Germander	(<i>Teucrium fruticans</i>)
Gulf Muhly	(<i>Muhlenbergia capillaris</i>)
Inland Sea Oats	(<i>Chasmanthium latifolium</i>)
Japanese Barberry	(<i>Berberis thunbergii</i>)
Mexican Feather Grass	(<i>Nassella tenuissima</i>)
Mock Orange	(<i>Philadelphus coronarius</i>)
Mountain Sage	(<i>Salvia regal</i>)
Nandina	(<i>Nandina domestica compacta</i>)
Primrose Jasmine	(<i>Jasminum mesnyi</i>)
Rose of Sharon	(<i>Hibiscus syriacus</i>)
Sage	(Salvia)
Sideoats Grama	(<i>Bouteloua curtipendula</i>)
Skull Cap	(Leguminosae <i>Scutellaris</i>)

Sweet Mockorange	(Philadelphus coronarius)
Texas Dwarf Palmetto	(Sabal minor)
Texas Lantana	(Lantana horrida)
Texas Sage	(Leucophyllum frutescens)
Texas Sotol	(Dasylirion texanum)
Turk's Cap	(Malvaviscus arboreus)
Upright Rosemary	(Rosmarinus officinalis)
Viburnum (all)	(Viburnum)
Witch Hazel	(Hamamelidaceae Hamamelis
virginiana)	
Woolly Butterfly Bush	(Buddleia marrubiifolia)
Yellow Bells	(Tecoma stans)
Yucca	(Yucca)

3.5.4.5. Nuisance plants

Nuisance plants include the following. Nuisance plants may not be planted or used to meet the City's landscaping requirements, and are not protected by tree preservation, replacement, protection and removal standards.

Trees:

American Sweetgum	(Liquidambar styraciflua)
Arizona Ash	(Fraxinus velutin)
Bois d'arc	(Maclura pomifera)
Boxelder Maple	(Acer negundo)
Bradford Pear	(Pyrus calleryana bradfordii)
Brazilian Pepper	(Schinus terebinthifolius)
Chinaberry	(Melia azedarach)
Chinese Parasol Tree	(Firmiana simplex)
Chinese Tallow	(Sapium sebiferum)
Elephant Ear	(Alocasia spp., Colocasia spp.)
Eucalyptus (all)	(Eucalyptus)
Euonymus (all)	(Euonymus)
Hackberry	(Celtis occidentalis)
Honey Locust	(Gleditsia triacanthos)
Honeysuckle (all)	(Lonicera)
Japanese Zelkova	(Zelkova serrata)
Juniper (males)	(Juniperus)
Leland Cypress	(Cupressocyparis leylandii)
Lombardy Poplar	(Populus nigra)
Mesquite	(Prosopis glandulosa)
Mimosa, Silk Tree	(Albizzia julibrissin)
Monkey Puzzle	(Araucaria araucana)
Mulberry (all)	(Morus)
Olive	(Olea, Elenganus)
Paulownia	(Paulownia tomentosa)
Red-Tipped Photinia	(Photinia x fraseri)
Silver Maple	(Acer saccharinum)
Tree of Heaven	(Ailanthus altissima)
Vitex	(Vitex agnus-castus)

Shrubs:

Chinese Photinia	(Photinia spp.)
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Common Privet	(Ligustrum sinense, L. vulgare)
Japanese Ligustrum	(Ligustrum lucidum)
Nandina (berrying varieties)	(Nandina domestica)
Photinia (all)	(Photinia)
Pyracantha, Firethorn	(Pyracantha spp.)
Russian Olive	(Elaeagnus angustifolia)
Wax Leaf Ligustrum	(Ligustrum japonicum)

Vines:

Cat's Claw Vine	(Macfadyena unguis-cati)
English Ivy	(Hedera helix)
Japanese Honeysuckle	(Lonicera japonica)
Kudzu	(Pueraria lobata)
Poison Ivy	(Toxicodendron radicans)
Vinca	(Vinca major, V. Minor)

Other:

Eurasian Watermilfoil	(Myriophyllum spicatum)
Giant Cane	(Arundo donax)
Hydrillia	(Hydrilla verticillata)
Johnson Grass	(Sorghum halepense)
Running Bamboo	(Phyllostachys aurea)
Water Hyacinth	(Eichhornia crassipes)

All plants listed in Texas Administrative Code Section 19.300 (Noxious and Invasive Plant List), and listed as Invasive and Noxious Weeds by the USDA Natural Resources Conservation Service, are also considered nuisance plants. Other plants may be prohibited at the discretion of Development Services staff on a case-by-case basis.

3.5.4.6. Low water use plants

Low water use trees, shrubs and groundcovers shall be used to the greatest extent practical.

3.5.4.7. Planting beds

Shrub and ground cover planting beds must be separated from turf grass with edging, and must have open surface areas covered with mulch or gravel.

3.5.4.8. Topsoil

Topsoil removed during construction activity must be conserved for later use on areas requiring re-vegetation and landscaping, to the maximum extent practicable.

3.5.4.9. Plant quality

Landscape plants must be free of defects, and of normal health, height, leaf density and spread appropriate to the species, as defined by American Association of Nurserymen standards.

3.5.4.10. Installation

Landscaping must be installed using sound horticultural practices, in a way that encourages quick establishment and healthy growth. Landscaping in each phase must either be installed or the installation must be secured with a letter of credit, escrow or performance bond for 150% of landscaping value before a certificate of occupancy for any building in a phase is issued.

3.5.4.11. Maintenance

Trees and vegetation, irrigation systems, fences, walls and other landscape elements are considered elements of the project in the same way as parking, building materials and other site details. The applicant, landowner or successors must be jointly and severally responsible for regular maintenance of all landscaping elements in good condition. Landscaping must be maintained free from disease, pests, weeds and litter.

3.5.4.12. Replacement

Required landscape elements that are removed or dead must be promptly replaced.

3.5.5. Irrigation

3.5.5.1. Automatic irrigation required

All plants on newly developed parcels, except those developed for single household and two household dwellings, must be irrigated with underground or drip irrigation, with these exceptions:

- Plants that do not require irrigation for establishment.
- Mature xeriscape (drought tolerant) areas, with established plants that do not require irrigation for survival.
- Trees established for two years or more.
- Parkland or land designated for parkland in this PUD
- Xeriscape planting areas may be established with temporary irrigation for a period of no less than two years.

3.5.5.2. Irrigation plan required

An irrigation plan must be included in the landscape plan for site plan review, if applicable.

3.5.6. Tree preservation and removal

3.5.6.1. Tree preservation, removal and replacement: undeveloped and redeveloped sites

3.5.6.1.1. Nuisance trees

Nuisance trees, as defined in Section 3.6.4.5, may be removed from a developed or undeveloped lot anytime. Replacement of nuisance trees is not required.

3.5.6.1.2. Diseased, dangerous and dead trees

Diseased, dangerous and dead trees of all species may be removed from an undeveloped lot anytime. Replacement of removed diseased, dangerous and dead trees is not required.

3.5.6.1.3. Healthy, protected trees (native, tall, and small trees)

Protected trees (trees with a DBH of at least 18 in. which are not nuisance trees) that are healthy and located on a vacant parcel or redevelopment site may only be removed when the parcel is developed or redeveloped. A tree inventory and survey, showing the location, size, species and condition of existing protected trees on a lot, must be submitted and approved with a preliminary subdivision, site plan or building permit for a development, whichever comes first.

Site features must be designed to minimize disturbance to protected trees. Tree wells or cut areas may be used to preserve the original grade around an existing tree to the extent practical.

At least 50% of the total number of healthy protected trees must remain on the site or be relocated on a site within the PUD. Gross DBH loss of protected trees to be removed must be replaced at a 1:1 ratio. Replacement trees must be planted either on the development site or elsewhere in the PUD, in areas approved by Development Services staff. Replacement trees must have a DBH of at least 2 in.

A protected tree may be designated for removal if it meets one of the following criteria.

- It is in an existing or proposed easement or stormwater management system and cannot practically be saved.
- It is located where it will create a potential safety or health hazard, or a nuisance to existing or proposed structures or vehicle or pedestrian routes.
- It is located where it interferes with the installation, delivery, or maintenance of existing utility services to the site.

3.5.6.2. Tree preservation, removal, and replacement: developed lots

3.5.6.2.1. Nuisance trees

Nuisance trees may be removed from a developed lot anytime.
Replacement of nuisance trees is not required.

3.5.6.2.2. Diseased, dangerous, and dead trees

Diseased, dangerous and dead trees of all non-nuisance species may be removed from a developed lot anytime.

3.5.6.2.3. Healthy, protected trees (native, tall, and small trees)

Healthy native tall and small trees with a DBH of 2.5 in. or more that cannot be considered diseased, dangerous or dead may be removed from a lot if the gross DBH loss is replaced at a 1:1 ratio (1 in. replaced for every 1 in. lost of caliper inches DBH). At least 50% of the total number of replacement caliper inches must be planted on the lot, to the extent practical, or may be planted elsewhere within the PUD as approved by Development Services staff. Required mitigation trees planted elsewhere in the PUD shall be noted on the site plan, as well as the other site plan, and may not be counted towards future mitigation tree requirements on the other site plan.

3.5.6.3. Tree removal and replacement: signs

Healthy trees of all species and sizes, except species defined as nuisance trees, may not be removed with the intent of increasing the visibility of an existing sign, unless with administrative approval of Development Services staff.

3.5.6.4. Tree replacement conditions

3.5.6.4.1. Replacement plant types

Replacement trees may be any combination of native tall and short trees that keeps or brings the site in conformance with minimum required landscaping standards.

3.5.6.4.2. Replacement trees

Replacement trees must be placed on site, or in areas approved by Development Services staff within the PUD.

3.5.6.4.3. Landscape requirements

Existing and replacement trees may be used to meet landscape requirements. After tree removal and replacement, the number and

placement of trees on a parcel must continue to conform to landscaping requirements.

3.5.6.4.4. Maintenance

Replacement trees must be maintained in good condition for one year after planting. In that year, the property owner must guarantee survival.

3.5.6.4.5. Unauthorized removal

The gross DBH loss of trees that are removed in violation of this section by the property owner, developer or any party acting on their behalf must be replaced at a 2:1 ratio (2 in. replaced for every 1 in. lost of caliper inches) with native tall trees. For illegal vegetation clearance to increase the visibility of signs per Section 3.5.6.3, replacement native tall trees must be planted in the cleared area, with 1 in. DBH for every 10 sq. ft. cleared.

3.5.6.5. Tree protection during construction

3.5.6.5.1. Tree protection zone

During construction, perimeter fencing must be erected around protected trees, at least at one-half of the drip line to the greatest extent practical, to establish a tree protection zone, unless otherwise approved by Development Services staff. Large parcels with protected trees that are separated from construction or land clearing areas, street rights-of-way and utility easements may be "ribboned off," by placing post stakes at least 50 ft. apart and tying ribbon or rope from stake to stake along the perimeter. Storage or movement of equipment, material, debris or fill in the tree protection zone is prohibited.

3.5.6.5.2. Storage near trees

During construction, equipment cleaning or storage or disposal or waste material such as paints, oils, solvents, asphalt, concrete, motor oil or other material harmful to trees cannot be placed in the drip line of protected trees or group of trees.

3.5.6.5.3. Attachment to trees

Damaging attachments, wires, signs or permits cannot be fastened to protected trees.

3.5.6.5.4. Trenching

Trenches or footings must be outside the inner one-half of the dripline, to the greatest extent practical. Under the drip line of protected trees, no cut or fill may exceed 4 in. unless a qualified arborist or forester evaluates and approves the disturbance. When trenching for utilities, tunneling under roots greater than 8 in. diameter is required to prevent root damage. The developer is responsible for coordination with utility companies when trenching near protected trees, to the extent practical.

3.5.6.5.5. Root preservation

During grading, roots at least 1 in. in must be cut off cleanly with a handsaw about 12 in. behind the line of excavation. Exposed roots must be protected with moist backfill soil.

3.5.6.5.6. Grades

Raising the grade more than 6 in. around tree trunks is prohibited. This can cause trunk rotting, and serious damage or death to the tree. Finished grades must slope away from trunks to avoid water concentrated at tree bases.

3.5.7. Required site furniture

A parcel with a non-single family residential and a non-industrial use must have the following furniture installed, provided the condition(s) described in this Section exist on the site. Furniture must be functional. All amenities located on a site shall be owned, operated and maintained by the private property owner.

- Internal walkways: (choose 1 of the following) 1 bench, 1 trash can, 1 bike rack, or 1 masonry planter per 150 ft. linear walkway.
- Plazas: 1 bench per 50 sq. ft. and 1 trash can per 100 sq. ft. plaza area.
- Colonnades, loggias: 1 bench and 1 trash can per 50 ft.
- Bus stops: 2 benches and 1 trash can per stop (applicable to city adopted transit streets only).

3.6. Common Open Space

3.6.1. Required common open space

The PUD shall provide for a collection of privately owned, common open space lots set within a street system with access to the Brushy Creek park land. Common open space will be designed to (i) serve the recreational needs of the residents (ii) provide places and opportunities for interaction within the community and (iii) provide opportunities for interaction with the natural environment.

A minimum of 5 acres of land located within the Carmel Creek 100-year floodplain shall be established and maintained as common open space. An additional 15 acres of common open space shall be established within the PUD at locations within or adjacent to residential areas.

All private open space and structures thereon shall be conveyed to and permanently owned and maintained by a Property Owner's Association (POA) or other responsible entity approved by the Director. The POA may adopt rules and regulations regarding access, permitted uses, security (policing) and maintenance responsibilities for the open spaces.

Each lot designated as common open space shall include at least six thousand (6,000) square feet. The area of the common open space lot shall be measured and calculated to the property line of the affected lot.

Parking for common open space uses within the PUD may be provided with adjacent on-street parking. Off-street parking may also be provided within a common open space lot, at the option

of the Developer. On-street parking will be credited toward the required parking spaces of the affected lot.

Except for undisturbed and reestablished native landscape areas, common open space shall be maintained by one of the following watering methods: an underground irrigation system; a drip irrigation system; or a hose attachment within two hundred (200) feet of all landscaping. Watering may be suspended in times of drought.

Common open space may include detention ponds that are primarily earthen, planted with plants, and functionally serve as an aesthetic and/or recreational amenity for residents. Such elements may include trails on the pond lot, water aeration fountains, shade trees and other plantings and seating. Such detention or wet ponds do not require screening.

3.6.2. Access

Common open space must be reasonably accessible to all residents of the PUD. Convenient pedestrian and vehicular access to open space must be provided. Green links and trails must be provided to common open space not readily accessible to a public street.

3.6.3. Common open space design

Common open space must be configured as a meaningful and functional space. Common open space land must be compact and contiguous to the maximum extent practicable, unless the land is used as a greenway or other linear park. Small, narrow, or unassigned strips behind or between buildings is unacceptable. Designated common open space may be in a natural, undisturbed state, landscaped for more formal, open play areas, or developed for active and/or passive recreation.

Common open space lots shall include park improvements, such as trails, lighting, seating, landscape planting, irrigation and accessory buildings and shade structures that are appropriate for the intended use and site conditions of that site. Access for police, fire or ambulance emergency providers shall be provided to private and common open spaces.

3.6.4. Areas not considered as common open space

The following do not meet the requirement for common open space:

- Private lots or yards not available for common use
- Public right-of-way or private streets and drives.
- Land covered by structures except ancillary structures associated with use of open space such as gazebos, picnic shelters or meeting rooms
- Detention/retention facilities, including drainage swales, unless designed for use as accessible and useable year-round community amenities by the residents of the development (e.g., picnic areas, passive recreation areas, playgrounds, ponds for fishing and/or boating, walking trails, etc.).

Good Open Space Examples	Open Space Examples to Avoid
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Functional common open space, including shade trees, jogging trail, sports court, and irrigated grass turf fronting on a public street



Avoid - expansive, unmaintained area with scattered play structures, lack of shade, trees and walking paths and perimeter fence separating residents from open space



Wide concrete trail graded for bike and pedestrian use within linear open space area accessible from street, undisturbed wooded and natural area and perimeter stone wall



Avoid - left over strip of land between street ROW and perimeter fence, lack of tree cover and perimeter fence separating residents from open space



Concrete trail, native tall trees, natural wooded area, play area, seating, planted trees, and neighborhood pool and pool house



Avoid - expansive area with limited improvements, lack of shade trees, poorly located bike parking

3.7. Fences and Walls

3.7.1. General standards

3.7.1.1. Placement

3.7.1.1.1. Public right-of-way

Fences and walls cannot be placed in the public right-of-way.

3.7.1.1.2. Tree preservation

Fences must be placed where they will not threaten significant vegetation.

3.7.1.2. Materials

3.7.1.2.1. Finished side out

Fences with an unfinished or rough side and a finished or smooth side must be placed so the finished or smooth side faces out.

3.7.1.2.2. Prohibited materials

Materials not originally intended for use in constructing a fence are prohibited as fencing and screening materials. Examples of prohibited materials include plywood, particleboard, corrugated metal sheets (not incorporated into a frame), railroad ties, tires, door panels, and other makeshift materials.

3.7.1.2.3. Barbed wire and electric fences

Electrically charged, barbed wire and razor wire fences are prohibited. Exceptions are fences used to enclose livestock on farms, serve a public or quasi-public institution for public safety or security purposes, and temporarily securing construction vehicles and materials on a construction site.

3.7.1.2.4. Columns

Columns, pilasters, piers, finials and posts may be no more than 6 in. taller than the fence it joins.

3.7.1.3. Maintenance

3.7.1.3.1. General maintenance

Fences and adjacent landscaping must be maintained by their owners in good structural condition and repair. This includes general maintenance, painting and staining, and the replacement of broken, warped or missing portions with materials of equal or better quality that are consistent in design. Fences, walls and hedges must be vertically aligned and maintained upright; and in good structural or living condition. Angled or non-vertical fence support posts are prohibited.

3.7.1.3.2. Development perimeter walls

Individual property owners cannot alter development perimeter walls that are owned or controlled by a property owner's association without prior permission of the property owner's association.

3.7.1.4. Landscaping

Landscaping at a fence or wall may be required per landscape requirements in Section 3.5.

3.7.2. Permitted fences, walls, and hedges

The following fence, wall and hedge types are *permitted* and optional. Minor deviations to the fence standards set forth in this Section may be administratively approved by Development Services staff.

Permitted fence Area / purpose	Height	Fence transparency	Acceptable types/materials
Agricultural use	no more than 5 ft.	at least 50% along at least 50% of height, excluding columns; at least 75% along entire height in clear vision area	Wire (smooth, high-tensile, woven, mesh, hog wire, cable rail) Chain link Pipe Ornamental (metal, plastic) Picket (wood, plastic) Ranch (wood, plastic) Masonry (stone, brick, similar materials) Shrubby hedge
Residential front yard	no more than 3 ft. (36 in.)	At least 75% along entire height in clear vision area	Wood frame wire Ornamental (metal, plastic) Picket (wood, plastic) Ranch (wood, plastic) Masonry (stone, brick, similar materials) Shrubby hedge
Residential side and rear yard	no more than 6.0 ft. (72") except that 8.0 ft. permitted on rear and side fences: 1) to stair step in height to finish grade at the base of the fence or slope changes and 2) where adjacent to a commercial or other non-single family use.	at least 25%, excluding columns, when next to trail or park; otherwise, may be solid	Wood frame wire Chain link (plastic coated; no slats. Ornamental (metal, plastic) Picket (wood, plastic) Ranch (wood, plastic) Privacy (wood, plastic) Masonry (stone, brick, similar materials) Shrubby hedge
Tennis / basketball court	no more than 15 ft.	at least 50%	Ornamental (metal, plastic) Chain link (plastic coated only)
Cannot substitute for other fence types when forming a boundary fence.			
Perimeter security fencing (Industrial and recreational uses only)	no more than 8 ft., <u>except that 12 ft. may be permitted for industrial uses</u>	at least 75%, excluding columns in front yard; may be solid <u>behind the building line for industrial uses</u>	Ornamental (metal) Masonry (stone, brick, split face CMU, similar materials)
	Outdoor storage area fencing requirements apply to equipment storage yards and similar areas visible from a street. <u>Outdoor storage areas shall be fenced, to the extent practical and only to the extent that it is deemed functional and appropriate by Development Services staff. If the fencing described in this Section does not achieve the intended objective of this Section, this requirement shall be administratively waived by Development Services staff.</u>		
Temporary perimeter security fencing (construction sites only)	no more than 8 ft., <u>except that 12 ft. may be taller for industrial uses</u>	Any	Wire (smooth, high-tensile, woven, mesh, hog wire, cable rail) Ornamental (metal, plastic) Picket, lattice (wood, plastic) Ranch (wood, plastic) Privacy (wood, plastic) Chain link
	The fence must be removed when construction ends.		

Permitted fence Area / purpose	Height	Fence transparency	Acceptable types/materials
Park, open space	no more than 4 ft. 5 ft. for dog park	at least 25%, excluding columns	Wood frame wire Ornamental (metal, plastic) Picket, lattice (wood, plastic) Ranch (wood, plastic) Masonry (stone, brick, decorative CMU, similar materials) Shrubby hedge Chain link (plastic coated, for dog parks and athletic fields only)
	Outdoor storage area fencing requirements apply to equipment storage yards and similar areas visible from a street.		
Parking area: non-residential and 3+ household residential development	no more than 3.5 ft. (42 in.)	at least 75% along entire height in clear vision area	Wood frame wire Ornamental (metal, plastic) Picket, lattice (wood, plastic) Ranch (wood, plastic) Bollard and chain Masonry (stone, brick, decorative CMU, similar materials) Shrubby hedge
Retention and detention pond or basin	no more than 6 ft.	at least 50%, excluding columns	Ornamental (metal)
Development perimeter walls along SH 130, FM 685 and UP Rail Road	6 ft. to 12 ft.	may be solid	Masonry (stone, brick, split face CMU, similar materials) or Shrubby hedge

3.7.3. Required fences, walls, and hedges

The following fence, wall and hedge types are required. Minor deviations to the fence standards set forth in this section may be administratively approved by Development Services staff.

Required fence Area / purpose	Height	Fence transparency	Acceptable types/materials
Swimming pool	4 ft. - 6 ft.	at least 50%	Wood frame wire Ornamental (metal, plastic) Picket, lattice (wood, plastic) Chain link (but not at a public pool)
	Openings or gaps in the fence must be no more than 4 in. If the perimeter fencing on the lot meets these standards, an added fence surrounding the swimming pool is not required. Construction of fence must comply with ICC Building Code requirements, as adopted.		
Outdoor storage area <u>(for industrial uses, required fencing applies to screen prominent</u>	6 ft. - 8 ft.; may be taller if it screens tall objects.	no more than 25%; must be solid when next to or visible from residential use	Privacy (plastic) Masonry (stone, brick, decorative CMU, similar materials)

Required fence Area / purpose	Height	Fence transparency	Acceptable types/materials
<u>views from US 79 and SH 130 rights-of-ways</u>	Should include the same, similar or compatible materials, finishes and detailing as the host structure, <u>except for industrial uses in Development Area D</u> . Masonry (stone, brick, decorative CMU, similar materials) is required when the storage area is visible from a residential use. <u>Outdoor storage areas shall be fenced, to the extent practical and only to the extent that it is deemed functional and appropriate by Development Services staff. If the fencing described in this Section does not achieve the intended objective of this Section, this requirement shall be administratively waived by Development Services staff.</u>		
Vehicle inventory area next to residential districts	6 ft. - 8 ft.	Must be solid	Masonry (stone, brick, decorative CMU, similar materials)
	Should include the same materials, finishes and detailing as the host structure.		
Residential development RV storage area	8 ft. - 10 ft.	Must be solid; gate may have transparency	Masonry (stone, brick, decorative CMU, similar materials)
	Must include the same materials, finishes and architectural detailing as the development perimeter wall; otherwise, must conform to development perimeter wall design standards.		
Dumpster and utility area	7 ft. - 8 ft.	Must be solid	Masonry (stone, brick, decorative CMU, similar materials)
	Must include the same, similar or compatible materials, finishes and detailing as the host structure, <u>except for industrial uses in Development Area D</u> . Gates must be visually and structurally solid; must be metal. Dumpsters and compactors cannot be unscreened, unless they are used for a construction or demolition project on the site, <u>or on an industrial sites outside prominent views from US 79 and SH 130 in Development Area D</u> .		
Loading area wing wall, <u>not required for industrial uses, except for prominent views from US 79 and SH 130, per Section 3.1.6.2 Landscape buffer yard for requirements in Development Area D</u>	Up to the building parapet; height determined in site plan review	Must be solid	Masonry (stone, brick, decorative CMU, similar or compatible materials)
	Must include the same, similar or compatible materials, finishes and detailing as the host structure, <u>except for industrial uses in Development Area D</u> .		
Utility substation or facility	6 ft. - 12 ft., or sufficient to conceal the substation or height required by the utility provider.	Must be solid	Masonry (stone, brick, decorative CMU, similar or compatible materials)
Development perimeter wall	6 ft. min. 8 ft. max. 4ft. max.(or 6 ft. ht. max with 10% fence transparency) when adjacent to open space, <u>except for industrial uses in Development Area D</u>	Any	Ornamental (metal) Masonry (stone, brick, decorative CMU, similar or compatible materials) Ornamental metal or combination metal and wood must be used in areas adjacent to common open space to promote views. Precast concrete walls (h-post and single panel) may only be used to replace existing stockade fence-based perimeter walls, <u>except for industrial uses in Development Area D</u> .

Required fence Area / purpose	Height	Fence transparency	Acceptable types/materials
	Required for residential subdivisions with more than one double frontage or corner lot, where the adjacent street at the rear or side of the lots is a minor arterial or major arterial street. Walls must include masonry columns at least 18 in. x 18 in. at no more than 50 ft. intervals, and turning and end points of the wall. <u>A development perimeter wall is not required for industrial uses in Development Area D</u>		

Fencing may also be required under buffer yard requirements in Section 2.3.5.

3.7.4. Gated communities

Gated communities are prohibited.

3.8. Outdoor Lighting

3.8.1. General Standards

3.8.1.1. Display levels and light pollution

Lighting must be designed to minimize light pollution and spillage on adjacent properties and adjacent rights-of-ways. Dark sky lighting that prevents or minimizes uplighting is encouraged to the greatest extent practical.

Illumination at the property line in Development Areas A-C and the boundary line of Development Area D must be no more than 5 lux for non-cut-off lights, and no more than 15 lux for cut-off lights. Streetlights are exempted.

Illumination spillover onto adjacent residential ~~zoned~~used properties must be no more than 5 lux. Streetlights are excepted

Streetlights in public right-of-way shall be solar-powered wherever possible.

3.8.1.2. Shielding

Outdoor lighting must be shielded, ~~except at athletic fields~~. Shielding is achieved when light rays are not emitted above the horizontal plane of a fixture. The cone of illumination must be at least 30° downward from the horizontal plane to the greatest extent practical.

3.8.1.3. Illumination of background and foreground spaces

Background spaces such as parking lots must be illuminated as unobtrusively as possible to meet the functional needs of circulation, security and safety.

Foreground spaces, such as building entrances and plaza seating areas, must use proximate lighting that defines the space without glare to the extent practical.

3.8.1.4. Confusion with warning devices

Lighting devices that may be confused with warning, emergency or traffic signals are prohibited.

3.8.2. Permitted on-site light sources

The following light sources are permitted:

- Incandescent. Fluorescent. Warm white and natural lamps must be used to reduce detrimental effects.
- Metal halide. Light must be filtered with a glass, acrylic or translucent enclosure of the light source.
- High-pressure sodium. Must be color corrected.
- Light-emitting diode. Warm white and natural lamps must be used to reduce detrimental effects.
- Glass tubes filled with neon, argon, or krypton. Limited decorative lighting only.

Types of light sources must be compatible throughout a commercial center lot, to the extent practical.

Street light source shall be consistent throughout each development within the PUD, to the extent practical and as permitted by the utility provider.

3.8.3. Prohibited lighting

The following light sources are prohibited:

- Laser source light.
- Strobe light.
- Flashing, blinking, or variably intense light, intentional or resulting from a defect.
- Search lights
- **Unshielded exposed bulbs**

Exceptions are:

- Traditional holiday lighting not used to draw attention to a sign.
- Flashing or blinking lights required by law.
- Beacon or searchlight, including temporary display. Beacons are permitted on structures where the Federal Aviation Administration requires them.

3.8.4. Light poles

3.8.4.1. Height

Maximum light pole heights are as follows: Streetlight light pole height shall be coordinated with the utility provider.

Parking areas: 20 ft.

Pedestrian areas and drive aisles: 16 ft.

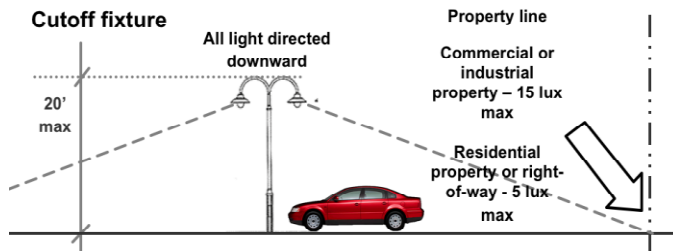
Sports fields **and industrial uses in Development Area D**: 50 ft.

Temporary lighting at construction sites: 50 ft.

Alley: 12 ft.

Street-local and collector: 16 ft.

Street-arterial: 24 ft.



3.8.4.2. Design

Light poles should have a base, middle and top. This requirement does not apply to industrial uses in Development Area D.

Light pole design must be consistent or compatible with the style and character of the building design on the site. This requirement does not apply to industrial uses in Development Area D. The light pole design in Development Area D is encouraged to install the adopted street light used in Hutto Crossing at entry drives and/or streets accessed from US 79 and SH 130 and throughout streets and private drives within Development Area D to the extent practical.

Cobra head light poles are prohibited on pedestrian-oriented commercial streets, unless required by the utility provider. Decorative eCobra head street light poles may be used on arterial streets, and streets and private drives in vehicle-oriented commercial and industrial areas. Where used, cobra head street light poles must incorporate a supplemental non-cobra style light mounted at a 12 ft. - 14 ft. height to illuminate the sidewalk, to the extent practical and as permitted by the utility provider, except in industrial areas in Development Area D where this requirement is waived.

Bare metal poles are prohibited, except in industrial areas in Development Area D.

Elevated form bases greater than 4 in. above grade are prohibited, except in industrial areas in Development Area D.

Light poles must be placed in landscape areas wherever practical. Light poles must not obstruct sidewalks or bicycle paths.

The maximum lumen output for any light fixture serving industrial uses in Development Area D is 47,000 lumens, where their use is limited to meet functional needs of circulation, operations, security and safety.

3.8.5. Attached light features

3.8.5.1. Sconces

Sconces or gooseneck lighting fixtures may be used to illuminate areas near building walls. Sconces must direct light downward against the building wall and immediately adjacent areas.

Light fixture design must be compatible with the style and character of the host structure.



An example of contemporary gooseneck lighting.

3.8.5.2. Wall packs

Wall packs may only be used at the rear of on industrial buildings to light security areas. They cannot be used to draw attention to the building or provide general building or site lighting, except for security or safety lighting on industrial sites. -Wall packs -must illuminate as unobtrusively as possible to meet the functional needs of circulation, security and safety

Wall packs must be fully shielded to direct the light downward.

Source output per wall pack must be no more than 1500 lumens, except for industrial uses for security, operations or safety purposes, where they are limited to 47,000 lumens.

Wall packs must be fully shielded or provided with sharp cut-off ability, to minimize uplight, spill-light and glare beyond the Development Area D boundary line.

3.8.5.3. Awnings

Awnings and canopy fascia cannot be internally illuminated.

3.8.6. Gas station canopies

3.8.6.1. Design

Lighting fixtures, including lenses, must be completely recessed into to the canopy ceiling if it is flat or no lower than 1 ft. above the lowest point of the canopy roof or fascia if it is sloped.

Source output per fixture must be no more than 3750 lumens.

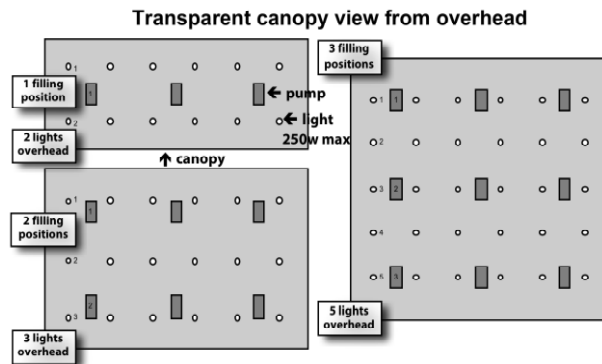
Canopy fascia cannot be illuminated, except logo signs permitted by sign requirements in Section 3.9.

3.8.6.2. Number

Canopies one pump deep may have up to two lighting fixtures per filling space.

Canopies two pumps deep may have up to three lighting fixtures per two filling spaces.

Canopies three pumps deep may have up to five lighting fixtures per three filling spaces.



3.8.7. Flood lights

Floodlights may be used only to light sports fields, outdoor recreation areas, and construction sites and industrial uses only where necessary, to illuminate as unobtrusively as possible to meet the functional needs of circulation, operations, security and safety. Source output per floodlights in Development Area D must be no more than 47,000 lumens.

Floodlights must be fully shielded or provided with sharp cut-off ability, to minimize uplight, spill-light and glare beyond the Development Area D boundary line.

3.8.8. Accent lighting

Bottom-mounted lights used to illuminate landscaping and water features, or provide visual accents, are permitted.

Pole mounted accent lighting greater than 1 ft. tall is prohibited.

Roof-mounted and rooftop accent lighting is prohibited except for industrial uses in Development Area D, where their use is limited to meet functional needs of circulation, operations, security and safety.

Banding of building plane changes (cornices, building corners, column edges, etc.) with neon or other illumination is prohibited.

3.8.9. Signs

Signs may be illuminated internally.

Ground mounted lights may illuminate a monument sign. Lighting should not spill over the edge of the sign wall face and must be shielded from oncoming traffic.

Exposed bulbs that outline a sign are prohibited.

Blinking, chasing, or other changes in illumination intensity, color, or direction, intentional or not, are prohibited. This includes electronic message centers.

Open faced neon channel letters are prohibited.

3.8.10. Alternative conformance

Development Services staff may administratively approve an alternative lighting plan. Alternative lighting plans must clearly identify and discuss modifications, proposed alternatives, and how the alternative plan will meet the intent of this section better than a plan conforming to this section. Development Services staff will consider whether the proposed alternative lighting design protects natural areas from light intrusion, enhances neighborhood continuity and connectivity, and shows innovative and creative design.

3.9. Signs

3.9.1. Permitted signs

3.9.1.1. Undeveloped parcels

The following signs are permitted on lots with agricultural uses, and vacant or undeveloped parcels:

Type		Number	Maximum sign face area	Maximum height	Minimum setback
Temporary: real estate	Freestanding (pole) or attached (wall)	1 per 1,000 ft. of street frontage	64 sq. ft. per sign	Freestanding: 10 ft. Attached: below roofline	Freestanding: 5 ft. from property lines
Temporary: Wayfinding	Freestanding (pole, monument or attached (wall)	50 ft. min. separation	32 sq. ft. per sign	Freestanding: 6 ft.	n/a
Temporary: property for sale or rent	Freestanding (pole) or attached (wall)	1 per 1,000 ft. of street frontage	64 sq. ft. per sign	Freestanding: 10 ft. Attached: below roofline	Freestanding: 5 ft. from property lines
Temporary displays	As permitted in Section 3.9				

3.9.1.2. Residential uses

The following signs are permitted on lots with residential uses:

Type		Number	Maximum sign face area	Maximum height	Minimum setback
Permanent: PUD identification	Freestanding (pole, monument or integrated into entry feature)	2 per entrance into the PUD and 1 along each PUD property frontage	128 sq. ft. per sign	12 ft.; 40 ft. ht if integrated into entry feature, sculpture, monument wall, fountain, etc.)	n/a
Permanent: development	Freestanding (pole, monument or attached (wall))	1 per each entrance into the development	32 sq. ft.	6 ft.	n/a
Permanent: Wayfinding	Freestanding (pole, monument or attached (wall))	50 ft. min. separation	32 sq. ft.	6 ft.	n/a
Temporary: property with construction	Freestanding (pole) or attached (wall)	1 per street frontage	4 sq. ft. per sign	Freestanding: 6 ft. Attached – below roofline	Freestanding: 5 ft. from property lines
Temporary: property for sale or rent	Freestanding (pole) or attached (wall)	1 per street frontage	4 sq. ft. per sign	Freestanding: 6 ft. attached: below roofline	Freestanding: 5 ft. from property lines
Temporary: property with model home	Freestanding (pole)	1 per house	16 sq. ft. per sign	4 ft.	5 ft. from property lines
Temporary: new residential development	Freestanding (pole) or attached (wall)	1 per each entrance into the development	32 sq. ft. per sign	Freestanding: 6 ft. Attached: below roofline	Freestanding: 5 ft. from property lines
	Freestanding (pole)	1 per 50 linear feet of frontage; up to 6 for the development	12 sq. ft. per sign	4 ft.	5 ft. from property lines
Temporary: Wayfinding	Freestanding (pole, monument or attached (wall))	50 ft. min. separation	32 sq. ft. per sign	6 ft.	n/a
Temporary displays	Only for multiple unit household dwelling developments, subject to Section 3.9				

3.9.1.3. Institutional and civic uses

The following signs are permitted on lots with institutional and civic uses.

Type		Number	Maximum sign face area	Maximum height	Minimum setback
Permanent	Freestanding (pole, monument)	1	32 sq. ft.	6 ft.	5 ft. from property lines
	Attached (awning, canopy, projecting, wall, window)	2 per wall	Building total = 0.5 sq. ft. per façade frontage ft.	Below roofline	n/a
Temporary: property with construction	Attached (wall) or freestanding (pole)	1 per street frontage	12 sq. ft. per sign	Freestanding: 6 ft. Attached: below roofline.	Freestanding: 5 ft. from property lines
Temporary: property for sale or rent	Attached (wall) or freestanding (pole)	1 per street frontage	12 sq. ft. per sign	Freestanding: 6 ft. Attached: below roofline.	Freestanding: 5 ft. from property lines
Temporary: Wayfinding	Freestanding (pole, monument or attached (wall))	50 ft. min. separation	32 sq. ft. per sign	Freestanding: 6 ft.	n/a
Temporary displays	Subject to Section 3.9				

3.9.1.4. Commercial, retail and industrial uses.

The following signs are permitted on lots with commercial, retail and industrial uses:

Type		Number	Maximum sign face area	Maximum height	Minimum setback
Permanent: PUD identification	Freestanding (monument, pole or integrated into project entry feature)	2 per entrance into the PUD and 1 along each PUD property frontage	128 sq. ft. per sign	12 ft.; 40 ft. if integrated into entry feature (wall, architectural or sculptural feature, fountain, etc.)	n/a
Permanent	Freestanding (monument): single use/building sites and outparcels	1, or 2 (1 per street frontage) if on corner lot	64 sq. ft. per sign	8 ft.	n/a 100 ft. from other freestanding signs on the site.
	Freestanding (monument): multi-tenant building/commercial or industrial center <100,000 sq. ft. GFA	1 per street frontage and 1 per 500 ft. of property frontage	96 sq. ft. per sign	12 ft.	n/a 100 ft. from other freestanding signs on the site.
	Freestanding (monument): multi-tenant building/retail commercial or industrial center ≥100,000 sq. ft. GFA	1 per street frontage and 1 per 1000 ft. of linear frontage	128 sq. ft. per sign	18 ft.	n/a 100 ft. from other freestanding signs on the site.
	Attached (awning, canopy, projecting, wall and window): single use/building sites	Any, up to maximum permitted area for the wall	Front/façade: 1.0 sq. ft. per linear wall frontage ft. Side and rear walls: 0.50 sq. ft. per linear wall frontage ft. 32 sq. ft. minimum signage allocation	Below roofline	n/a
	Attached (awning, canopy, projecting, wall and window): multi-tenant building/shopping center sites	Any, up to maximum permitted area for the tenant frontage of the wall where the signage will be placed	Same permitted area as single use/building sites, allocated by tenant frontage for an individual façade or wall. May be further restricted by master sign plan	Below roofline	n/a
	Attached (gas station canopy; in addition to freestanding signs)	1 on each side	no more than 32 sq. ft. per sign, (including logo)	n/a	n/a

Type		Number	Maximum sign face area	Maximum height	Minimum setback
	Attached (sculptural)	1 per building or tenant space	no more than 64 sq. ft. (height at tallest point x width at widest point)	at least 50% of sculpture height below roofline or parapet wall	n/a
Permanent: Wayfinding	Freestanding (pole, monument or attached (wall))	50 ft. min. separation	32 sq. ft.	6 ft.	n/a
Temporary: property with construction	Freestanding	2 per vehicle entrance	32 sq. ft. per sign	6 ft.	5 ft. from property lines
Temporary: Wayfinding	Freestanding (pole) or attached (wall)	50 ft. min. separation	48 sq. ft. per sign	Freestanding: 6 ft.	n/a
Temporary: property for sale or rent	Attached (wall) or freestanding (pole)	1 per street frontage	1 sq. ft. per 1,000 sq. ft per sign, 32 sq. ft. per sign minimum allocation, not to exceed 128 sq. ft. per sign.	Freestanding: 8 ft. Attached: below roofline.	Freestanding: 5 ft. from property lines
Temporary displays	Subject to provisions of Section 3.9				

3.9.1.5. Open space and recreational uses.

The following signs are permitted on common open space lots and lots with recreational uses.

Type		Number	Maximum sign face area	Maximum height	Minimum setback
Permanent	Attached (wall) or freestanding (monument, pole), within open space lot and recreational uses	1 per street frontage	32 sq. ft.	Freestanding: 6 ft. Attached: below roofline	Freestanding: 5 ft. from property lines
Permanent: District-oriented	Freestanding (pole) or attached (wall)	Unlimited; 50 ft. min. separation	32 sq. ft.	6ft.	n/a
Temporary: Wayfinding	Freestanding (pole) or attached (wall)	50 ft. min. separation	32 sq. ft.	6ft.	n/a
Temporary: property with construction	Freestanding (pole) or attached (wall)	1 per street frontage	32 sq. ft. per sign	Freestanding: 6 ft. Attached: below roofline	Freestanding: 5 ft. from property lines
Temporary displays	Allowed only for open space or recreational uses Subject to Section 3.9				

3.9.2. Exempted signs, not requiring a sign permit

These signs are permitted in all development areas, unless noted. A sign permit is not required for exempt signs provided the sign complies with the standards set forth in this Section 3.9:

Wayfinding signs

A-frame signs, up to 12 SF in area

Address numbers and family name identification on residences.

City-owned/operated signs. On and Off-site directional kiosk signs authorized by the City of Hutto.

Directional sign: one freestanding sign per curb cut in commercial, retail and industrial uses. Signs may be no more than 6 ft. tall and no more than 18 sq. ft. in area.

For sale, for rent and for lease signs on vehicles, boats, trailers and other personal property.

Garage sale signs: up to three signs, each no more than 4 sq. ft., may be displayed only while the garage sale is in progress. Garage sale signs must be placed outside of the right-of-way and public property. Garage sale signs may be placed within City of Hutto right-of-way (not County or State right-of-way) if written permission from an adjacent property owner is attached to said sign. Said garage sale sign must be removed before 5:00 PM on the last day

of the sale. This amendment supersedes Chapter 8, Article 8.05 of the City of Hutto Code of Ordinances.

Hippopotamus statues no more than 3 ft. tall painted with the name, logo and/or trademark colors of the business or sponsor displaying them.



Native hippopotamus statue

Historical markers, plaques, grave markers, cornerstones and commemorative tablets.

Works of fine art that in no way identify or advertise a product or business.

National, state, local and decorative non-commercial flags, each no more than 50 sq. ft. in area, flown for their intended purpose under generally accepted flag protocol, on a flagpole or building mounted staff no taller than the maximum permitted building height in the underlying zoning district, and not acting as a form of advertising.

Open house signs: up to three signs may be used, displayed outside the public right-of-way and public property. Open house signs may be placed within City of Hutto right-of-way (not County or State right-of-way) if written permission from an adjacent property owner is attached to said sign. Said open house sign shall be displayed only while the open house is in progress or for 16 hours in a one-week period, whichever is shorter. The sign must be removed immediately after the open house. Signs may be no more than 4 sq. ft. in area, and no more than 4 ft. tall.

Public Information Signs, provided such signs are removed no more than 3 days after event.

Public utility warning and underground utility identification signs.

Religious symbols (cross, Star of David, star and crescent, etc.). Signs where the shape of a religious symbol is an integral part of the sign design are not exempted.

Signs manufactured as a standard, integral part of a mass-produced product accessory to a commercial, public or semi-public use, including telephone booths, mail and newspaper boxes, vending machines, automated teller machines, gas pumps and vacuums.

Signs, notices, placards, certificates and official papers authorized or required by statute, government agency or court.

Signs for rest rooms, accepted credit cards, business organization membership (Chamber of Commerce, Better Business Bureau, etc.), meetings of civic groups, and business hours, displayed at a business.

Signs identifying zones in parking lots, no more than 6 sq. ft. in area.

Signs on concessions and rides at special events such as fairs and festivals.

Signs painted on vehicles and trailers that are operating and registered, used in everyday business activities, parked in areas appropriate for their use as vehicles normally used during business hours, and not being used only for attracting business.

Temporary decorations and displays that are clearly associated with a national, local, or religious holiday or celebration, provided there are no fire, traffic, or pedestrian hazards.

3.9.3. Prohibited signs

The following signs are prohibited in all areas of the PUD, unless noted.

Off-premise signs, except for directional kiosk signs.

Signs with changing light, color or motion effects, intentional or resulting from a defect. This prohibition includes, but is not limited to:

- Blinking, flashing, chasing, strobe and alternating color lights, integrated into a sign or not.
- Electronic message centers.
- Signs incorporating “eye catchers” and similar shiny devices designed to reflect light and create a glimmering or flashing effect.
- Signs with animated or rotating parts.
- Signs emitting flame, smoke, steam or other visual matter.

This prohibition does not apply to:

- Electronic changeable copy/message board/variable message signs whose message portion is enclosed with glass, plastic, or other durable material and who provide an auto-dimming feature based on natural ambient light conditions. Auto-dimming feature must not allow any changeable copy/message board to exceed a brightness of 7,000 NITs in daylight or 500 NITs for night use. Such signs also cannot be animated; messages must remain static for at least sixty seconds, and display no more than four colors any one time in a static pattern.
- Signs with flashing or chasing lights on concessions and rides at special events such as fairs and festivals.
- Holiday decorations and light strings displayed during November, December and January. Light strings cannot outline or highlight a sign.
- Rotating barber poles at a legitimate barber or beauty shop.
- Rudimentary time and temperature displays that are not potentially distracting to drivers.

- Warning signs and markers placed by, or authorized by and on behalf of government agencies.

Temporary signs placed in or over the public right-of-way or public property require a sign permit. Permanent signs are not permitted in the right-of-way. The city may remove signs installed without a sign permit that are located in the public right-of-way or on public property. Temporary signs placed in or over the public right-of-way or public property are permitted with an approved R.O.W. permit and City license agreement.

This prohibition does not apply to:

- Signs placed by government authorities.
- Banners placed on a light pole, utility pole, or over a street, as part of a special event of general civic interest.
- Kiosk signs.
- Wayfinding signs.
- Temporary garage sale and open house signs in compliance with Section 3.22.4 and this PUD.
- Signs placed on vehicles and trailers that are parked and used primarily as a sign.
- Signs and posters placed on trees, fences, light poles and utility poles, except parking lot zone signs on light poles.
- Banners, pennants, balloons, streamers, and other temporary signs, except on a temporary basis as permitted in Section 3.22.4.

Attached signs placed on a roof or above a parapet wall of a building. This prohibition does not apply to sculptural signs.

Attached domed, bullnose and bubble-style awning signs.

Freestanding signs placed where they might obscure a clear view of traffic on intersecting streets, and traffic warning and control signals and signs.

Signs that closely resemble or imitate official signs and traffic control devices.

Signs blocking doors, windows, vents, stairs and ramps.

Signs built and displayed without a sign permit, if a sign permit is required.

Signs built from materials usually used for temporary signs (cloth, thin plastic, corrugated plastic, etc.) displayed as permanent signs, except for no more than 30 days or less in place of a damaged, removed or permitted but unbuilt sign

Portable signs, including signs originally built as portable signs permanently mounted on a building or the ground.

Snipe, spam, and bandit signs.

Large objects such as motor vehicles, boats, aircraft, engine blocks, home appliances, heavy equipment, industrial machinery, and similar objects used as or included in signs.

Signs not expressly permitted in this section or elsewhere in this PUD.

3.9.4. Temporary signs and displays

3.9.4.1. Temporary displays

Temporary displays may include these items:

- Banners, no more than 32 sq. ft.
- Banners placed over the street to identify special events of general civic interest. The banners cannot be used for commercial advertising. Sponsor identification may be displayed on no more than 25% of the banner face area.
- Pennants, streamers, and small (no more than 12 in. diameter) balloons.
- Balloons and other inflatable objects no more than 12 ft. in height. Balloons and inflatable objects cannot be placed on top of a building. Inflatable objects cannot have flailing or animated elements.
- New development marketing flags.
- A business may have up to six temporary displays in a calendar year, with a time of no more than 30 days for each display.

3.9.4.2. Construction sign display time

Temporary signs on property under construction must be removed in 7 days after construction is complete.

3.9.4.3. Real estate sign display time

Temporary signs on property for sale or rent must be removed in 7 days after the lease or sale of the identified property.

3.9.4.4. Temporary development sign display time

Temporary signs within the PUD may be displayed as long as the sign is maintained in good repair and has a valid sign permit for up to 2 years, at which time a new permit application must be submitted.

Temporary development signs at rental communities may be displayed as long as the sign is maintained in good repair and has a valid sign permit for up to 2 years, at which time a new permit application must be submitted.

3.9.5. Substitution of non-commercial message

Noncommercial copy may be substituted for commercial copy on any permitted sign. If noncommercial copy is substituted, the resulting sign will continue to be treated as the original commercial sign under this code and will not be treated as an outdoor advertising display. Content of noncommercial copy on a sign otherwise permitted by this code may be changed without complying with provisions required for sign copy or design approval.

3.9.6. Sign design

3.9.6.1. Color

Colors for permanent on-site sign frames and supports must match, compliment or be compatible with the primary finish and colors of buildings on the site.

3.9.6.2. Illumination

Illumination must be shielded so there is no glare in the public right-of-way and adjacent properties, and directed so it does not point towards the sky.

Illumination must be steady and even over the entire sign face, to the greatest extent practical. The full number of lighting elements must be kept in working condition.

3.9.6.3. Materials

Internally lit channel letters and halo lit letters are preferred for attached signs. Domed, bullnose and bubble-style awning signs, and internally illuminated box signs, are prohibited as attached signs.

The sign base of permanent freestanding signs must match, compliment or be compatible with the dominant surface material of the main building on the site.

3.9.6.4. Attached sign placement

Attached signs cannot overlap features such as cornices, eaves, window and door frames, columns and other decorative elements, except with administrative approval of Development Services staff.

Signs must be placed at least 3 ft. from the vertical edge of a wall and other attached signs.

3.9.6.5. Attached sign height

Attached signs must be placed entirely below the lowest point of a building's parapet wall, except signs on water towers and smokestacks.

The lowest point of a projecting or awning sign must be at least 8 ft. above the sidewalk.

3.9.6.6. Window sign area

Window signs may cover no more than 25% of a window area.

Window signs are not considered in measuring the overall sign face area on a wall.

3.9.6.7. Free-standing sign placement

Freestanding signs cannot be placed where they obscure important architectural features such as entrances, display windows or decorative elements when seen from the public right-of-way.

Freestanding signs cannot be placed in or project over the public right-of-way, or create a visual obstruction in a vertical space between 3 ft. and 10 ft. above the curb in the clear vision area of a public street.

3.9.6.8. On-site free-standing sign landscaping

Landscaping must form a cluster or massing at the base of freestanding signs, in an area at least 25% of the sign height around the footprint, except with administrative approval of Development Services staff.

3.9.6.9. A-frame signs

A-frame signs must be secured in place, to the extent practical.

3.9.6.10. Sign master plans

A Sign Master Plan is not required for the PUD, provided signs comply with provisions of this Section 3.9. If a lot contains multiple businesses and uses, the applicant may submit a Sign Master Plan. The plan shall be submitted with a site development plan permit for a parcel or site. Sign type, color, scheme, size and illumination of the signs being submitted for approval must be coordinated and compatible with the architectural character on the site.

3.9.7. Sign permits

3.9.7.1. Sign permit required

Sign permits are required for the following sign types:

- New permanent signs, excluding window signs.
- New development signs.
- New real estate, construction and temporary development signs at least 12 sq. ft.
- Temporary displays.
- Expansion to the face area or height, or change in the dimensions of an existing sign
- Change in the location of an existing sign.
- Change in the logo, name or message displayed on an existing sign, except altering the copy on changeable copy faces.

3.9.7.2. Sign permit and specific use permit approval required

Specific use permit review and approval, and a sign permit, is required for a sculptural sign.

3.9.7.3. Sign permit not required

Sign permits are not required for the following sign types:

- Wayfinding signs
- Exempted signs
- Window signs

3.9.7.4. Revocation

Sign permits will be revoked if there is any violation of this code or misrepresentation of any information in the permit application.

3.9.7.5. Pending violations

Sign permits will not be issued for businesses or locations where existing signs violate this PUD, except to replace an illegal sign with a legal sign.

3.9.7.6. Expiration

Sign permits expire six months after permit issuance, if the signs are not built.

3.9.8. Sign maintenance

3.9.8.1. Building code conformance

Signs must be built and maintained in conformance to structural, electrical and safety standards of the most current International Building Code, as adopted by the City.

3.9.8.2. Condition

Signs must be kept clean and in good repair, visually and structurally. Braces, bolts, clips, fastenings and supporting frames must be securely affixed to the support structure or wall. Signs must be kept free of rust, rot, insect infestations, bird nests and other deterioration.

3.9.8.3. Blank signs

Sign faces that are unreadable, not maintained, or removed, leaving only the shell or support structure, must be replaced in 30 days or the sign must be removed. This is not an exception to the prohibition of nonconforming sign replacement.

3.9.8.4. Unsafe signs

Signs that are unsecured, unsafe or in danger of falling; or damaged, destroyed, taken down or removed for any purpose other than copy change, must be removed or repaired to conform to this PUD.

3.9.8.5. Removal

When sign removal is required, the entire sign, supporting structure and any exposed foundation must be removed.

Signs painted directly on an exposed masonry wall must be removed by a process that strips the entire sign from the wall, not by painting over the sign. Signs declared historic by the Historic Preservation Commission are exempt.

3.9.9. Non-conforming and abandoned signs

3.9.9.1. Non-conforming signs

Provisions for nonconforming and abandoned signs are in **Section 10.206 of the UDC**.

3.9.9.2. Abandoned signs

Signs are considered abandoned if they:

Advertise or identify an object, person, institution, business, product, service, event or location that no longer exists or is no longer relevant; or

Abandoned signs must be removed by the sign owner, property owner or the city at the owner's expense. Abandoned signs cannot be reused. Signs declared historic by the Historic Preservation Commission are exempt.

3.9.10 On-premise signs

All permanent and temporary signs located within the PUD shall be considered on-premise signs.

4. SUBDIVISION STANDARDS

4.1. Lot Division and Adjustment Processes

4.1.1. Amended plat

4.1.1.1. Applicability

The amended plat process may be used for the following in the PUD:

- Adjust or relocate the boundary or lot lines between one or more adjacent lots on an approved plat, where the number of lots will not increase.
- Join two or more adjacent lots on an approved plat, where the entire plat will not be vacated.
- Correct an error or omission on an approved plat.
- Show monuments set after death, disability, or retirement from practice of the engineer or surveyor charged with responsibilities for setting monuments.
- Show the proper location or character of monuments that have been changed in location, character, or shown incorrectly on an approved plat.

4.1.1.2. Criteria and process

The amended plat process and review criteria are described in **Section 10.203.2 of the UDC**. Submittal material requirements and internal review procedure is determined by Development Services staff, and will be consistently applied for all similar projects.

4.1.2. Major subdivision

4.1.2.1. Applicability

A major subdivision permits the division of a parcel into two or more lots and/or tracts. The major subdivision process may be used to subdivide legal lots, if the subdivision is not eligible for the short form subdivision process.

4.1.2.2. Criteria and process

The major subdivision process and review criteria are described in **Section 10.203.7 of the UDC**. Submittal material requirements and internal review procedure is determined by Development Services staff, and will be consistently applied for all similar projects.

4.1.2.3 Private drive as an acceptable alternative street type in Development Area D

A private drive that is open to public use is approved as an acceptable alternative street type instead of a public street dedicated to the City of Hutto in Development Area D. A private drive that meets design criteria acceptable to Development Services shall satisfy all City of Hutto subdivision requirements for a public street with regard to approval of a major subdivision.

4.1.2.4 Legal lots fronting on a private drive in Development Area D

Lots fronting on an approved private drive in Development Area D that meet the lot standards set forth in Section 3.1.2 shall satisfy the City of Hutto subdivision requirements for a legal lot.

4.1.3. Short form subdivision (short form final plat, minor subdivision)

4.1.3.1. Applicability

A short form subdivision provides for the timely review of proposed land division that does not discernibly impact surrounding properties, environmental resources, city character or public facilities. The short form subdivision process may be used for the following land divisions:

- Division of existing legal uses with separate utilities, except nonconforming billboards. This process cannot be used to divide accessory uses from principal uses or create an opportunity for more principal uses.
- Division of an unplatted lot into four lots or less, with no new streets, with the condition that further subdivision must be approved through the major subdivision process.
- Divisions of land for public utilities, open space, schools or other public uses.

4.1.3.2. Criteria and process

The short form subdivision process and review criteria are described in **Section 10.203.14 of the UDC**. Submittal material requirements and internal review procedure is determined by Development Services staff, and will be consistently applied for all similar projects.

4.1.4. Plat vacation

4.1.4.1. Applicability

Plat vacation provides for the vacation of an entire subdivision plat if development will not occur consistent with the approved plat.

4.1.4.2. Criteria and process

The plat vacation process and review criteria are described in **Section 10.203.11 of the UDC**. Submittal material requirements and internal review procedure is determined by Development Services staff, and will be consistently applied for all similar projects.

4.1.5. Right-of-way vacation

4.1.5.1. Applicability

Right-of-way vacation permits the vacation of rights-of-way and easements that are no longer needed. Subject to review criteria, City Council may grant a right-of-way or easement vacation for any right-of-way or easement of record where the city has jurisdiction. Right-of-way vacation results in a new lot configuration, and also requires an amended plat.

4.1.5.2. Criteria and process

The right-of-way vacation process and review criteria are described in **Section 10.203.13**. Submittal material requirements and internal review procedure is determined by Development Services staff, and will be consistently applied for all similar projects.

4.2. Plat Types

4.2.1. Preliminary plat

Hutto Crossing

April 16, 2013

PUD Amendment #3 ~~January 25, 2018~~ March 18, 2019

4.2.1.1. Purpose

A preliminary plat provides detailed graphic information and associated text showing property boundaries, easements, land use, streets, utilities, drainage, and other information required to evaluate proposed subdivisions of land. The preliminary plat includes the location of required by this article and other applicable city ordinances, codes and policies. Preliminary plats cannot be recorded or used as a plat of record.

4.2.1.2 Acceptance of private drive and legal lot for a preliminary plat in Development Area D

A private drive that is open to public use may substitute for a public street in Development Area D. A private drive that meets design criteria acceptable to Development Services shall satisfy all requirements for a public street with regard to approval of a Preliminary plat. Lots fronting on an approved private drive design that meet the lot standards of Section 3.1.2 shall satisfy the requirements for a legal lot in Development Area D.

4.2.1.2. Criteria and process

Information required for preliminary plat submittal is described in the **City of Hutto Development Administrative Guide Manual**.

4.2.2. Final plat

4.2.2.1. Purpose

A final plat provides detailed graphic information and associated text showing property boundaries, easements, streets, utilities, drainage, and other information required for the maintenance of public records of the subdivision of land. Final plats are recorded and used as a plat of record, subject to the regulations in this chapter.

4.2.2.2. Criteria and process

Information required for ~~concept plan~~final plat submittal is described in the **City of Hutto Development Administrative Guide Manual**.

4.2.2.3 Acceptance of private drive and legal lot for a final plat in Development Area D

A private drive that is open to public use may substitute for a public street in Development Area D. A private drive that meets design criteria acceptable to Development Services shall satisfy all requirements for a public street with regard to approval of a final plat. Lots fronting on an approved private drive design that meet the lot standards of Section 3.1.2 shall satisfy the requirements for a legal lot in Development Area D.

4.3. General Provisions

4.3.1. Required improvements

4.3.1.1. Required features

The developer or applicant must make all of the following improvements:

- Dedicate right-of-way necessary to achieve the width required by applicable transportation-related plans for streets, or private drives in Development Area D, adjoining the property.
- Reserve, but not dedicate, right-of-way for controlled access highways.
- Pave and install curbs and gutters along streets, or private drives in Development Area D, adjoining the property. An 18-inch ribbon curb may be permitted instead of curb and gutter on private drives in Development Area D, if approved by Development Services.
- Install sidewalks and pedestrian pathways.
- Install street/private drive signs.
- Install street/private drive lighting.
- Install development perimeter walls, if walls are required.
- For residential development, provide open space and recreational facilities.
- Install all utilities underground, excluding transmission lines.
- Provide landscaping, drainage, fire protection required for the project.

4.3.1.2. Developer responsibilities

All improvements which the developer is required to make shall be made at the developer's expense without reimbursement by the City, except as provided otherwise in this PUD or related development agreement. The City may contract with a developer to construct public improvements relating to the development in accordance with **Chapter 212, Subchapter C of the Texas Local Government Code**, as amended.

4.3.2. Timing and inspection of improvements

Unless otherwise stated, a subdivider developer cannot begin construction activities in the PUD, including clearing and/or rough grading, before first obtaining all city approvals required by this chapter.

4.3.3. Phasing plan requirements

Projects to be developed in multiple phases must meet all the following requirements unless otherwise approved by the Development Services staff.

If requested in the original application, a major subdivision may be considered for approval for phased development.

Phasing plans must be included in the first submittal and are reviewed by Development Services staff and/or other city staff and evaluated as part of the overall development plan.

Each phase of a development needs to be "stand alone" for utilities, fire protection, streets and stormwater management. Phase lines must follow reasonable and logical boundaries, such as terminating at intersections or following topographical breaks.

Phases must be constructed in the approved manner to ensure orderly and planned development.

Phases must be planned to ensure the efficient construction of adjacent future phases (phases immediately next to the subject phase, sharing a common boundary line), and to ensure that phased development is contiguous.

Lot numbers shall not be duplicated in different phases of the same subdivision.

Each proposed phase must, at a minimum, include the transportation, utility, and other public/private infrastructure shown on the proposed phasing plans, so each phase is independent of later phases.

Right-of-way and/or easements for public infrastructure servicing the respective phase must be recorded with the first plat.

Water and sewer extension permit applications for each individual phase of the project are required after plan approval.

4.3.4. Construction plans submission

4.3.4.1. Submittal

Subdivision improvement construction plans shall be submitted for review and approval by the City Engineer for all development for which public improvements are required.

4.3.4.2. Developer must retain engineer

The developer must retain the services of an engineer registered in the state of Texas, whose seal shall be placed on the subdivision improvement construction plans in accordance with the Texas Engineering Practice Act. The engineer shall be responsible for the services described in City Standards. The services performed by the engineer shall be as designated in the latest edition of the "Manual of Professional Practice – General Engineering Services," published by the Texas Society of Professional Engineers, and shall include both design and inspection as defined in this code.

4.3.4.3. Submittal content

Except as provided in this code, after preliminary plat approval, subdivision improvement construction plans may be submitted to the City Engineer for approval. The subdivision improvement construction plans submittal shall include all of the information specified in the Development Administrative Guide.

4.3.4.4. State review

All subdivision improvement construction plans must comply with the Texas Accessibility Standards administered by the Texas Department of Licensing and Regulation (TDLR) and the Americans with Disabilities Act of 1990, as amended. The developer shall submit applicable portions of the subdivision improvement construction plans to TDLR for review. Upon the completion of construction, the developer shall request inspection of all pedestrian facilities by the TDLR and pay all necessary fees. The City will not accept the public improvements until the developer provides evidence that the plans have been

reviewed and approved by TDLR and that payment of the required inspection fees has been made.

4.3.4.5. Expiration of approval subdivision improvement construction plan

The subdivision improvement construction plans will expire 2 years from the date of approval by the City Engineer if construction has not commenced. Even after construction has commenced, the approved subdivision improvement construction plans will expire 3 years from the date of approval. If approved subdivision improvement construction plans expire, the plans shall be resubmitted for review and approval to ensure compliance with the current design and construction standards.

4.3.4.6. Pre-construction conference

After the approval of the subdivision improvement construction plans, a pre-construction conference shall be required to commence construction of the public improvements. Said conference shall be held with the City Engineer and include the following persons: developer, developer's contractor, developer's engineer, and other parties as determined by the City Engineer.

4.3.5. Construction of public improvements

4.3.5.1. Requirement

All public improvements required by these regulations shall be installed and constructed by the developer, or his successors in title, within 3 years from the approval of the subdivision improvement construction plans. All improvements shall conform to the provisions of this PUD and approved plans.

4.3.5.2. Failure to complete improvements

Where public improvements are not completely installed and constructed within 3 years, the City may do the following:

- Where an additional fiscal surety was required, obtain the funds to complete the public improvements using a third party selected by the City; and/or
- Exercise any other rights available under the law.

4.3.5.3. Sidewalk construction

- Sidewalks for single-family and two-family lots

Except as provided in this PUD, a developer shall install sidewalks on the rear of double frontage lots, on the side of a corner lot, and where shown on the subdivision improvement construction plans.

- Sidewalks for single family attached, multifamily, and non-residential lots

A developer shall install sidewalks for single family attached, multifamily, and non-residential lots that abut a public street or private drive and where shown on the subdivision improvement construction plans. A subdivision shall not be accepted until the sidewalk has been constructed in accordance with the regulations of this PUD and has been inspected and approved by the City Engineer.

- Deferment of sidewalk construction

Sidewalks shall be installed in accordance with this section except under the following circumstances, as determined by the City Engineer:

- Where the existing cross-section of street makes immediate construction of a sidewalk impractical;
- Where a non-residential subdivision abutting an existing street is isolated from any other sidewalk by a distance of twice the frontage of the subdivision; or
- Where construction or reconstruction of the road where a sidewalk is to be placed is imminent and the sidewalk would be destroyed if constructed.

The City may require a cash payment by the developer in lieu of construction of the sidewalk if the Planning and Zoning Commission determines that the sidewalk should not be built within the 3-year period of the construction plans. The cash payment shall equal the cost of constructing and installing the sidewalk at the time of acceptance of the public improvements. The developer shall pay the cash payment prior to the acceptance of the public improvements by the City.

- State review

All sidewalks must comply with the Texas Accessibility Standards administered by the Texas Department of Licensing and Regulation (TDLR) and/or with the Americans with Disabilities Act of 1990, as amended, whichever is more restrictive. The developer shall submit its sidewalk plans to TDLR for review and, upon completion of its construction, for inspection. The City will not accept public improvements until the developer provides evidence that the sidewalk plans have been reviewed and approved by TDLR. The developer is responsible for all fees associated with the State plan review and inspection, and must submit to the City evidence of payment of all required inspection fees.

4.3.5.4. Benchmarks

- *Designation*

A permanent benchmark shall be designated with each addition or subdivision. Benchmarks shall be located on public property in a location acceptable to the City Engineer. Benchmarks are considered public improvements and shall consist of a brass disk, approved by the City Engineer, set in a concrete structure of such mass and dimensions and constructed on an unyielding foundation that, in the opinion of

the City Engineer, will ensure the integrity of the benchmark.

- *Installation*
Prior to the acceptance of the public improvements, benchmarks shall be installed by the developer. The elevation, horizontal datum, and description of each benchmark installed shall be certified by a surveyor and submitted to the City Engineer. In the event that public improvements are not required, benchmarks shall still be installed by the developer and the certification and description provided to the City Engineer prior to plat recordation.
- *Modification*
The City Engineer may modify the benchmark requirement if he/she determines one of the following:
 - The requirement would create needless redundancy of benchmarking because of an established public benchmark exists in the immediate vicinity, is readily accessible, and will not be removed or made inaccessible by construction associated with the addition or subdivision;
 - The requirement creates undue hardship on the developer;
 - There is no feasible opportunity to install a brass disk in a suitable structure. In this case, the City Engineer may approve a permanent benchmark established in conformance with generally accepted surveying and engineering practices; or lack of development within the subdivision or addition

4.3.6. Restrictions on certificate of occupancy

City staff cannot issue certificates of occupancy for development until staff certifies the developer or subdivider has installed all improvements in conformance to the requirements of this section and the approved final plat and construction drawings. All improvements must be functional and under the warranty period for maintenance.

4.3.7. Construction traffic and alternative routes

Construction traffic from the development of new subdivisions and/or site plans shall be required to use a reasonable alternative route until 75% of the total certificates of occupancy are issued in the new development boundary as identified with the associated subdivision/site plan. If no reasonable alternative route exists, existing public streets may be used.

4.3.8. Street signs

Street/~~private drive~~ name signs conforming to city design standards must be placed at street/~~private drive~~ intersections. The subdivider or developer must install the signs before city acceptance of required improvements. Street signs are included in improvements where fiscal surety may be submitted instead of completed improvements. The subdivider or developer is required to replace or repair street signs that are damaged during construction.

4.3.9. Street lights

The property owner or developer must install street lighting along proposed public and/or private streets, ~~streets, private drive in Development Area D~~ and along existing streets or private drives adjoining the property. Development Services and Public works staffs approve street light location and design. Illumination must conform to lighting regulations in Section 3.22. The

subdivider or developer is required to replace or repair lights that are damaged during construction.

4.4. Assurances for Improvement Completion

4.4.1. Improvements or surety instrument before final plat recording

On approval of a final plat by City Council, but before recording, the applicant must:

Construct all improvements as required by this chapter, and provide a surety instrument guaranteeing their maintenance as required in this code; or

Provide a surety instrument in accordance with this PUD guaranteeing construction of all improvements required by this article and in this PUD and other applicable regulations.

4.4.2. Completion of improvements

Before the final plat is recorded, the developer must:

Complete all improvements required by this article according to the approved construction plans and subject to the City Engineer's approval and the City's acceptance, except as otherwise provided.

Construct all sidewalks in common areas and at street/private drive corners as shown on the approved final plat and according to the City's regulations or the City's standard details and specifications. Sidewalks must be constructed and approved for each lot before a certificate of occupancy is issued.

4.4.3. Fiscal security

A developer must post fiscal security with the City prior to a request for recordation of the final plat if the public improvements have not been accepted by the City and provided that the subdivision improvement construction plans have been approved by the City Engineer.

4.4.3.1. Amount

The amount of fiscal security posted by the developer shall equal the estimated cost plus ten percent to complete the public improvements that have not been accepted. The developer's engineer must provide the City Engineer with a sealed opinion of the probable cost for his approval.

4.4.3.2. Types

- A developer may post as fiscal security:
- A performance bond; or
- A letter of credit, approved by the City Attorney.

4.4.3.3. Return of fiscal security

The City shall return the fiscal security to the developer when the City accepts the public improvements.

4.4.3.4. Expenditures of fiscal security

The City may draw on the fiscal security and pay the cost of completing the public improvements if it determines that the developer has breached the obligations secured by the fiscal security or the 3-year time period for the installation of the required public improvements has expired. The City shall refund the balance of the fiscal security, if any, to the developer. The developer shall be liable for the cost that exceeds the amount of fiscal security, if any.

4.4.4. Inspection and acceptance

4.4.4.1. Entry and inspection

The City Engineer and other City employees shall have the right to enter upon the construction site for the purpose of conducting inspections. The City Engineer shall conduct inspections of the public improvements during construction to ensure general conformity with plans and specifications as accepted. If the City Engineer finds, upon inspection, that any of the public improvements have not been constructed in accordance with City ordinances, then the developer shall be responsible for making the necessary changes to insure compliance.

Upon completion of the public improvements, the developer shall arrange with the City Engineer for a final inspection to determine that the public improvements have been installed in conformity with the approved subdivision improvement construction plans. The developer shall pay all necessary inspection fees prior to the acceptance of the public improvements by the City.

4.4.4.2. Acceptance of improvements

Request acceptance of improvements

Upon completion of the construction of the public improvements, the developer shall request that the City accept the improvements for maintenance. Concurrent with the request for acceptance of the public improvements for maintenance, the developer shall submit all information required for acceptance of improvements specified in the Development Administrative Guide.

4.4.5. Maintenance of improvements

The developer shall be responsible for the maintenance and repair of all public improvements for 2 years after acceptance of said public improvements by the City. Prior to acceptance of improvements by the City pursuant to Section 4.4.4.2, a 2-year maintenance guarantee, in favor of the City, shall be provided by the developer by means of a warranty bond, subject to approval of the City.

4.5. Construction Standards

4.5.1. General

Construction for streets and drainage must conform to the City of Hutto Standard Details and the City of Georgetown Construction Specifications and Standards.

Construction standards and specifications for electrical and gas utilities must be in conformance to the standards of the approved utility provider.

4.6. Lot Configuration

4.6.1. Lots

4.6.1.1. General standards

Size, shape, and location of lots must be established considering topographic conditions, contemplated uses, and the character of the surrounding area.

Lot sizes and building setback lines must conform to the minimum lot area, minimum lot width, and minimum yard standards required in the PUD.

Lots that front on more than one street other than corner lots, resulting in the need for a large development perimeter wall facility, should be minimal or avoided.

Side lot lines must be substantially at right angles or radial to street alignments.

4.6.1.2. Lot width

Lot width at the street right-of-way line at the end of a cul-de-sac or the outside of a sharp curve must be at least 20 ft., to accommodate driveways, drainage facilities and utilities.

4.6.1.3. Lot shape

Lots should be as rectangular as practicable. Sharp angles between lot lines should be avoided.

4.6.1.4. Lot numbering

Lots must be numbered consecutively in each block. Lot numbering may be cumulative throughout the subdivision if the numbering continues from block to block in a uniform manner approved on a preliminary plat.

Blocks must be numbered consecutively in the overall plat and/or sections of an overall plat as recorded.

4.6.2. Easements

Easements must be dedicated for dry and wet utilities, drainage ways, and access paths where necessary, and may be required across parts of lots (including side lines) if in the opinion of the city, they are needed.

Utility easements should be located where they will not prevent tree planting in tree lawns.

4.7. Parkland Dedication

4.7.1. Dedication procedure

4.7.1.1. Parkland Dedication

Parkland dedication requirements set forth in this Ordinance shall satisfy all parkland requirements of the City with respect to the PUD. A minimum of 26.9 acres of land within the Brushy Creek 100-year floodplain within the PUD, as generally depicted **Exhibit A, PUD Concept Plan**, shall be dedicated to the City as parkland.

With the consent of the City, parkland may be conveyed to a third party for later conveyance to the City of Hutto, provided no additional costs are incurred by the developer.

Except as provided herein, no parkland dedication, cash payment in lieu of parkland dedication or improvements in lieu of parkland dedication shall be required for the PUD. The area to be dedicated must be shown on the preliminary plat and final plat; and must be included in the dedication statement. Dedicated parkland must meet the requirements and guidelines of this section.

4.7.1.2. Parkland trail improvement

The developer shall be responsible improving the parkland with a 10 ft. wide concrete shared use trail that is consistent with the City of Hutto Parks, Recreation, Open Space and Trails Master Plan. The 10 ft. trail shall be located in the Brushy Creek 100-year floodplain and extend from the FM 685 ROW to the SH 130 ROW. The alignment of the trail shall be approved by the Parks and Recreation Director prior to construction. The trail improvements must be shown on a detailed exhibit accompanying the final plat of the parkland.

At the City's option, the trail may be constructed by the developer and conveyed to the City upon acceptance, or cash may be paid to the City in lieu of the trail construction. The cash amount will be based on a construction estimate of the trail. If constructed by the developer, the trail construction must be constructed and accepted at a date mutually agreed upon by both the developer and Parks and Recreation Director. Maintenance of the trail shall be the responsibility of the City of Hutto upon City acceptance.

4.7.1.3. Dedication required before plat recording

Land requirements must be met before the plat is recorded.

4.7.1.4. Dedication by warranty deed

Parkland must be dedicated to the city by general warranty deed, and acceptable evidence of clear title and payment of all taxes must be provided to the city.

4.7.1.5. Improvements by park site

The subdivider or developer is responsible for installation of public improvements next to the park site including, but not limited to, curb and gutters, streets, sidewalks, and storm drainage facilities made necessary by the development.

4.7.2. Nature of parkland

4.7.2.1. Access

Convenient pedestrian and vehicular access to park land must be provided. In areas of parkland not fronting a public street, access by frequent green links or public paths must be provided.

4.8. Pedestrian and Bicycle Facilities

4.8.1. Sidewalks

4.8.1.1. Location

Sidewalks must be installed on both sides of all public streets, except limited access highways and loop lanes.

Sidewalks must be placed inside the public right-of-way as close to the outer edge of the right-of-way as possible, to provide a tree lawn at least 5 ft. deep to the extent practical, except that sidewalks may be placed in an access easement on private property. Development Services staff may administratively approve exceptions to the tree lawn requirement and sidewalk location where conditions warrant, such as provision for accessible routes.

Sidewalks may meander to avoid trees, utility poles and boxes, and other obstacles; for aesthetics and to meet universal accessibility requirements.

4.8.1.2. Timing of sidewalk construction

The builder or developer of a site must build a sidewalk when the adjacent site is developed. When streets are built, the subdivider or developer must also build sidewalks along streets adjacent to amenity centers, open space, easement rights-of-way, and land dedicated for parks and other purposes.

Sidewalks located along collector and arterial streets must be built at when the thoroughfare is constructed.

All required sidewalks must be built before a certificate of occupancy is issued.

4.8.1.3. Connectivity

Sidewalks must connect to existing adjacent sidewalks, or be designed and placed to allow connection to future adjacent sidewalks. Required sidewalks serving non-residential lots must connect to parking in the lot and to primary building entrances. Required connections may include street crosswalks but may not span distances of at least 50 ft. without an improvement to protect pedestrians from vehicles.

Sidewalks must be installed to provide all residential areas with direct access to all neighborhood facilities, including schools, parks and playgrounds, places of worship and

assembly, shopping centers, amenity centers, and public transit stops, wherever possible.

4.8.1.4. Pedestrian crossing

Pedestrian crossings must be made safer for pedestrians whenever possible by shortening crosswalk distance with curb extensions, reducing sidewalk curb radii, and eliminating free right-turn lanes, where practical. Signals allowing longer crossing times in shopping districts, mid-block crossings in high-pedestrians use areas, corner neckdowns, textured pavement, and medians must be provided as appropriate.

Adequate signs and street markings must be provided for all crosswalks

4.8.1.5. Easements

Easements for sidewalk connections to adjacent required sidewalks not yet built are required. Easements for all accessways are required.

Easements must be established to provide public access for sidewalks, pedestrian paths/trails / greenbelts, or bicycle trails identified in applicable city plans.

4.8.2. Bicycle paths and lanes

4.8.2.1. Location

Bicycle lanes must be incorporated in the design of arterial streets located within residential areas of the PUD, and wide outside lanes must be incorporated in the design of major collector streets. On local streets and residential collectors low traffic speeds and volumes allow bicyclists and motorists to safely share the street and bike lanes, therefore, are not required.

4.8.2.2. Construction standards

Design and construction of all bicycle facilities must meet or exceed standards in the "Guide for Development of Bicycle Facilities" published by the American Association of State Highway and Transportation Officials (AASHTO). Signing and pavement markings for such facilities must conform to the Manual on Uniform Traffic Control Devices (MUTCD).

4.8.3. Multi-use paths

While not encouraged to substitute for a good system of on-street facilities, multi-use paths may be used to enhance pedestrian and bicycle travel where the existing circulation system does not serve these patrons well or provide corridors free of obstacles. Paths must connect to the street and sidewalk system safely and conveniently, and must meet the following requirements and those in city design standards.

Path connections must be well signed with destination and directional signing.

Paths must be located in corridors that serve origin and destination points such as residential areas, schools, shopping centers, and parks.

Paths must be built in locations that are visible and easily accessible, for the personal safety of users.

Whenever possible, paths must be designed so motor vehicle crossings are removed or significantly minimized. Where crossings exist, they must be carefully designed to ensure the safety of the users. Where multi-use paths are proposed to run parallel with streets, they must be offset at least 6 ft. from the back of the curb.

Paths must be constructed of durable, low-maintenance materials, with sufficient width and clearance to allow users to walk or bike at reasonable speeds. Paths must be at least 8 ft. wide.

Where multiple uses are intended (e.g., shared pedestrian and bicycle traffic) the path should be 8 ft. wide whenever possible.

4.9. Street Classifications

4.9.1. Alley

An alley (residential or commercial) is a public street designed to provide access to the rear or side of a lot including garage access, solid waste access, fire access and utility easements.

- Alleys are required for all residential lots fronting on a Residential Lane
- Alleys are required in Non-Residential areas where it is necessary to provide for adequate access for service vehicles, off-street loading or unloading, access for emergency vehicles or similar reasons consistent with the intent of this PUD.
- Alleys may not access arterial streets.
- All alleys shall have at least two direct access points to public streets and are subject to block length criteria included in this PUD.

Alleys shall be dedicated to the public.

4.9.2. Green lane

A green lane has no road surface, but rather takes the form of a park or pedestrian plaza fronted by single household dwellings, two to four household dwellings, and/or townhouses or rowhouses.

- Green lanes cannot access arterial streets
- Facades and front porches (if any) of dwellings on lots fronting green lane must face the lane, not the alley

A homeowner association shall maintain the groundcover and vegetation of the green lane.

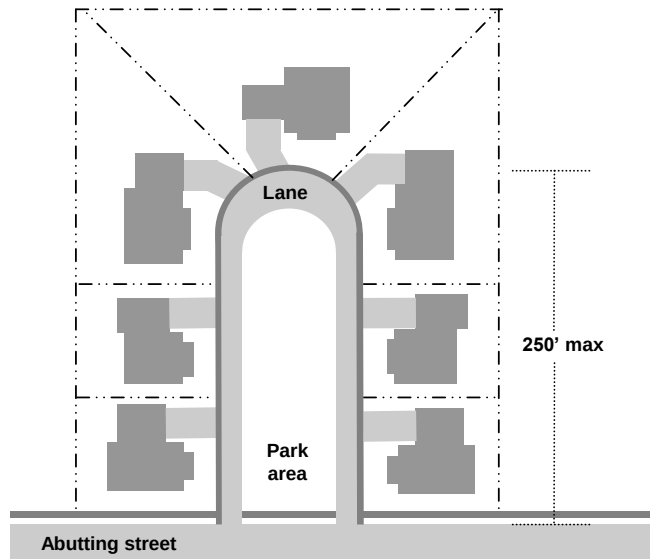
4.9.3. Loop lane

A loop lane is an alternate street design that offers a turnaround in place of a cul-de-sac. A loop lane provides open space instead of the expanse of asphalt paving found in a standard cul-de-sac.

- Loop lanes may not access arterial streets.
- The lane must be dedicated to the city.
- A homeowner association shall maintain the green space.

- **A sidewalk is not required inside the interior green space.**

Utilities and water detention may be located in the green space.



4.9.4. Residential lane

A residential lane serves up to 80 dwelling units is expected to carry less than 800 vehicles per day.

- On-street parking, where provided, shall be provided in additional bays.
- Continuous sidewalks and street trees at regular intervals are required on both sides of the residential lane

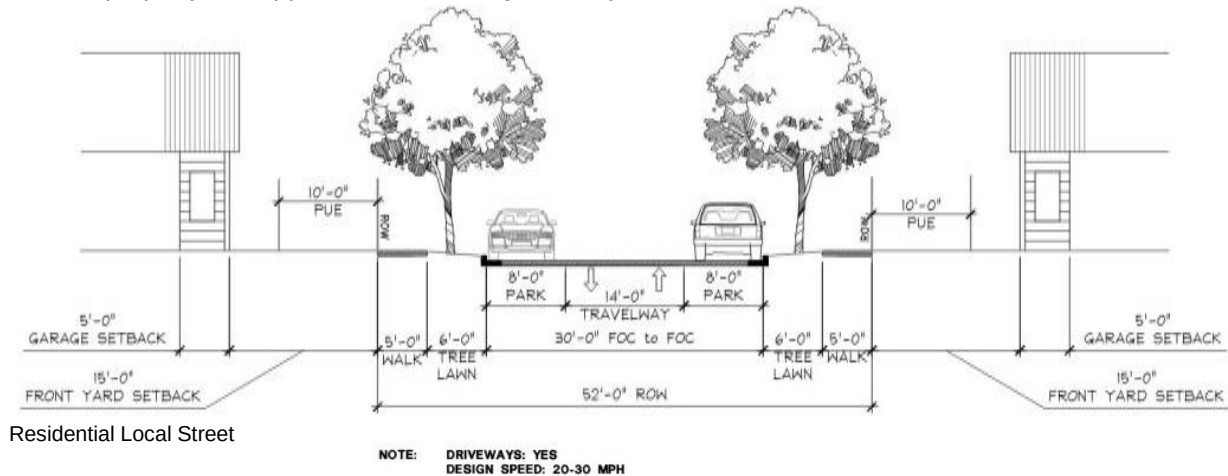


Street Trees in the tree lawns

4.9.5. Residential local street

A Residential Street generally serves up to 80 dwelling units and is expected to carry less than 800 vehicles per day.

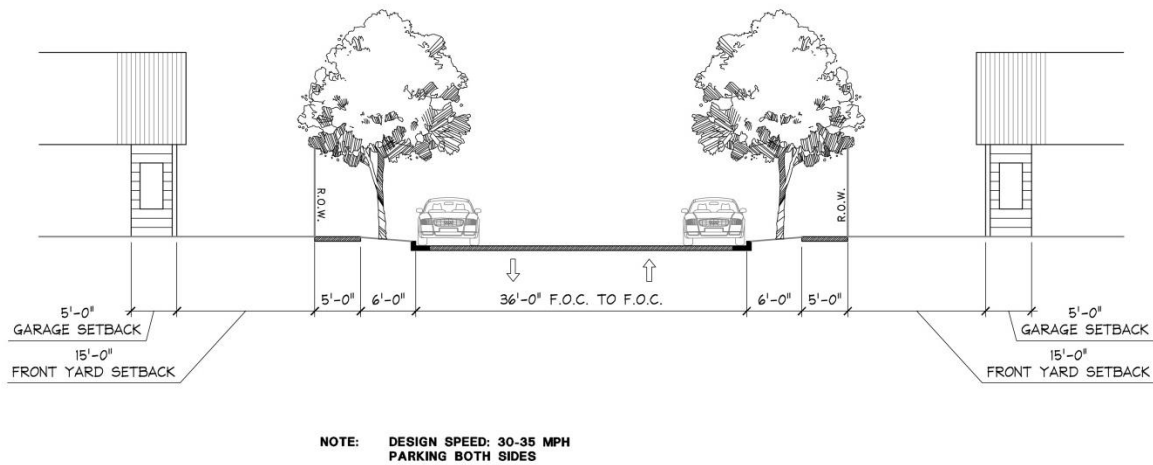
- Continuous sidewalks and street trees at regular intervals are required on both sides of a residential street
- Driveway access to residential units is permitted.
- Alleys are permitted in conjunction with Residential Streets, but are not required.
- On local streets, no driveway is permitted closer to a corner than 50 feet, except that if a lot is less than 50 ft. in width, then the driveway must be placed as close as possible to the property line opposite the street right of way line.



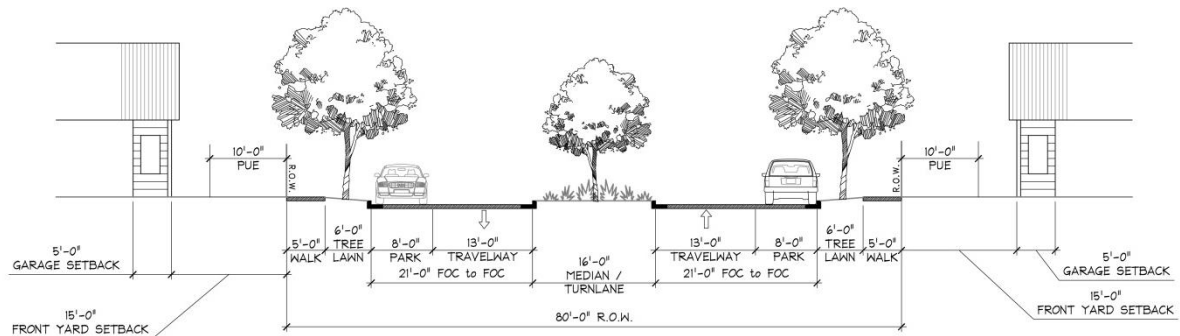
4.9.6. Residential collector

A Residential Collector and Divided Residential Collector is a street type that has an actual or anticipated traffic flow of 800 average daily trips (ADT) or greater.

- Continuous sidewalks and street trees at regular intervals are required on both sides of a residential collector.
- A Residential Collector may provide access to any type of residential unit.
- A Residential Collector shall provide two-through lanes for traffic
- A Residential Collector shall provide parking on both sides of the roadway.
- Driveway access to single-family or two-family dwelling units is permitted when spaced no less than 50 feet apart measured from center to center.
- On collector streets, no driveway is permitted closer to a corner than 100 feet.
- Planted medians are permitted on a Divided Residential Collector.



Residential Collector



Divided Residential Collector

4.9.7. Major collector street

A Major Collector is a street that has an actual or anticipated traffic flow of 2500 ADT or greater.

- A Major Collector is generally shown in the City's Comprehensive Plan, however; they may be required in other locations based on the size and density of development.
- A Major Collector shall provide access to all types of commercial and industrial uses.
- A Major Collector shall provide for two through lanes with parking on each side or four through lanes.
- No driveway access to single-family or two-family dwelling units is permitted.
- Medians may be allowed with approval of City Staff.
- Continuous sidewalks and street trees at regular intervals are required on both sides of a major collector street.

4.9.8. Minor arterial street

A Minor Arterial is a street whose main purpose is to serve as a major route through and between different areas of the City.

- A Minor Arterial is generally shown in the City's Comprehensive Plan, however; they may be required in other locations based on the size and density of development.
- Minor Arterials have two through lanes in each direction separated by a median.
- No parking is permitted.
- No driveway access to single-family or two-family dwelling units is permitted.
- Continuous sidewalks and street trees at regular intervals are required on both sides of a minor arterial street.

4.9.9. Major arterial street

A Major Arterial is a street, including Interstate Highway Service Roads, whose main purpose is to serve as a major route into, out of or across the City.

- These streets are generally shown in the City's Comprehensive Plan, however; they may be required in other locations based on size and density of development.
- Major Arterials have at least three lanes in each direction separated by a median.
- Interstate Highway Service Road standards are established by the Texas Department of Transportation and do not include a bicycle lane within the street Section.
- No parking is permitted.
- Continuous sidewalks and street trees at regular intervals are required on both sides of a major arterial street.

4.9.10. Private interior drive

Development within the PUD, including multifamily and single family uses, may be organized to include private interior drives which serve residents. Private interior drives, if any, shall be maintained by the Property Owners Association (POA) and shall comply with all City fire and emergency regulations. All private interior drives shall be a minimum pavement width of twenty (20) feet.

4.9.11 Private drive – Development Area D

A Private Drive is an alternative street type in the PUD whose main purpose is to serve permitted industrial and commercial uses in Development Area D.

- A private drive shall be 30 feet wide and open to the public.
- The design speed is 25 – 30 mph.
- An 18-inch ribbon curb may be permitted instead of curb and gutter, if approved by Development Services.
- Sidewalks, street lights and street signs shall be required for a private drive accessing lots in Development Area D.
- A minimum of two private drives shall provide ingress and egress for Development Area D.

- A gated emergency access may be provided at Spotted Fawn Drive at the western property boundary if required by Development Services.

4.9.11. Street classification standards

Standard	Alley	Green Lane	Loop Lane	Residential Lane	Residential Local	Residential Collector	Divided Residential Collector	Major Collector	Minor Arterial	Major Arterial
ADT (Avg Daily Traffic)	---	--	<150	< 800	< 800	> 800	>800	> 2500	> 12,500	> 24000
Min. ROW (Right of Way)	20	50	90	49	52	58	80	66	110	135
FOC – FOC (Face of curb to Face of curb)	--	--	20	24	30	36	2 @21	44	82	106
Length	--	< 250	< 250	#	#	#	#	#	#	#
Lanes	1	n/a	1	2	2	2	2	2-4	4	6
Lane Width	20	36-40	11-12	10-12	8-14 (includes parking)	10	10	10-12	12	12
Median Width	---	---	---	---	---	---**	16'	---**	24	24
Design Speed	---	---	15	20-25	20-25	25-30	25-30	30-35	35-45	35-45
Driveways	Yes	Alley	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Parking	No	#	Yes	Yes*	Both Sides	Both Sides	One Side, Each Way	Both Sides***	No	No
Tree Lawn	No	No	No	5', both	6', both	6', both	6', both	6', both	6', both	6', both
Sidewalks	No	4', both	4', both	4', both	5', both	5', both	5', both	5', both	5', both	5', both
Commercial Driveway Spacing for City / County Controlled Roadways and State System Highways										
Posted Speed (MPH)					Driveway Spacing (Feet)					
< 30					200					

35					250					
40					305					
45					360					
50					425					

Unless otherwise specified, all width dimensions are in feet and speeds are in mph.

Refer to standards defined elsewhere in this chapter

* On-street parking, where provided, shall be provided in additional bays

** Median allowed with approval of City Staff

*** 2 Lane Roadways Only

4.10. Street Design

4.10.1. Right-of-way width measurement

Right-of-way width is measured from front lot line to front lot line of opposite lots.

4.10.2. Geometry

4.10.2.1. Horizontal alignment

Maximum deflection in alignment permitted without the use of a curve shall be ten degrees.

4.10.2.2. Arterial street curves

Curves in arterial streets shall be designed in accordance with design speed standards found in AASHTO manual, with exceptions to this standard granted only by the Final Approval Authority.

4.10.2.3. Collector street curves

Curves in collector streets shall be designed in accordance with design speed standards found in AASHTO manual, with exceptions to this standard granted only by the Final Approval Authority.

4.10.2.4. Local street curves

Curves in local streets shall be designed in accordance with design speed standards found in AASHTO manual. The requirement for local streets exempts 90-degree or 'elbow' curves provided a radius of 50 ft is provided.

4.10.2.5. Reverse curves

Reverse curves shall be separated with a minimum tangent of 100 feet.

4.10.2.6. Vertical curves

Vertical curves shall be designed in accordance with AASHTO standards.

4.10.2.7. Cul de sacs and temporary turnarounds

- Cul-de-sac bulbs or turnarounds must have a paved radius of at least 50 ft. for single household and two-household use, and at least 60 ft. for other uses. A landscape island located in the center of the bulb is permitted.
- No more than 200 projected average daily trips (using ITE standards) shall be allowed for any cul-de-sac longer than 200 feet.
- Temporary turnarounds meeting the requirements outlined in the most recently adopted IFC shall be provided at the end of streets more than 100 feet long that will be extended in the future. The following note should be placed on the plat: "Crosshatched area is temporary easement for turn-around until street is extended (give direction) in a recorded plat." No temporary dead-end street in excess of 400 feet may be created unless no other practical alternative is available. A sign must be posted at the turnaround stating the street may be extended in the future.

4.10.2.8. Reserve strips

Reserve strips or "spite strips" at the end of streets are prohibited.

4.10.3. Intersections

4.10.3.1. Intersection angle

Streets must generally intersect at a 90° angle, except that variations of greater than 10° on collector and local streets and greater than 5° on major and minor arterials must be approved by the city engineer.

4.10.3.2. Radius at corners

Local and collector street corners must have a 10 ft. - 15 ft. radii; acute corners must have a 20 ft. - 25 ft. radii.

Arterial street corners must have a 20 ft. - 25 ft. radii.

Buildings, signs or parking is prohibited in the area between the corner curves and the chord connecting the ends of the curves except as approved by planning staff or the city engineer.

Street intersections with one or more residential collector level and higher classified streets must include 25 ft. right of way flares/cutbacks. The flare/cutback is measured along tangents from the point of intersection of the two right of way lines.

4.10.3.3. Center line tie with existing streets

New streets intersecting with or extending to meet existing streets must be tied to the existing street on centerline with dimensions and bearings to show relationship.

4.10.3.4. Partial or half streets

Partial or half streets are strongly discouraged. Partial or half streets may be provided only where the city finds a street should be located on a property line, where the proposed road has a center median.

4.10.4. Traffic calming

4.10.4.1. Horizontal deflection improvements

Traffic calming improvements that use horizontal deflection, including traffic circles, corner neckdowns, chicanes, tapers, landscape medians, are permitted. Horizontal deflection improvements may encroach into the required paved area for a street type described in this Ordinance, if reasonable access is not obstructed. The city engineer and Development Services staff must approve the design and implementation of horizontal deflection improvements.

4.10.4.2. Vertical deflection improvements

Traffic calming improvements that use vertical deflection, including speed bumps, speed humps, speed cushions, and speed tables, are strongly discouraged. The city engineer and Development Services staff must approve the design and use of vertical deflection improvements.

Speed tables, if used, should be integrated into pedestrian crossings at intersections and green links.

Speed humps and speed cushions, while strongly discouraged, are preferable to speed bumps.

4.11. Street Grid, Circulation, and Connectivity

4.11.1. General alignment

The precise alignment of thoroughfares included in the Plan may be varied to allow adjustments that increase the compatibility of the right-of-way with natural or manmade features such as steep slopes, waterways, wildlife habitats, neighborhoods, historic structures or existing roadways.

4.11.2. Street arrangement and internal connectivity

4.11.2.1. Conformity to plan

Width and location of streets must conform to the underlying concept plan and the transportation element of community, neighborhood and other applicable land use and development plans.

4.11.2.2. Topography

The street system must have a logical relationship to the natural topography of the ground.

4.11.2.3. Street Connectivity

The street network in a residential development must be strongly promoted, unless Development Services staff finds it impractical due to creek and drainageways, existing right-of-way, and/or natural features. If this requirement is **administratively** waived, 5 ft. wide pedestrian trails in at least 15 ft. green links must link cul-de-sacs and provide

through-block access where Development Services staff finds pedestrian connectivity is needed.

4.11.2.4. Collector street connectivity

All collector-designated streets shall connect on both ends to an existing or planned collector or higher-level street.



4.11.2.5. Blocks

4.11.2.5.1. Maximum block length

Residential local street block lengths shall be no more than 600 ft., excepting along SH 130, the Union Pacific railroad right-of-way, 100 year floodplain and streets crossing a transmission line easement. Block lengths shall be measured along the block face from intersecting curb to intersecting curb.

Block lengths for Development Area D shall be determined at time of platting.

4.11.2.5.2. Block depth

Blocks should have sufficient width to allow two tiers of lots of appropriate depth. Alleys giving access to the rear of lots on a block is strongly encouraged.

4.11.2.5.3. Single-tier blocks and double-frontage lots

- Residential blocks with one tier of double frontage lots are strongly discouraged. Alternative block configurations not relying on single tier blocks or long stretches of double frontage lots to separate residential development from through traffic and arterials, or placement of higher density multiple household residential development along arterial streets, is encouraged.
- For residential double frontage lots, there must be an easement at least 10 ft. deep abutting a traffic arterial or other disadvantageous use, dedicated to the appropriate governmental entity, with no right of cross

access. There must also be at least a 10 ft. deep tract or easement on the other side of the property line abutting a traffic arterial or other disadvantageous use, for a development perimeter wall and landscaping buffer.

4.11.2.6. Mid-block green lengths

Except for perimeter block frontages along SH130, UP railroad and FM 685, green links at least 12 ft. wide including a sidewalk that is at least 5 ft. wide must be placed near the center and entirely across blocks that are greater than 800 ft. long, to give convenient pedestrian circulation through the development. Green links must be landscaped in conformance to landscaping standards for connecting walkways in this PUD, and maintained by the underlying homeowner association.

4.11.2.7. Circulation

- Each subdivision shall provide for the continuation of all arterial streets and highways as shown on the City's Comprehensive Plan. Arterial streets should be located on the perimeter of the residential neighborhood.
- Collector and local streets should be designed to provide access to each parcel of land within the residential neighborhood and within industrial areas. They should be planned so that future urban expansion will not require the conversion of minor streets to arterial routes.
- Collector streets should be designed to provide a direct route from other minor streets to the major street and expressway system and to provide access to public facilities within the neighborhood; however, collector streets should not be aligned in a manner that will encourage their use by through traffic.
- Collector-designated streets must connect on both ends to an existing or planned collector or higher-level street.

Permitted alternatives to cul-de-sacs include loop lanes and T-streets, and any similar alternative approved by the City Engineer.

4.11.2.8. Required subdivision access points

- To the extent practical, subdivisions with <100 residential units must provide vehicular access to two or more existing or planned public streets
- To the extent practical, subdivisions with 100 to 199 residential units must provide vehicular access to three or more existing or planned public streets.
- To the extent practical, one or more additional access points must be provided for each 100 lots exceeding 199 lots.
- Development Services staff may reduce the required number of access points due to topography, natural features, or the configuration of adjacent developments, or other constraints including SH130, Brushy Creek floodplain, and Union Pacific railroad.
- Access points must be shown on the plat and construction plans for the development. Construction of the street may be postponed to a later phase of development. The Planning and Zoning Commission may require the construction of any access point when the final plat is approved.

4.11.2.9. Relation to adjoining street systems

To provide connectivity to other neighborhoods existing streets in adjacent or adjoining areas shall be continued in the new development, in alignment therewith. Whenever connections to anticipated or proposed surrounding streets are required by this Section, the right-of-way shall be extended and the street developed to the property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. The permit-issuing authority may also require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency or service vehicles. Notwithstanding the other provisions of this subsection, no temporary dead-end street in excess of 400 feet may be created unless no other practical alternative is available.

- *Street jogs*
Offsets in street alignment are permitted, provided the distance between center lines is not less than 125 feet.
- *Large lot subdivision*
If the lots in the proposed subdivision are large enough to suggest re-subdivision in the future, or if part of the parent tract is not platted, consideration must be given to possible future street openings and access to future lots which could result from such re-subdivision.
- *Through traffic*
Local streets shall be designed so as to meet the local street connectivity requirements of Section 4.12.2.3.
- *Half streets*
No half streets shall be platted or constructed except for arterial streets.
- *Dead-end streets*
Dead-end streets shall be prohibited except short stubs to permit extension. Temporary turnarounds shall be required where the street stub exceeds one lot or 100 feet in length, whichever is greater. The developer shall provide a sign at the stub declaring that the particular street will connect with future development.
- *Topography*
The street system shall bear a logical relationship to the natural topography of the ground.
- *Private streets*
 - Private streets are prohibited.
 - All streets shall be constructed to City standards for public streets. Common access easements may be required.
- *Unpaved street rights-of-way*
The portion of the street right-of-way between a private lot line and the curb or pavement edge shall be designed and constructed to meet the requirements of the City's Construction Standards and Specifications for Roads, Streets, Structures and Utilities.

- Access to public streets from private property
 - No person shall cut a curb or gutter Section nor pave a street right-of-way without first obtaining a permit from the City, and complying with City Codes. Where no curb and gutter street construction is permitted, no person shall construct or pave the borrow ditch street Section without first obtaining a permit from the City and complying with City Code.

No temporary utility service will be provided to the building lot or site until a curb cut, street right-of-way permit has been issued and no permanent utility service will be provided until the work authorized by permit is satisfactorily completed and approved by the City.

4.11.2.10. Intersections

- Sight triangle

According to the following requirements, a sight triangle shall be established at all intersections.

 - On local streets the sight triangle shall be based on the back of the curb, on all other streets it shall be based on the right-of-way.
 - The sides of the sight triangle shall extend for 25 feet along the right-of-way/curb from the projected intersection of said right-of-way/curb. Where the right of-way/curb curves as the intersection is approached, the tangents at the points of beginning for the corner curve shall be projected to determine the origination of the sides of the sight triangle.
 - No construction, planting or grading shall be permitted to interfere with the sight triangle between the heights of three and seven feet as measured from the crowns of the adjacent streets.
- Angle of intersection

Except where existing conditions will not permit, all streets, major and minor, shall intersect at a 90 degree angle. Variations of more than ten degrees on minor streets and more than five degrees on major streets must first be approved by the City Engineer.
- Radius at corners
 - All local and collector street corners shall have 15 foot radii and shall meet required fire apparatus access, except acute corners which shall have a radius of 25 feet. Arterial streets shall have a minimum corner radius of 25 feet. No buildings, sign or parking shall be allowed in the area between the corner curves and the chord connecting the ends of the curves.
 - All street intersections containing one or more residential collector level and above streets shall include 25 foot right of way flares/cutbacks. The 25 foot flare/cutback will be measured along the tangents from the point of intersection of the 2 right of way lines.

- Center line tie with existing streets

Each new street intersecting with or extending to meet an existing street shall be tied to the existing street on center line with dimensions and bearings to show relationship.

4.12. Driveways and Easements

4.12.1. Easements

4.12.1.1. Utility easements

All easements must be dedicated to the City and their locations shall be clearly denoted on plat documents.

- Uniform and continuous easements shall be provided along lot lines for utility service. The City may approve a location other than along a lot line.
- Easements for water, sewer, and storm sewer lines shall be at least 20 feet in total width if between lots. 10-foot public utility easements should be included along all street rights-of-way.

Other utility easements (for other than water, sewer, and storm sewer lines) shall be a minimum of five feet in width when abutting the street lot lines and at least three feet in width when abutting interior lot lines.

4.12.1.2. Emergency access easements

Emergency access easements shall be defined by the local fire code as amended. Emergency access easements shall not be divided by lot lines.

4.12.2. Driveway spacing from intersections

4.12.2.1. No driveway is permitted closer to a corner than the driveway separation standard provided in Section 4.7.12.

4.12.2.2. Driveway spacing shall be measured from the edge of the street to the center of the driveway.

4.12.2.3. Any request to deviate from these standards may be submitted to the City Engineer.

4.12.3. Design requirements and standards

4.12.3.1. Additional access

The City Engineer may require more than one access point onto a collector or arterial street for a single parcel during Site Plan review provided that the number and location of access points onto local streets and the additional access points onto collector and arterial streets must be approved by the highway authority having jurisdiction over the roadway from which access is being taken.

4.12.3.2. Width of access

The width of access driveways shall be determined by the highway authority having jurisdiction over the roadway from which access is being taken. However, in no case shall an individual driveway width be greater than 35 feet. Where a highway authority has not

established driveway width requirements and standards, the standards and requirements of the Texas Department of Transportation shall apply.

4.12.3.3. Closure or relocation of existing access points

The City Engineer, in conjunction with the highway authority having jurisdiction over the roadway from which access is being taken, shall have the authority to require the closure or relocation of existing access points where multiple access points to the site are available.

4.12.3.4. Curb cuts at intersections

A curb cut for a corner parcel at the intersection of any streets shall be located the maximum practical distance from the center of the intersecting streets, without intrusion into any required buffer. The number and location of the curb cut must be approved by the highway authority having jurisdiction over the street from which access is being taken. Where a highway authority has not established curb cut requirements and standards, the standards and requirements used by the Texas Department of Transportation shall apply.

4.13. Road Adequacy Standards

4.13.1. Street naming

Proposed street names must appear on a preliminary plat. Street names become official with the city after the following takes place:

- The plat is recorded; and Williamson County 911 Addressing accepts the street name.

4.13.2. Traffic impact analysis, when required

The TIA shall conform to the requirements set forth in **Section 10.515.4 of the Hutto UDC**. A Traffic Impact Analysis shall be required with any application for a subdivision or plat approval, Site Plan approval, or other procedure for which the proposed development generates traffic in excess of 2,000 average daily trips, based upon the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. In the event that specific land uses for the development are not specified at the time of subdivision or plat application, the daily trip generation rate for the most intensive land use from the ITE Manual for the land use classification of the application shall be used to compute the estimated average daily trips.

4.13.3. Stormwater and drainage standards

Except as set forth in this Section 4.14.3, the stormwater and drainage standards established in **Section 10.701 of the UDC** shall apply to development of this PUD.

4.13.3.1. Stormwater drainage system

- Drainage channels and detention ponds that are to be maintained by the public shall be contained within drainage lots. Adequate room for access shall be provided for drainage channels and detention ponds. Ramps no steeper than 5 feet horizontal to 1 foot vertical shall be provided at appropriate locations to allow access to drainage channels and detention ponds. The minimum bottom width for any channel with vegetative side slopes shall be 8 feet, except that drainage channels associated with streets have no minimum width. If required, a 5-inch thick reinforced concrete trickle

channel shall be provided in all newly constructed channels and from detention pond inlets to outlets. The area adjacent to trickle channels shall slope at a minimum of 2 percent.

- Open drainage sections:
Minor collectors (draining less than 20 acres) shall be constructed using best practices for stormwater drainage to the greatest extent practical. Surface conveyance may be utilized if it can be established to the satisfaction of the City Engineer that it is physically feasible and preferred to storm sewers. Open ditches may be used, provided that such ditches are lined with permanent materials accepted by the City Engineer.

4.13.4. Grading

Grading of lots with existing slopes of 1 percent or greater will not be required, provided it is demonstrated to the satisfaction of the City Engineer that there are no existing or proposed features that will prevent the lots from adequately draining.

4.13.5. Water and wastewater standards

The water and wastewater standards established in **Section 10.801 of the UDC** shall apply to development of this PUD.

Attachment A – Use-specific Design Standards for Self-storage Facilities

2.3.3 Self-storage facilities

2.3.3.1 Architectural theme

Building design must conform to architectural design standards for commercial uses in Section 3.4, except that contemporary architectural design and massing, material use, articulation, color use and theming, as expressed in the enhanced architectural self-storage buildings set forth and graphically depicted in this section, are also permitted and encouraged.

Enhanced architectural self-storage buildings are defined as self-storage buildings that have a commercial appearance and character, two or more stories in height, where a minimum of 80 percent of the individual storage units are accessed from a common entry and comply with design standards set forth and depicted in this section.

Colors with a high intensity may not be used as a primary building color element but are permitted as accent areas on building facades and visible interiors as a part of an integrated design element.

Prefabricated and pre-engineered metal buildings are prohibited.

2.3.3.2 General architectural standards

Buildings must include design elements such as columns, ribs or pilasters, piers, quoins, and fenestration patterns to prevent a utilitarian, industrial, warehouse-like appearance, except that contemporary building massing, material use and design features included in enhanced architectural self-storage buildings as set forth and depicted in this section are permitted.

Maximum length of a building on the site perimeter is 60 ft, except enhanced architectural self-storage buildings as set forth and depicted in this section shall have a maximum length of 250 feet.

Unit doors must be screened or sited so they are not visible from the street or residential properties, except that unit doors located within interior corridors that are visible are permitted, provided that the unit doors are integrated into the overall building design using color, articulation, rhythm or other design elements.

Unit doors must be integrated into the overall architectural design theme of the building through design elements such as color, texture, rhythm and articulation.

2.3.3.3 Roof design

Buildings must include a roof pitch of at least 30°, with roofs incorporating a high quality surface such as architectural shingles, split seam metal or clay tile. Flat roofs are permitted, provided a parapet of at least 12 inches is incorporated into the building design.

2.3.3.4 Parking, circulation and stacking

Drive aisles must be at least 24 ft. wide. Drive aisles and unit access points must be surfaced in impervious or permeable pavement.

Units and drive aisles must be sited so a vehicle parked at a unit cannot trap another vehicle and prevent it from leaving the facility.

Parking spaces cannot be located in the street yard, except that parking for enhanced architectural self-storage buildings shall comply with commercial parking standards.

2.3.3.5 Landscaping

Landscaping must conform to landscaping standards in Section 3.5.

Landscaping and/or berming must screen storage buildings from an adjacent public right-of-way and adjacent residential buildings, except that landscaping for enhanced architectural self-storage buildings shall comply with commercial landscape standards.

Landscaping outside a perimeter fence visible from a public street must conform to landscape standards in this code. Inside a perimeter fence visible from a public street, at least 10% of the surface area must be a groomed permeable surface (grass, xeriscape ground cover, turf block), with at least 50% of that surface next to the perimeter fence.

One or more native tall trees for every ten units must be provided inside the perimeter fence, with trees placed inside the perimeter fence and at the ends of buildings runs. Shrubbery forming a dense cluster is required at the base of building walls at least 10 ft. long without doors. This requirement does not apply to enhanced architectural self-storage buildings.

2.3.3.6 Fencing and screening

Fencing must conform to fence and wall standards in Section 3.7.

Perimeter fencing, security fencing, and entry gates must be constructed of materials that are compatible with the design and materials used throughout the site. Acceptable fencing types include masonry (brick, stone, decorative CMU), decorative metal and wrought iron.

2.3.3.7 Outdoor lighting

Lighting must conform to lighting standards in Section 3.8.

Exterior lights at self-storage facilities located next to residential and lodging uses must be designed, installed and maintained to comply with Section 3.8.1.1 Display levels and light pollution, 3.8.1.2 Shielding and 3.8.1.3 Illumination of background and foreground spaces.

2.3.3.8 Signs

Signs must conform to sign standards in Section 3.9. Attached signs are permitted only on the main office, and are prohibited on storage unit buildings, except that signs on enhanced architectural self-storage buildings shall comply with commercial sign standards.

2.3.3.9 Examples of enhanced architectural self-storage buildings



Interior unit doors integrated into overall building design theme. Contemporary building façade materials. First floor articulation at office entry.



Contemporary use of traditional stone masonry façade treatment, architectural massing, window design and overhanging eaves. Overall building façade composition and varied articulation and building massing.



Well-articulated common entry, material use of metal and glass siding color use and rhythm of building massing. Overall building façade composition and varied articulation.



Overall building façade composition and varied articulation. Contemporary material use of articulated glass and metal. Use of high intensity color as accent and integrated into the overall façade composition. Interior unit doors integrated into overall building design theme.



Building with flat roof incorporating a parapet. First story articulated with metal eave overhang. Façade articulation.



First floor articulation at office entry. Contemporary material use of articulated glass and metal and rhythm of building massing.

Attachment B

Additional Permitted Industrial Uses and Design Standards for Development Area D

2.1.3 Industrial uses in Development Area D

2.1.3.1 General Intent

By their ~~intrinsic~~**inherent** character, industrial uses and their built environment must be utilitarian and functional. Additionally, the public infrequently visits industrial sites. Therefore, site development standards for industrial uses within Development Area D are less restrictive than permitted industrial uses located in Development Area C. These less restrictive standards include architectural, site and other development standards. Conversely, these standards set forth a high-quality standard for development within Hutto Crossing east of SH 130.

Public visibility of Development Area D from US 79, located north of the UP RR, is limited. Grades changes along the main lanes of SH 130 and its frontage road limit views to Development Area D. Adjacency to existing residential uses west of Development Area D are factored into the development standards for Development Area D. Building facades and site areas directly fronting along the northern boundary line of Development Area D fronting the UP RR and the northern end of the eastern boundary (SH 130) provide for standards that reflects positively on Hutto and its businesses.

2.1.3.2 Light industrial use

2.1.3.2.1. Intent

Light industrial uses provide for a wide variety of nuisance-free industrial uses and compatible related uses. The area, height, yard and other site requirements are designed to maintain long-term quality and economic vitality of development and uses that may accommodate the public.

2.1.3.2.2. Definition

Light industry use is composed of land and structures used primarily to provide space for light manufacturing, commercial enterprises involved in research and development, packaging, microbrewing facilities, warehousing, distribution and skilled mechanical trades. Light industrial uses also provide for a mix of office park, flex-space with limited retail and service uses that may also serve industrial development. Light industrial use includes custom manufacturing for on-site production of goods using hand tools, domestic mechanical equipment, kilns, and the incidental sale of those goods. This use includes examples such as candle-making shops and custom jewelry manufacturing. Examples of permitted uses also include equipment and event rentals, self-storage facilities, cabinet/carpenter shop, auto sales and repair, wrecker services, can recycle collection station, lumber yard and building materials, mobile vending base operations, machine shop, tree service and moving companies.

2.1.3.3 General industrial use

2.1.3.3.1 Intent

General industrial is composed of land and structures used primarily to accommodate fabrication, manufacturing and industrial uses. The general industrial district accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. This use is intended to provide for all types of industrial uses, with area, height and yard requirements designed to accommodate major industries and other uses whose operating characteristics require utilitarian sites and infrequented by the public.

2.1.3.3.2 Definition

Examples of permitted general industrial uses include manufacturing of many types, including abrasives, food and drug, motor and transit vehicles, recreational vehicles and watercraft, vehicle parts (excluding tires), trailers, modular and manufactured buildings, manufactured homes/oversized vehicles sales, sand and gravel storage and sales, auto & light truck auction, service and storage, bottling plants, and breweries.

2.1.3.4 Heavy industrial use

2.1.3.4.1 Intent

Heavy industrial use is composed of land and structures used primarily to provide for all types of industrial uses, with area, height and yard requirements designed to accommodate major industries and other uses that typically generate very high volumes of truck traffic and whose operating characteristics require very utilitarian and functional sites which very rarely accommodate the public.

2.1.3.4.2 Definition

Examples of heavy industrial use include use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or engaged in storage of, or manufacturing processes using flammable materials, or storage or manufacturing processes that may generate high volumes of truck traffic. Heavy industry uses also includes work processes involving solvents, recycling establishments, and transport terminals (truck and rail terminals, container storage). Permitted heavy industrial use include ready-mix facilities, concrete plants and asphalt plants.

Design standards for industrial uses in Development Area D:

2.1.3.5 Contemporary agricultural industrial building character for light industrial use and facilities

Contemporary agricultural industrial buildings are defined as buildings clad with architectural designed corrugated metal siding that embodies the character of Hutto's agricultural past as represented in the Coop redevelopment. This building character is

intended to both recall and reflect positively on Hutto. The architectural theme incorporates articulated glass and metal siding and windows. The use of corrugated metal siding as a primary material in a contemporary design that has an appealing appearance and character that is distinctive characteristic of Hutto.

More traditional materials of stone and concrete are primarily used as accent materials. Overhangs and rhythm of material use are other building characteristics indicative of contemporary agricultural industrial buildings. Pictorial examples are depicted below in this section. Façades and walls of these buildings are appropriate for light industrial uses facing US 79 and SH 130 in Development Area D.

2.1.3.5.1 Examples of contemporary agricultural industrial buildings



Hutto Crossing
April 16, 2013
PUD Amendment ~~#3 January 25, 2018~~ March 18, 2019

2.1.3.6 Industrial Facilities Character

2.1.3.6.1 Standard light and general industrial exterior walls and facades

2.1.3.6.1.1 Wall and façade pattern

Façades and walls facing US 79 and must include a repeating pattern with an expression of architectural or structural bays through a change in plane, such as an offset, reveal, pilaster, projecting ribs, fenestration patterns, or piers; and any of the following elements:

- color change
- texture change
- material module change

Design elements must repeat at intervals of no more than 60 ft. Deviations up to 10% to the interval repetition may be administratively approved by Development Services staff.

These standards do not apply to contemporary agricultural industrial buildings or heavy industrial facilities.

2.1.3.6.1.2 Building design

All façades and walls facing US 79 must include consistent materials, or a rhythm of various materials and forms, designed in a unified, cohesive pattern. Inferior or lesser quality materials for facades and walls are otherwise permitted. This standard does not apply to heavy industrial facilities.

2.1.3.6.1.3 Garage doors

Bay doors facing US 79 must be screened using wing walls, landscape screening, berms, or other effective screening and site planning techniques, or otherwise sited so visibility is minimized.

2.1.3.6.1.4 Primary building entrances for light industrial buildings

Primary building entrances must be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico to provide shelter from the sun and inclement weather. This standard does not apply to general industrial facilities or heavy industrial facilities.

2.1.3.6.2 Building roofs

2.1.3.6.2.1 Planted green roofs

Planted green roofs, solar panels and rain collection tanks are encouraged.

2.1.3.6.3 Materials and color

2.1.3.6.3.1 Building colors

- Building colors must be low reflecting, muted and neutral or earth toned. Roof colors must be muted and compatible with the dominant building color. This standard does not apply to heavy industrial facilities.
- High intensity colors, metallic colors, fluorescent colors, single color schemes and groups of stripes are prohibited as the predominant building color or color scheme.
- Brighter colors, and black or grey, may be used on building trim and accents.
- An exception to the color standards may be administratively approved by Development Services staff if it can be demonstrated that the color selection meets the design intent of this Attachment A.

2.1.3.6.3.2 Building materials

Durable, high quality building materials must be used. Brick, stone, split-face CMU, corrugated metal, metal and glass, EIFS, detailed tilt-up concrete panels, and building-integrated photovoltaics (BIPV) are examples of appropriate building materials for light and general industrial buildings. This standard does not apply to heavy industrial facilities.

- T-1-11 and other plywood-based siding materials are prohibited.
- Prefabricated and pre-engineered metal buildings and panels are permitted for general industrial and heavy industrial facilities.

2.1.3.6.3.3 Material or color changes for light industrial buildings

- Material or color changes must occur only at a change of plane or reveal line. This standard does not apply to heavy industrial facilities.
- An exception to the location of material or color change standards may be administratively approved by Development Services staff if it can be demonstrated that the location meets the design intent of this Section.
- Piecemeal embellishment and frequent material changes are prohibited. This standard does not apply to heavy industrial facilities.



[Appropriate standard light and general industrial building design](#)



[Appropriate standard light and general industrial building design](#)



[Appropriate standard light and general industrial building design](#)



[Appropriate standard light and general industrial building design](#)

[2.1.3.6.4 Mechanical equipment screening for industrial uses](#)

[Rooftop mechanical equipment must be hidden or screened from public view from US 79 and SH 130 to the greatest extent practical with architecturally integral elements at a height at least as high as the equipment to be screened. Makeshift equipment screens, such as wooden or plastic fences, are prohibited.](#)

[Ground mounted mechanical equipment must be hidden or screened with architecturally integral wing walls and/or landscaping to the greatest extent practical. This standard does not apply to general industrial or heavy industrial facilities.](#)

[Solar panels and rain collection tanks are exempt from mechanical equipment screening standards.](#)

[2.1.3.6.5 Utility equipment screening](#)

Electrical meters, switch boxes, panels, conduit, and related utility equipment must be placed in the most inconspicuous location practical, if frequently seen by the general public. This standard does not apply to heavy industrial facilities.

Utility equipment must be painted or coated to match the color of the mounting surface to the greatest extent practical. This standard does not apply to heavy industrial facilities.

Utility equipment located in an area that may be frequently prominently seen by the general public must be screened to the extent practical with landscape screening or with a wing wall architecturally integrated into the host building structure, per the requirements set forth in Section 3.1.6.2. This standard does not apply to heavy industrial facilities.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF HUTTO, TEXAS AMENDING THE HUTTO CROSSING PLANNED UNIT DEVELOPMENT (PUD) ZONING ORDINANCE ADOPTED IN ORDINANCE NO. O-18-08-02-9A, BY REPLACING THE DEVELOPMENT PLAN WITH THE REVISED PLAN ATTACHED AS EXHIBIT "B" AND ATTACHED HERETO, FOR 465.0 ACRES, MORE OR LESS, OF LAND, IN HUTTO, WILLIAMSON COUNTY, TEXAS AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR A PUBLICATION CLAUSE, SEVERABILITY CLAUSE, REPEALING CLAUSE, OPEN MEETING CLAUSE, PENALTY CLAUSE AND EFFECTIVE DATE.

WHEREAS, a request has been made to the City Council of the City of Hutto, Texas to amend the Hutto Crossing Planned Unit Development (PUD) by replacing the Development Plan with the revised plan attached as **Exhibit "B"** being attached hereto and incorporated herein, and;

WHEREAS, the Planning and Zoning Commission recommended approval of the proposed amendment on the 8th day of April, 2019, and;

WHEREAS, on the 8th day of April, 2019, after proper notification, the Planning and Zoning Commission held a public hearing on the requested amendment, and;

WHEREAS, on the 18th day of April, 2019, after proper notification, the City Council held a public hearing on the requested amendment, and;

WHEREAS, the City Council determines that the zoning ordinance amendment provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community, and;

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Article 14.02.002, Code of Ordinances (2007 Edition), City of Hutto, Texas concerning public notices, hearings, and other procedural matters has been fully complied with, Now therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

SECTION I.

That the City Council has considered and made findings on the following matters regarding the proposed amendment:

- 1) The PUD is consistent with the spirit of the community, neighborhood and other applicable land use and development plans, compatible with the character of adjacent development or recommended land uses, it would not adversely affect property near the site, and it achieves the benefits of improved design; and
- 2) The PUD will not adversely affect land with significant historical, cultural, recreational or aesthetic value; and
- 3) The PUD will give benefits through providing open space, parks, conservation of environmental features, aesthetic features and harmonious design, and/or energy efficient site design; and
- 4) The benefits of preserving land for open space, parks or other public amenities outweigh the potential impact from more intense or dense development on the site; and

- 5) The PUD controls external effects on nearby land uses such as movement and congestion of traffic; lighting; trash accumulation and litter; noise, air and water pollution; and other factors affecting public health, welfare, safety and convenience; and
- 6) The PUD will be served by adequate facilities including streets, fire protection, water and sanitation; and
- 7) The PUD does not have a significantly greater burden on the city's existing infrastructure, public improvements and services than development at a density permitted under the current zoning or suggested under community, neighborhood and other applicable land use and development plans, or arrangements are made to mitigate impacts; and
- 8) PUD architectural design, landscaping, hardscaping and signage parameters must give evidence of compatibility with adjacent development, internal consistency of design, and conformance to city design standards.

That the Hutto Crossing Planned Unit Development (PUD) is hereby amended for the property described in the **Exhibit "A"**, attached hereto and incorporated herein, and the Development Plan attached hereto as **Exhibit "B"** and incorporated herein.

SECTION II. Publication Clause

The City Secretary of the City of Hutto is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.

SECTION III. Severability Clause

The provisions of this ordinance are severable, and if any sentence, section, or other parts of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

SECTION IV. Repealing Clause

All ordinances and resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict.

SECTION V. Open Meeting Clause

The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject hereof were discussed, considered, and formerly acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

SECTION VI. Effective Date

This ordinance shall take effect and be in force from and after its passage.

READ and **APPROVED** on first reading on this the **18th** day of **April, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

By motion duly made, seconded and passed with affirmative vote of all of the Councilmembers present, the requirement for this ordinance on two separate days was dispensed with.

READ, PASSED and **ADOPTED** on first reading of ordinance this **18th** day of **April, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

Attest:

Lisa L. Brown, City Secretary

Hutto Crossing PUD

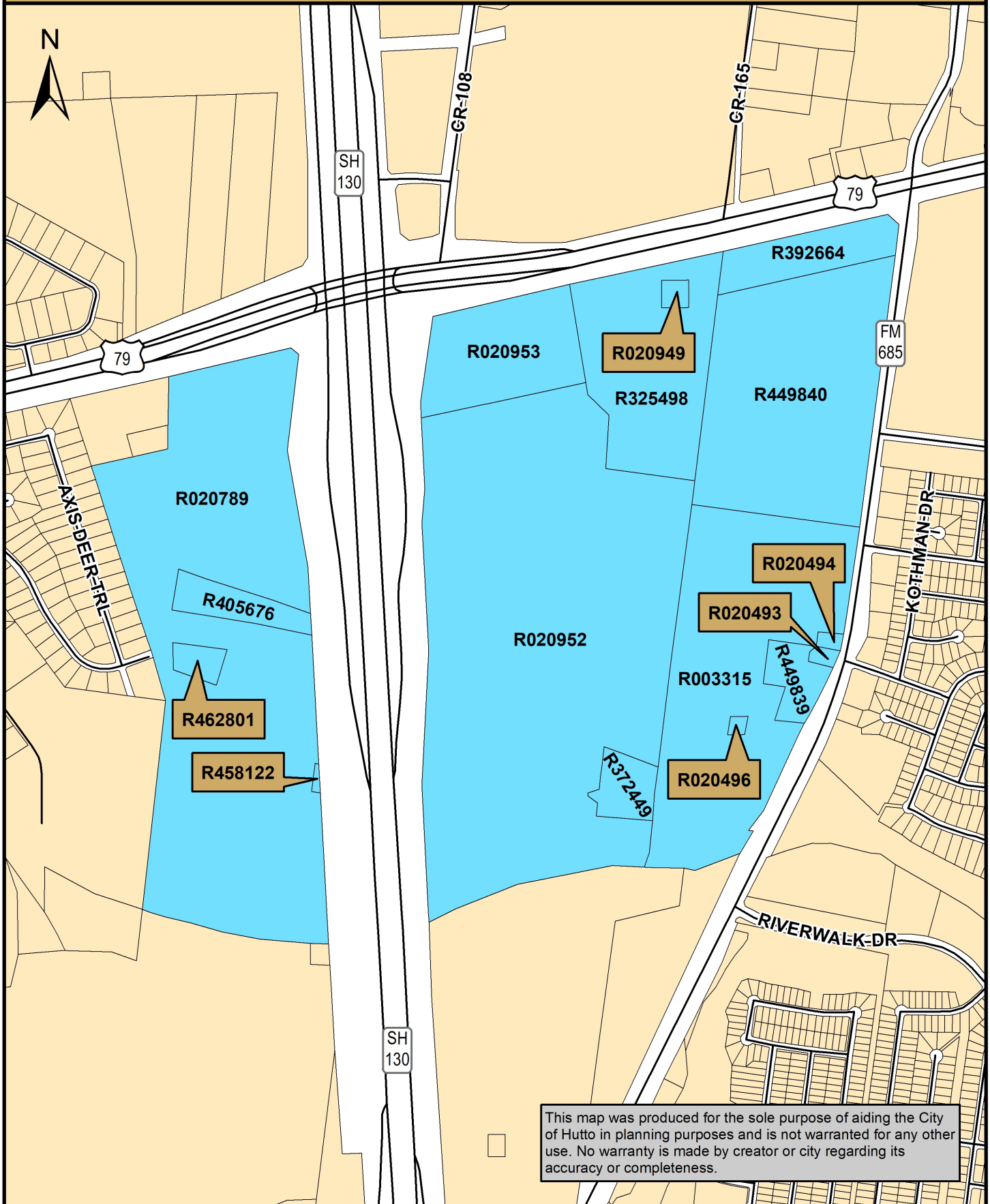


EXHIBIT A
LEGAL DESCRIPTION

Tract 1: Surface Estate only in and to APPROXIMATELY 150.96 ACRES of land being out of and a portion of the MARTIN STROUSE SURVEY, ABSTRACT NO. 587, in Williamson County, Texas, and being the same tract called Tract 1 and particularly described by metes and bounds in the deed recorded in Document No. 2005083815, Official Public Records of Williamson County, Texas, and Exhibit "A-1" attached hereto.

Tract 2: Surface Estate only in and to APPROXIMATELY 125.95 ACRES of land being out of and a portion of the ROBERT McNUTT SURVEY, ABSTRACT NO. 422, in Williamson County, Texas, and being the same tract called Tract 2 and more particularly described by metes and bounds in the deed recorded in Document No. 2005083815, Official Public Records of Williamson County, Texas, and Exhibit "A-2" attached hereto.

Tract 3: Surface Estate only in and to APPROXIMATELY 19.95 ACRES of land being out of and a portion of the MARTIN STROUSE SURVEY, ABSTRACT NO. 587, in Williamson County, Texas, and being the same tract called Tract 3 and more particularly described by metes and bounds in the deed recorded in Document No. 2005083815, Official Public Records of Williamson County, Texas, and Exhibit "A-3" attached hereto.

Tract 4: APPROXIMATELY 33.12 ACRES of land being out of and a portion of the MARTIN STROUSE SURVEY, ABSTRACT NO. 587, in Williamson County, Texas, and being the same tract called 33.14 acres in Deed recorded in Volume 1120, Page 651, Official Records of Williamson County, Texas, and said 33.12 acre tract being more particularly described by metes and bounds in Exhibit "A-4" attached hereto.

Tract 5: APPROXIMATELY 55.302 ACRES of land being out of and a portion of the NATHANIEL EDWARDS SURVEY, ABSTRACT NO. 225, in Williamson County, Texas, and being the same tract of land more particularly described by metes and bounds in the Deed recorded in Document No. 2004094951, Official Public Records of Williamson County, Texas, and Exhibit "A-5" attached hereto.

Tract 6: APPROXIMATELY 10.00 ACRES of land being out of and a portion of the NATHANIEL EDWARDS SURVEY, ABSTRACT NO. 225, in Williamson County, Texas, and being the same tract conveyed in Deed recorded in Document No. 199931543 and Document No. 2006024663, Official Public Records of Williamson County, Texas, and said 10.00 acre tract being more particularly described by metes and bounds in Exhibit "A-6" attached hereto.

Tract 7: APPROXIMATELY 64.428 ACRES of land being out of and a portion of the NATHANIEL EDWARDS SURVEY, ABSTRACT NO. 225, in Williamson County, Texas and being that same tract conveyed in Deed recorded in Document No. 2006024665, Official Public Records of Williamson County, Texas, and said 64.428 acre tract being more particularly described by metes and bounds in Exhibit "A-7" attached hereto.

Tract 8: APPROXIMATELY 6.00 ACRES of land being out of and a portion of the NATHANIEL EDWARDS SURVEY, ABSTRACT NO. 225, in Williamson County, Texas and being all of that 5.34 acre tract described in Final Judgment recorded in Document No. 2003119703, Official Public Records of Williamson County, Texas and all of that 0.65 acre tract conveyed in Deed recorded in Volume 2655, Page 128, Official Records of Williamson County, Texas, and said 6.00 acre tract being more particularly described by metes and bounds in Exhibit "A-8" attached hereto.

Tract 9: APPROXIMATELY 0.52 ACRES of land being out of and a portion of the NATHANIEL EDWARDS SURVEY, ABSTRACT NO. 225, in Williamson County, Texas and being that same tract conveyed in Volume 2027, Page 857, Official Records of Williamson County, Texas and said 0.52 acre tract being more particularly described by metes and bounds in Exhibit "A-9" attached hereto.

150.96 acres

A PARCEL OF LAND IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THE MARTIN STROUSE SURVEY, ABSTRACT No. 587 AND BEING A PART OF THAT 355.85 ACRE TRACT OF LAND CONVEYED TO BOBBY JOE SHEPHERD AND WIFE, LINDA K. SHEPHERD BY DEED RECORDED IN VOLUME 1399, PAGE 172 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE at a ½" iron rod found in the South Line of the Missouri Pacific Railroad, the same being the Northwest Corner of that 33.14 Acre Tract of land conveyed to Alpha 79 Investments Associates by deed recorded in Volume 1120, Page 851 of the Official Records of Williamson County, Texas and the Northeast Corner of the said 355.85 Acre Tract;

THENCE S.09°24'32"E., along the East Line of the said 355.85 Acre Tract and the West Line of the said 33.14 Acre Tract, a distance of 735.72 feet to a ½" iron rod found and the Point of Beginning;

THENCE along the East Line of the said 355.85 Acre Tract the following nine courses:

1. S.09°30'10"E. a distance of 110.60 feet to a ½" iron rod found;
2. S.45°31'52"E. a distance of 224.93 feet to a ½" iron rod found;
3. S.03°41'00"W. a distance of 407.01 feet to a ½" iron rod found;
4. S.82°05'31"E. a distance of 684.80 feet to a ½" iron rod found;
5. S.07°25'05"W. a distance of 1372.18 feet to a ½" iron rod found;
6. S.08°51'58"W. a distance of 1032.59 feet to a ½" iron rod found;
7. S.05°06'48"W. a distance of 445.54 feet to a ½" iron rod found;
8. S.18°35'39"W. a distance of 89.56 feet;
9. S.17°07'39"W. a distance of 15.68 feet to the North Bank of Brushy Creek and the South Line of the said 355.85 Acre Tract;

THENCE along the South Line of the said 355.85 Acre Tract and the North Bank of Brushy Creek the following seven courses:

1. N.83°46'38"W. a distance of 89.97 feet;
2. N.89°55'54"W. a distance of 84.73 feet;
3. S.78°31'39"W. a distance of 962.61 feet;
4. S.69°58'13"W. a distance of 117.00 feet;
5. S.71°39'21"W. a distance of 70.85 feet;
6. S.66°48'31"W. a distance of 91.78 feet;
7. S.64°42'54"W. a distance of 289.65 feet to the Southeast Corner of that 28.449 Acre Tract of land conveyed to the State of Texas by deed recorded in Document No. 2004029675 of the Official Public Records of Williamson County, Texas;

THENCE along the East Line of the said 28.449 Acre Tract and crossing the said 355.85 Acre Tract the following five courses:

RECORDERS MEMORANDUM
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clearly legible for satisfactory recordation.

EXHIBIT A-1

150.96 acres

1. N.02°37'45"W. a distance of 1032.39 feet to a 1/2" iron rod found;
2. N.02°41'25"E. a distance of 1030.00 feet to a 1/2" iron rod found;
3. N.03°09'22"W. a distance of 974.79 feet to a 1/2" iron rod found;
4. N.04°28'17"E. a distance of 263.34 feet to a 1/2" iron rod found;
5. N.03°08'24"W. a distance of 523.15 feet to a 1/2" iron rod found in the South Line of that 20.00 Acre Tract of land conveyed to James W. Hargrove and wife, Joyce V. Hargrove, by deed recorded in Document No. 9729037 of the Official Records of Williamson County, Texas;

THENCE N.77°13'49"E., crossing the said 355.85 Acre Tract and along the South Line of the said 20.00 Acre Tract, a distance of 1275.92 feet to the said Point of Beginning.

Containing 150.96 acres, more or less.

John K. Weigand 1-8-2007
J. Kenneth Weigand
Registered Professional Land Surveyor No. 5741
State of Texas



RJ Surveying, Inc.
1212 East Braker Leno
Austin, Texas 78753

RECORDERS MEMORANDUM

All or parts of the text on this page was not clearly legible for satisfactory recordation.

EXHIBIT A-1

125.95 Acres

A PARCEL OF LAND IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THE ROBERT McNUTT SURVEY, ABSTRACT No. 422, BEING ALL OF TRACT II, CONTAINING 6.10 ACRES, AS DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED IN DOCUMENT No. 2004085125 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 6.10 ACRES BEING A PART OF THAT 40.00 ACRE TRACT OF LAND CONVEYED TO BOBBY JOE SHEPHERD AND LOUWANE SHEPHERD BY DEED RECORDED IN DOCUMENT No. 2000044999 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND A PORTION OF THAT 0.550 ACRE TRACT OF LAND AND A PORTION OF THAT 4.450 ACRE TRACT OF LAND CONVEYED TO BOBBY JOE SHEPHERD BY DEED RECORDED IN DOCUMENT No. 2000045211 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; AND A PORTION OF THAT 155.00 ACRE TRACT OF LAND CONVEYED TO BOBBY J. SHEPHERD BY DEED RECORDED IN DOCUMENT No. 2000045213 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; AND ALL OF TRACT III, CONTAINING 1.93 ACRES, CONVEYED TO HUTTO MT. ZION CHURCH, INC., BY DEED RECORDED IN DOCUMENT No. 2004085125 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; AND ALL OF THAT "PARTNERSHIP PROPERTY", CONTAINING 117.51 ACRES CONVEYED TO THE SHEPHERD FAMILY LIMITED PARTNERSHIP BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT No. 2004085125 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; AND A PART OF THAT 1.00 ACRE TRACT OF LAND CONVEYED TO SHIRD GENE CANTWELL, JR., AND LINDA DIANNE CANTWELL BY DEED RECORDED IN VOLUME 1760, PAGE 393 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE at a ½" iron rod found in the South Line of the Missouri Pacific Railroad, for the Northeast Corner of the plat of The Heights at Deerfield, according to the plat thereof recorded in Cabinet O, Slides 42, 43, 44 and 45 of the Plat Records of Williamson County, Texas, the same being the Northwest Corner of Tract I, containing 8.45 Acres, conveyed to Shepherd Mini Storage, Inc. by the said deed recorded in Document No. 2004085125;

THENCE N.77°25'02"E., along the North Line of the said 8.45 Acre Tract and the South Line of the Missouri Pacific Railroad, a distance of 773.99 feet to a ½" iron rod found for the Northeast Corner of the 8.45 Acre Tract and the Point of Beginning;

EXHIBIT A-2

Page 1 of 3 SALAND1250-1299\1251\1251 SHEP-DESC.rtf

125.95 Acres

THENCE N.77°20'41"E., along the South Line of Missouri Pacific Railroad and the North Line of the said 117.51 Acre Partnership Tract, a distance of 952.69 feet to ½" iron rod found for the Northwest Corner of that 65.009 Acre Tract of land conveyed to Lone Star Infrastructure, JV, by deed recorded in Document No. 2003094491 of the Official Public Records of Williamson County, Texas;

THENCE along the West Line of the 65.009 Acre Tract and the East Line of the 117.51 Acre Tract the following four courses:

1. S.50°16'36"E. a distance of 78.57 feet to a ½" iron rod set;
2. S.06°34'47"W. a distance of 736.81 feet to a ½" iron rod set;
3. S.10°12'22"E. a distance of 907.95 feet to a ½" iron rod set;
4. S.03°31'10"E. a distance of 1476.66 feet to a ½" iron rod found with a TXDOT cap in the North Line of the said 1.00 Acre Tract conveyed to Cantwell, and for the Northwest Corner of that 0.771 Acre Tract of land conveyed to James Noble Johnson, Trustee, by deed recorded in Document No. 2004003072 of the Official Public Records of Williamson County, Texas;

THENCE S.03°30'46"E., crossing the said 1.00 Acre Tract and along the West Line of the said 0.771 Acre Tract, a distance of 211.59 feet to a ½" iron rod with TXDOT cap found for the Southwest Corner of the said 0.771 Acre Tract and a corner in the West Line of the said 65.009 Acre Tract;

THENCE S.03°31'25"E., along the West Line of the said 65.009 Acre Tract and the East Line of the said 117.51 Acre Tract, a distance of 1115.42 feet to a ½" iron rod found with TXDOT cap for the Southwest Corner of the 65.009 Acre Tract and the Southeast Corner of the 117.51 Acre Tract;

THENCE along the South Line of the said 117.51 Acre Tract the following four courses:

1. N.89°07'29"W. a distance of 614.27 feet to a point;
2. N.81°08'16"W. a distance of 266.96 feet to an iron post;
3. N.77°09'32"W. a distance of 436.94 feet to an iron post;
4. N.72°08'06"W. a distance of 143.53 feet to a nail found for the Southwest Corner of the said 117.51 Acre Tract and the Southeast Corner of that 43.24 Acre Tract of land conveyed to Chaz Glace by deed recorded in Document No. 9644889 of the Official Records of Williamson County, Texas, said 43.24 Acre Tract being the same tract conveyed to Leroy Brady Behrens, et al by deed recorded in Volume 1120, Page 20 of

EXHIBIT A-2

125.95 Acres

the Deed Records of Williamson County, Texas;

THENCE N.06°27'33"E., along the West Line of the 117.51 Acre Tract and the East Line of the said 43.24 Acre Tract, a distance of 1601.64 feet to a ½" iron rod found for the Northeast Corner of the said 43.24 Acre Tract and for the Southeast Corner of the said plat of Heights of Deerfield;

THENCE N.17°35'30"W., along the East Line of said plat of Heights of Deerfield and the West Line of the 117.51 Acre Tract, a distance of 1888.60 feet to a ½" iron rod found for the Southwest Corner of the said 8.45 Acre Tract conveyed to Shepherd Mini Storage, Inc.;

THENCE N.77°26'56"E., along the South Line of the said 8.45 Acre Tract, a distance of 597.56 feet to a ½" iron rod found for the Southeast Corner of the 8.45 Acre Tract;

THENCE N.00°58'09"E., along the East Line of the 8.45 Acre Tract, a distance of 552.23 feet to the said Point of Beginning.

Containing 125.95 acres, more or less.

J. Kenneth Weigand 1-8-2007
J. Kenneth Weigand
Registered Professional Land Surveyor No. 5741
State of Texas



RJ Surveying, Inc.
1212 East Braker Lane
Austin, Texas 78753

EXHIBIT A-2

Page 3 of 3 S:\LAND\1250-1299\1251\1251 SHEP-DESC.dtl

19.95 Acres

DESCRIPTION:

A PARCEL OF LAND IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THE MARTIN STROUSE SURVEY, ABSTRACT No. 587, AND BEING A PART OF THAT 20.00 ACRE TRACT OF LAND CONVEYED TO JAMES W. HARGROVE, AND WIFE, JOYCE V. HARGROVE, BY DEED RECORDED IN DOCUMENT NO. 9729037 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at a 1/2" iron rod found in the South Line of the Missouri Pacific Railroad for the Northwest Corner of that 33.14 acre tract of land conveyed to Alpha 79 Investment Associates, by deed recorded in Volume 1120, Page 851 of the Official Records of Williamson County, Texas, the same being the Northeast Corner of the said 20.00 Acre Tract;

THENCE S.09°24'32"E., along the East Line of the 20.00 Acre Tract and the West Line of the 33.14 Acre Tract, a distance of 735.72 feet to a 1/2" Iron rod found for the Southeast Corner of the 20.00 Acre Tract;

THENCE S.77°13'49"W., along the South Line of the 20.00 Acre Tract, a distance of 1275.92 feet to a 1/2" Iron rod found with a TXDOT (Texas Department of Transportation) cap, the same being the Southeast Corner of that 0.033 acre tract of land conveyed to the State of Texas by deed recorded in Document No. 2004079381 of the Official Public Records of Williamson County, Texas;

THENCE N.03°09'30"W., crossing the said 20.00 Acre Tract and along the East Line of the said 0.033 Acre Tract, a distance of 121.58 feet to a 1/2" Iron rod set in the West Line of the said 20.00 Acre Tract for the North Corner of the said 0.033 Acre Tract;

THENCE N.07°32'45"E., along the West Line of the said 20.00 Acre Tract, the same being the West Line of the Martin Strouse Survey and also the East Line of the right of way for State Highway 130, as described in the deed to Lone Star Infrastructure, JV, by deed recorded in Document No. 2003094491 of the Official Public Records of Williamson County, Texas, a distance of 655.21 feet to a 1/2" iron rod found in the South Line of the Missouri Pacific Railroad for the Northwest Corner of the said 20.00 Acre Tract;

THENCE N.77°13'25"E., along the South Line of the Missouri Pacific Railroad and the North Line of the 20.00 Acre Tract, a distance of 1071127 feet to the said Point of Beginning.

Containing 19.95 acres, more or less.

John K. Weigand 1-9-2007
J. Kenneth Weigand
Registered Professional Land Surveyor No. 5741
State of Texas

RJ Surveying, Inc.
1212 East Braker Lane
Austin, Texas 78753



RECORDERS MEMORANDUM
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EXHIBIT A-3

S:\LA\101250-1289\1251\1251-108.rtf

33.12 Acres

DESCRIPTION:

A PARCEL OF LAND IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THE MARTIN STROUSE SURVEY, ABSTRACT No. 587, AND BEING ALL OF THAT 33.14 ACRE TRACT OF LAND CONVEYED TO ALPHA 79 INVESTMENT ASSOCIATES BY DEED RECORDED IN VOLUME 1120, PAGE 651 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at a 1" iron pipe found in the South Line of the Missouri Pacific Railroad, the same being the Northwest Corner of that 10.00 acre tract of land conveyed to Adeline J. Geistman by deed recorded in Document No. 199931543 of the Official Public Records of Williamson County, Texas and also being the Northeast Corner of the said 33.14 Acre Tract;

THENCE S.07°20'37"W., along the East Line of the said 33.14 Acre Tract, the West Line of the said 10.00 Acre Tract and or near the East Line of the Martin Strouse Survey, a distance of 337.18 feet to a 1" iron pipe found for the Southwest Corner of the said 10.00 Acre Tract and the Northwest Corner of that 55.302 acre tract of land conveyed to Hutto Market, L.P., by deed recorded in Document No. 2004094951 of the Official Public Records of Williamson County, Texas;

THENCE S.07°09'28"W., along the East Line of the said 33.14 Acre Tract, the West Line of the said 55.302 Acre Tract and on or near the East Line of the Martin Strouse Survey, a distance of 1430.80 feet to a 1/2" iron rod found for the Southeast Corner of the said 33.14 Acre Tract and the Easterly Northeast Corner of that 355.85 acre tract of land conveyed to Bobby Joe Shepherd and wife, Linda K. Shepherd, by deed recorded in Volume 1399, Page 172 of the Official Public Records of Williamson County, Texas;

THENCE along the Common Line of the 33.14 Acre Tract and the 355.85 Acre Tract the following four courses:

1. N.82°05'31"W. a distance of 684.80 feet to a 1/2" iron rod set;
2. N.03°41'00"E. a distance of 407.01 feet to a 1/2" iron rod found;
3. N.45°31'52"W. a distance of 224.93 feet to a 1/2" iron rod found;
4. N.09°30'10"W. a distance of 110.00 feet to a 1/2" iron rod found for the Southeast Corner of that 20.00 acre tract of land conveyed to James W. Hargrove and wife, Joyce V. Hargrove, by deed recorded in Document No. 9729037 of the Official Public Records of Williamson County, Texas;

THENCE N.09°24'32"W., along the West Line of the 33.14 Acre Tract, the same being the East Line of the said 20.00 Acre Tract, a distance of 735.72 feet to a 1/2" iron rod found in the South Line of the Missouri Pacific Railroad for the Northwest Corner of the 33.14 Acre Tract and the Northeast Corner of the 20.00 Acre Tract;

THENCE N.77°26'15"E., along the South Line of the Missouri Pacific Railroad and the North Line of the 33.14 Acre Tract, a distance of 1201.34 feet to the said Point of Beginning

Containing 33.12 acres, more or less.

John H. Weigard 1.8.2007
J. Kenneth Weigard
Registered Professional Land Surveyor No. 5741
State of Texas

RJ Surveying, Inc.
1212 East Braker Lane
Austin, Texas 78753



RECORDERS MEMORANDUM
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clearly legible for satisfactory recordation.

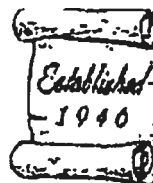
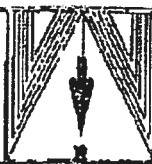
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EXHIBIT A-4



WATSON SURVEYING

9501 CAPITAL OF TEXAS HWY.
SUITE 303 AUSTIN, TX 78759
346-8566 FAX 346-8568



FIELD NOTES FOR 55.302 ACRES OUT OF THE NATHANIEL EDWARDS SURVEY, ABSTRACT NO. 225, WILLIAMSON COUNTY, TEXAS, AS RECORDED IN DOCUMENT NO. 2004094951, WILLIAMSON COUNTY OFFICIAL PUBLIC RECORDS, BEING PART OF A 175.58 ACRE TRACT RECORDED IN DOCUMENT 9758800, WILLIAMSON COUNTY OFFICIAL RECORDS, SAID 55.302 ACRES BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a $\frac{1}{2}$ " steel pin found at the southeast corner of a 10.00 acre tract conveyed to Adeline J. Geistman in Document Number 199931543, Williamson County Official Records, being a point in the west line of F.M. Highway 685, for the northeast corner hereof;

THENCE $81^{\circ}00'00''$ W 2097.03 feet along said west line, also the east line of said 175.58 acre parent tract, to a $\frac{1}{2}$ " steel pin set, for the southeast corner hereof;

THENCE $N80^{\circ}00'19''$ W 1292.31 feet crossing said 175.58 acres, with the north line of a 84.428 acre tract recorded in Document No. 2006024663, to a $\frac{1}{2}$ " steel pin set in the fenced west line of said 175.58 acres and the east line of a 355.85 acre tract recorded in Volume 1398, Page 172, Williamson County Official Records, for the southwest corner hereof;

THENCE $N09^{\circ}52'58''$ E 183.62 feet generally following a fence with said line, to a $\frac{1}{2}$ " steel pin found at the northeast corner of said 355.85 acre tract, also the southeast corner of a 32.14 acre tract recorded in Volume 1120, Page 651, Williamson County Official Records, for an angle point hereof;

THENCE $N08^{\circ}35'27''$ E 1431.38 feet generally following a fence along the east line of said 32.14 acres, also the west line of said 175.58 acres, to a $\frac{1}{2}$ " steel pin found at the southwest corner of said 10.00 acres, for the northwest corner hereof;

THENCE $N78^{\circ}41'25''$ E 1389.28 feet with the south line of said 10.00 acres to the POINT OF BEGINNING, containing 55.302 acres of land.

Bearing basis is the east line of said 175.58 acre parent tract

Surveyed 8 January 2007 by:

Stuart Watson
Stuart Watson, RPLS 4550



RECORDERS MEMORANDUM
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clearly legible for satisfactory recordation.

EXHIBIT A-5

10.00 Acres

A PARCEL OF LAND IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THE NATHANIEL EDWARDS SURVEY, ABSTRACT No. 225 AND BEING ALL OF THAT 10.00 ACRE TRACT OF LAND CONVEYED TO ADELINE J. GEISTMAN BY DEED RECORDED IN DOCUMENT No. 199931543 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at a 1" iron pipe found in the South Line of the Missouri Pacific Railroad, the same being the Northeast Corner of that 33.14 Acre Tract of land conveyed to Alpha 79 Investment Associates by deed recorded in Volume 1120, Page 851, of the Official Records of Williamson County, Texas, and the Northwest Corner of the said 10.00 Acre Tract

THENCE N.77°17'04"E., along the South Line of the Missouri Pacific Railroad and the North Line of the 10.00 Acre Tract, a distance of 1290.97 feet to a Concrete Monument found for the Northerly Northeast Corner of the 10.00 Acre Tract;

THENCE S.47°26'10"E., along the Northeasterly Line of the said 10.00 Acre Tract, a distance of 114.72 feet to a Concrete Monument found in the West Line of F. M. Highway 685 for the Southerly Northeast Corner of the 10.00 Acre Tract ;

THENCE S.07°31'34"W., along the East Line of the 10.00 Acre Tract and the West Line of F. M. Highway 685, a distance of 237.25 feet to a ½" iron rod found for the Southeast Corner of the 10.00 Acre Tract

THENCE S.77°17'29"W., along the South Line of the said 10.00 Acre Tract, a distance of 1389.88 feet to a ½" iron rod found for the Southwest Corner of the 10.00 Acre Tract;

THENCE N.07°20'37"E., along the West Line of the said 10.00 Acre Tract, a distance of 337.18 feet to the said Point of Beginning.

Containing 10.00 Acres, more or less.

John K. Weigand 1.8.2007
J. Kenneth Weigand
Registered Professional Land Surveyor No. 5741
State of Texas

RJ Surveying, Inc.
1212 East Braker Lane
Austin, Texas 78753

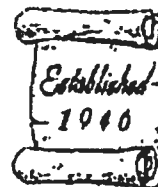
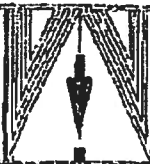


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EXHIBIT A-6



WATSON SURVEYING
9501 CAPITAL OF TEXAS HWY.
SUITE 303 AUSTIN, TX 78759
346-8568 FAX 346-8568



FIELD NOTES FOR 64.428 ACRES OUT OF THE NATHANIEL EDWARDS SURVEY, ABSTRACT NO. 225, WILLIAMSON COUNTY, TEXAS, AS RECORDED IN DOCUMENT NO. 2006024663, WILLIAMSON COUNTY OFFICIAL PUBLIC RECORDS, BEING PART OF A 175.58 ACRE TRACT RECORDED IN DOCUMENT 9758800, WILLIAMSON COUNTY OFFICIAL RECORDS, SAID 64.428 ACRES BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a $\frac{1}{2}$ " steel pin found at the southeast corner of a 55.302 acre tract conveyed to Steven L. Adams by deed recorded in Document No. 2003119704, Williamson County Deed Records, being a point in the west right-of-way (ROW) line of F.M. Highway 685, for the northeast corner hereof;

THENCE along said west ROW line, as conveyed to State of Texas by deed in Volume 289, Page 541, Williamson County Official Records (WCOR), the following 2 courses:

- 1) S09°56'58"W 577.92 feet to a $\frac{1}{2}$ " steel pin with orange cap set at the start of a curve to the right,
- 2) along said curve with chord of S11°46'47"W 240.87 feet and radius of 3769.83 feet to a $\frac{1}{2}$ " pinched pipe found at the end of a chain link fence, for corner hereof;

THENCE along the north and west lines of a 0.52 acre tract conveyed to Moss Stromberg as recorded in Vol. 2027, Pg. 857, WCOR, these 2 courses:

- 1) N81°47'12"W 200.40 feet to a $\frac{1}{2}$ " steel pin with orange cap set near a chain link fence corner at the northwest corner of said 0.52 acres, for inside corner hereof,
- 2) S08°44'02"W 109.35 feet to a $\frac{1}{2}$ " steel pin found at the southwest corner of said 0.52 acres and the northeast corner of a 5.34 acre tract conveyed to Carol Stromberg (deed not yet recorded);

THENCE along the north, west and south lines of said 5.34 acres for the following 5 courses:

- 1) N80°00'19"W 365.32 feet to a $\frac{1}{2}$ " steel pin with orange cap found in a fence on the east side of an old lane, for inside corner hereof,
- 2) S09°26'01"W 337.92 feet generally following said fence on the east side of an old lane to a $\frac{1}{2}$ " steel pin with orange cap found, for inside corner,
- 3) S80°00'19"E 173.70 feet to a $\frac{1}{2}$ " steel pin with orange cap found for corner hereof,
- 4) S09°59'41"W 271.29 feet to a $\frac{1}{2}$ " steel pin with orange found for inside corner hereof,
- 5) S80°00'19"E 262.94 feet to a $\frac{1}{2}$ " steel pin with orange cap found near a fence at the west ROW line of F.M. Highway 685, at the southeast corner of said 5.34 acres and a easterly corner hereof;

THENCE along the west ROW of F.M. Highway 685 the following 5 courses:

- 1) Along a curve to the right with chord of S26°58'05"W 274.39 feet and

EXHIBIT A-7

radius of 3769.83 feet, to the base of a leaning concrete monument for end of curve,

- 2) S29°04'45"W 461.63 feet generally following a fence to the top center of a concrete monument, for angle point,
- 3) S42°00'54"W 189.42 feet generally following a fence to the top center of a concrete monument, for inside corner hereof,
- 4) S83°25'15"E 45.87 feet departing fence to a 1/2" steel pin with orange cap set at an inside corner of said ROW line, for corner hereof,
- 5) S28°50'17"W 219.51 feet to a point (underwater) in the center of Brushy Creek, for the southeast corner hereof;

THENCE along the center of Brushy Creek and the north line of a 23.75 acre tract conveyed to Dingo Partners, Ltd. as recorded in Doc. 9742126, Williamson County Deed Records the following 2 courses:

- 1) S75°54'31"W 420.00 feet to a submerged point near the east side of an unused concrete bridge, for angle point hereof,
- 2) N77°58'08"W 105.74 feet to the submerged northwest corner of said 23.75 acres, also the northeast corner of a 189.92 acre tract conveyed to Kay Ranch Limited Partnership, et al, as recorded in Doc. 2000036583, Williamson County Deed Records, for angle point hereof;

THENCE N86°20'54"W 313.03 feet continuing along the center of Brushy Creek and the north line of said 189.92 acre tract, to a submerged point for the southwest corner hereof;

THENCE along the east line of a 355.85 acre tract conveyed to Linda Shepherd by deed recorded in Volume 1399, Page 172, Williamson County Deed Records, the following 6 courses:

- 1) N19°28'52"E 58.60 feet to a calculated point for angle point hereof,
- 2) N20°55'55"E 89.68 feet to a 1/2" steel pin found at a fence corner,
- 3) N07°27'59"E 445.17 feet to a 1/2" steel pin found near fence,
- 4) N08°15'03"E 1032.96 feet to a 1/2" steel pin found near fence,
- 5) N08°49'31"E 1188.48 feet to a 1/2" steel pin found near fence at the southwest corner of above-said 55.302 acres, for northwest corner hereof;

THENCE S80°00'19"E 1282.31 feet along the south line of said 55.302 acres to the POINT OF BEGINNING, containing 64.428 acres of land.

Bearing basis is the south line of said 55.302 acre tract, also the north line of this 64.428 acre tract.

Surveyed 8 January 2007 by:


Stuart Watson, RPLS 4550



EXHIBIT A-1

6.00 Acres

A PARCEL OF LAND IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THE N. EDWARDS SURVEY, ABSTRACT No. 225, BEING ALL OF THAT 0.65 ACRE TRACT OF LAND CONVEYED TO CAROL STROMBERG BY DEED RECORDED IN VOLUME 2655, PAGE 128 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS AND ALL OF THAT 5.34 ACRE TRACT OF LAND CONVEYED TO CAROLE STROMBERG BY DEED RECORDED IN DOCUMENT NO. 2003119703 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at a pinched pipe found in the West Right of way Line of F. M. 685 at the Northeast Corner of that 0.52 acre tract of land conveyed to Ross E. Stromberg by deed recorded in Volume 2027, Page 857 of the Official Records of Williamson County, Texas, said point being on the arc of a curve to the right having a radius of 3769.83 feet, a central angle of $01^{\circ}54'05''$, and a chord bearing $S.12^{\circ}11'31''W.$, 125.10 feet;

THENCE southerly, along the arc of said curve, the same being the East Line of the said 0.52 Acre Tract and the West Right of way Line of F. M. 685, a distance of 125.10 feet to a nail set at the Southeast Corner of the 0.52 Acre Tract, the Northeast Corner of the said 0.65 Acre Tract, and the Point of Beginning at a point of compound curvature of a curve to the right;

THENCE continue southerly, along the arc of said curve to the right, at a distance of 138.9 feet pass a $1/2''$ iron rod found at the Southeast Corner of the said 0.65 Acre Tract and the Northeast Corner of the said 5.34 Acre Tract, in all a total distance of 810.18 feet, said curve having a radius of 3769.83 feet, a central angle of $09^{\circ}16'25''$, and a chord bearing $S.17^{\circ}46'46''W.$, 609.50 feet to a $1/2''$ iron rod found;

THENCE departing the said West Right of way Line of F. M. 685 and along the South, West and North Line of the said 5.34 Acre Tract the following five courses:

1. $N.82^{\circ}22'21''W.$ a distance of 270.20 feet to a $1/2''$ iron rod with Watson Surveying cap found;
2. $N.07^{\circ}34'50''E.$ a distance of 271.10 feet to a $1/2''$ iron rod with Watson Surveying cap found;
3. $N.82^{\circ}21'56''W.$ a distance of 173.58 feet to a $1/2''$ iron rod with Watson Surveying cap found;
4. $N.07^{\circ}01'48''E.$ a distance of 337.82 feet to a $1/2''$ iron rod with Watson Surveying cap found;
5. $S.82^{\circ}24'41''E.$ a distance of 365.44 feet to a $1/2''$ iron rod found at the Northwest Corner of the said 0.65 Acre Tract;

THENCE $S.79^{\circ}35'18''E.$, along the North Line of the said 0.65 Acre Tract, a distance of 189.74 feet to the said Point of Beginning.

Containing 6.00 acres, more or less.

John K. Weigand 1-B-2007
J. Kenneth Weigand
Registered Professional Land Surveyor No. 5741
State of Texas



RJ Surveying, Inc.
1212 East Braker Lane
Austin, Texas 78753

RECORDERS MEMORANDUM
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0.52 Acre

A PARCEL OF LAND IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THE N. EDWARDS SURVEY, ABSTRACT No. 225, AND BEING ALL OF THAT 0.52 ACRE TRACT OF LAND CONVEYED TO ROSS E. STROMBERG BY DEED RECORDED IN VOLUME 2027, PAGE 857 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at a pinched pipe found in the West Right of way Line of F. M. 685 at the Northeast Corner of the said 0.52 Acre Tract, said point being S.09°24'39"W., 240.84 feet from the North End of a curve having a radius of 3769.83 feet, the North End of said curve being S.07°34'49"W., 3065.89 from the center of the Missouri Pacific Railroad Track where it crosses the West Right of way Line of F. M. 685;

THENCE southerly, along the arc of said curve to the right, the same being the West Right of Way Line of F. M 685 and the East Line of the said 0.52 Acre Tract, a distance of 125.10 feet, said curve having a radius of 3769.83 feet, a central angle of 01°54'06", and a chord bearing S.12°11'31"W., 125.10 feet to a nail set at the Southeast Corner of the said 0.52 Acre Tract;

THENCE N.79°35'18"W., along the South Line of the said 0.52 Acre Tract and the North Line of that 0.65 Acre Tract conveyed to Carol Stromberg by deed recorded in Volume 2655, Page 128 of the Official Records of Williamson County, Texas, a distance of 189.74 feet to a 1/2" Iron rod found at the Southwest Corner of the said 0.52 Acre Tract;

THENCE N.07°15'08"E., along the West Line of the said 0.52 Acre Tract, a distance of 109.28 feet to a 1/2" Iron rod with Watson Surveying cap found at the Northwest Corner of the said 0.52 Acre Tract;

THENCE S.84°08'53"E., along the North Line of the said 0.52 Acre Tract, a distance of 200.28 feet to the said Point of Beginning.

Containing 0.52 acre, more or less.

John K. Weigand 1-8-2007
J. Kenneth Weigand
Registered Professional Land Surveyor No. 5741
State of Texas

RJ Surveying, Inc.
1212 East Braker Lane
Austin, Texas 78753



RECORDERS MEMORANDUM

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Hutto Crossing Planned Unit Development

April 16, 2013

Applicant's PUD Amendment: January 25, 2018

PUD Amendment #3: March 18, 2019

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1. GENERAL PROVISION

1.1. Title

This ordinance is known as “Hutto 465 Ac Tract Planned Unit Development Ordinance”, and may be cited as “Hutto 465 Ac Tract PUD” , “this PUD” or “the District”.

1.2. Purpose and Intent

Hutto 465 Ac Tract PUD Ordinance is intended to encourage innovative planning and flexibility in land use, density, site planning and design for development of the 465-acre property. This PUD accommodates development with a mixed of uses, and allows a degree of flexibility in the application of standards and rules based the Unified Development Code of the City of Hutto.

Designation of a single use zoning district and application of standard development provisions would be too rigid for practical application on the unique and bifurcated property, challenged with difficult access constraints, including the abutting Union Pacific Railroad ROW, Brushy Creek and SH130.

This ordinance is enacted to promote the following:

- Promote good planning practice, design, architecture and urban design; and orderly land use
- Preserve open space and prevent overcrowding.
- Provide the physical infrastructure needed to serve city residents and visitors
- Secure safety from fire and other dangers, and provide for adequate sun, light and air.
- Merge rules governing land use and development into one accessible and comprehensible document for the property.

1.3. PUD Criteria

The PUD plan and development standards set forth in this Ordinance are consistent with the following criteria:

- The PUD would not adversely affect property near the site, and it achieves the benefits of an improved design
- The PUD will not adversely affect land with significant historical, cultural, recreational or aesthetic value
- The PUD will give benefits through providing City parkland, open space, harmonious design, and energy efficient site design
- The PUD will be served by adequate facilities including streets, fire protection, water and sanitation
- Architectural design, landscaping, hardscaping and signage parameters set forth in this PUD give evidence of compatibility with adjacent development and internal consistency of design.

1.4. Compatibility with Gateway Overlay

Hutto 465 Ac Tract PUD Ordinance acknowledges the design principles and intent of the Gateway Overlay District as stated in the Gateway Overlay intent statement. The PUD recognizes that the Gateway Overlay District goals set forth below are to be reflected in the PUD standards:

- Coordinate with ongoing planning efforts for the Hutto Gateway and to further goals, policies and objectives outlined in the Comprehensive plan.

- Ensure the integrity of the ongoing planning process so public discourse can take place involving affected property owners and city residents while still ensuring individual development proposals are consistent with Comprehensive plan goals, policies and objectives.
- Ensure new development incorporates the following:
 - Pedestrian-friendly environment with wide sidewalks, tree-lined streets, active shopfronts, short blocks and variety of uses
 - Variety of public gathering places such as squares and civic greens
 - Naturally calmed streets, shaded by rows of trees that allow for on-street parking
 - Streets and sidewalks that form a connected network, providing a variety of pedestrian and vehicular routes to any single destination in and out of the development
 - Variety of compatible uses, allowing people the opportunity to live, work and play near one another, including, specifically, residential uses above ground floor commercial uses, as appropriate
 - Opportunities for housing choice and variety, including attached and detached homes available for both rental and ownership
 - Buildings placed close to the local or internal collector streets, oriented to the sidewalk and street front, providing easy access for pedestrian activity
 - Building facades that create visual interest through horizontal and vertical articulation with windows, multiple entrances facing streets and sidewalks, and no blank walls
 - Parking located to the rear or side of buildings (to the extent practical)
 - Central Texas native landscaping and trees in parking areas and along bordering walkways
 - Protection and enhancement of the natural features of the site, using them as the framework in creation of any site plans
 - Internal principal (“main”) street as part of the organization of development on the site
 - Development that does not turn its back on arterial streets (to the extent practical), but instead focuses on taming the street edge with element such as slip roads, landscaping and pedestrian-oriented features

1.4.1. General applicability and interpretation

Hutto 465 Ac Tract Planned Unit Development Ordinance applies to all regulations and other matters regarding land use and development of land within the PUD boundary, including zoning, subdivision, platting and urban design.

This ordinance is referenced to the “**Unified Development Code of the City of Hutto, Texas**” (amended 03-09-2012) in effect on the date of adoption of this ordinance, which may also be cited as the “UDC”. In those cases where in conflict, this PUD shall take precedence over the UDC.

1.5. Severability

If a regulation, article, section, phrase, clause, term, word, or part of this PUD is considered invalid, it will not affect the applicability and enforceability of the remaining portions.

1.6. Amendments to Ordinance

Technical, site planning or engineering considerations that meet the intent of this PUD may call for minor deviations from the approved PUD. The Development Services Department may approve minor deviations if they promote flexibility in design and are consistent with the intent of the original PUD approval.

- An administrative approval is a ruling that would permit a practice that is not consistent with a specific provision of this Ordinance but is justified by the provisions of the Section 1.2 Intent and Purpose and Section 1.3 PUD Criteria above. The Development Services Department shall have the authority to approve or disapprove administratively a request for an administrative approval pursuant to regulations established by the Development Services Department and approved by the City Council. Where no specific criteria for granting of the modification are specified, an administrative approval may be granted only for a dimensional deviation of less than 10% of the specified standard.
- The request for an amendment to the PUD Ordinance shall not subject the entire application to public hearing, but only that portion necessary to rule on the specific issue requiring the relief.

1.7. Definitions

Definitions set forth in **Section 10.202 of the UDC**, including general abbreviations, terms, definitions and conditions for use indicated throughout this ordinance shall apply to this PUD.

Sign height: distance from the bottom of the sign face to the top of the sign.

Sign, PUD identification: sign identifying the name and/or logo of the Hutto PUD district without advertising individual developments within the PUD. A PUD identification sign is characterized by expressing a coherent character or features of the District and is distinct from a development sign internal to the PUD that identifies a neighborhood, apartment, residential subdivision or other development within the PUD.

Sign, wayfinding: sign which provides orientation, information, directions or wayfinding within or about the District. Wayfinding signs may be free standing (pole), kiosk, monument wall or other permitted sign type for the District.

Sign face area: area of the smallest rectangle enclosing the extreme limits of the sign lettering. The sign area calculated shall be measured on a single side. Sign face area does not include a supporting structure, monument, monument base, pole cover, or landscape feature unless used to convey a message.

Clear vision area: unobstructed view area at corner lots and curb cuts. The clear vision area is a triangle formed between points on flow lines following property lines 30 ft. from the point of intersection at a corner lot, and 20 ft. along a property line and a driveway edge of pavement at a curb cut.

Fence height: distance from the top of the fence or wall to the finish grade of the lot directly under it. Berms, walls or similar features constructed for increasing the height of a fence or wall are considered part of the fence or wall.

1.8. Development Review Process

The development review process for property within the boundary of this PUD shall comply with the **Section 10.203 the UDC**, except that applications under this PUD shall be eligible to utilize the following by right:

- Applications shall be processed with priority over those under the existing conventional zoning code or the UDC, including those with earlier filing dates.

1.9. Vested Development Rights

The effective date and expiration of vested development rights for property within the boundary of this PUD shall comply with **Section 10.204 the UDC**.

1.10. Reviewing and Administration Parties

The reviewing and administrative parties, their responsibilities and processes established in **Section 10.208 of the UDC** shall apply for development of this PUD.

Development Services staff as identified in this PUD shall include City of Hutto Planning, Engineering, Parks and Recreation and other City departments as appropriate.

1.11. Interpretation

Interpretation of this PUD shall follow the procedures established in **Section 10.209 of the UDC**.

Photos are not considered official, adopted parts of the PUD.

Photos and drawings used in this PUD are examples intended to explain certain design concepts. Some features shown in photos and drawings may not conform to other sections of this PUD. If there is a conflict of meaning or implication between the text of this PUD and any heading, drawing, table, figure or illustration, the text will control.

Images depicting a business are not considered an official endorsement.

2. DEVELOPMENT PLAN

2.1. Permitted Uses in the PUD

Permitted uses within the boundaries of the PUD are as follows:

2.1.1. Residential Uses

2.1.1.1. Single household detached, village, and zero lot line

The single household use is a setting for single household residential development of a medium density detached, village or zero lot line character, with support facilities and services that are compatible with single household residences. Density may range from four to eight dwelling units per acre, depending on the context of the development.

2.1.1.2. Two to four household

The two to four household use is a setting for two household, three household and four household residential structures of a medium density, suburban and village character, along with support facilities and services that are compatible with residential areas. Density may range from eight to 14 dwelling units per acre, depending on the context of the development.

2.1.1.3. Single Household attached (Townhouse and condominium)

The single household attached use is a setting for townhouse and condominium attached residential structures of a medium density character, along with support facilities and services that are compatible with a range of residential areas. Density may range from six to 20 dwelling units per acre, depending on the context of the development.

2.1.1.4. Multiple unit household

The multiple unit household use is a setting for development of multi-unit residential structures and developments, such as apartment and condominium complexes, garden and courtyard multifamily residential buildings, and residential loft buildings. Density may range from 14 to 25 dwelling units per acre, depending on the context of the development.

2.1.2. Commercial and retail use

2.1.2.1. Commercial and retail use

The commercial and retail use is a setting for low to mid intensity retail uses, offices and personal services intended to serve residents of a neighborhood and surrounding community. Additionally, commercial and retail use is a setting for development of a wide range of retail uses, offices and personal and business services. Commercial and retail use should be clustered at locations accessible to the community. Site and building design standards are intended to encourage high quality development, promote internal and external pedestrian connectivity, and prevent potential harm to adjacent residential uses.

2.1.3. Industrial Uses

2.1.3.1. Light industry

Light industry use is composed of land and structures used primarily to provide space for commercial enterprises involved in research and development, light manufacturing, packaging, warehousing, distribution, and skilled mechanical trades. Light industry uses should be grouped together in large, contiguous areas, close to transportation facilities, well separated or buffered from low density residential areas. See Attachment B for additional light industry uses and design standards limited to Development Area D, Attachment B is part of the Hutto Crossing PUD.

2.1.3.2. General Industry

General industry uses are limited to Development Area D. See Attachment B for general industry use description and design standards. Attachment B is part of the Hutto Crossing PUD.

2.1.3.3. Heavy Industry

Heavy Industry uses are limited to Development Area D. See Attachment B for heavy industry use description and design standards. Attachment B is part of the Hutto Crossing PUD.

2.1.4. Recreational Uses

2.1.4.1. Recreation use

The recreation use accommodates recreation and resort uses that take advantage of the land, encourages large outdoor recreation uses that could not easily be provided in the already urbanized portions of the area, and permits commercial and service uses connected with recreational activities. Recreation use should be generally separated or buffered from low density residential areas.

2.2. Use Descriptions and Standards

Refer to **Sections 10.306 – 10.311 of the UDC** for definitions of uses and standards for residential uses, commercial and retail uses, industrial uses, institutional and civic uses, temporary uses and accessory uses permitted in the PUD.

2.2.1. General performance standards

The general performance standards for property within the boundary of this PUD shall comply with **Section 10.312 the UDC**.

2.2.2. PUD uses

Permitted uses set forth in this section 2.2.2 in the PUD must conform to **Exhibit A, PUD Development Plan**.

2.2.2.1. Permitted Use table abbreviations

	Context
X	Permitted use permitted by right, subject to conditions and performance standards for the use. All permitted uses are subject to conditions set forth in Section 10.202 of the UDC .
-	Not a permitted use
*	Permitted use permitted by right within the designated overlay area and shown on Exhibit A – PUD Development Plan, subject to conditions and performance standards for the use. All permitted uses are subject to conditions set forth in Section 10.202 of the UDC

Permitted Uses

2.2.2.2 Residential Uses

Residential Uses	DevAreaA	DevAreaB	DevAreaC	DevAreaD
Assisted living facility	X	X	X	X
Boarding and rooming house	-	-	-	-
Dwelling: live-work	X	X	X	X
Dwelling: accessory unit	X	X	X	X
Dwelling: manufactured	-	-	-	-
Dwelling: multiple unit	X	X	X	X
Dwelling: single household attached	X	X	X	X
Dwelling: single household detached	-	X	X	X
Dwelling: single household village	-	X	X	X
Dwelling: single household zero lot line	-	X	X	X
Dwelling: two to four household	-	X	X	X
Group home	-	-	-	-
Halfway House	-	-	-	-
Independent living facility	X	X	X	X
Manufactured home park	-	-	-	-
Nursing home	X	X	X	X

2.2.2.3 Commercial and Retail Uses

Commercial and retail uses	DevAreaA	DevAreaB	DevAreaC	DevAreaD
Adult oriented use	-	-	-	-
Bakery: retail	X	X	X	X
Bank	X	X	X	X
Campground, recreational vehicle park	-	-	-	-
Car wash	-	-	-	-
Club/lodge facility	X	X	X	X
Convenience store	X	X	X	X
Convenience store: with gasoline sales	X	X	X	X
Day care: child (1-6 children)	X	X	X	X
Day care: child (greater than 6 children)	X	X	X	X

Commercial and retail uses	DevAreaA	DevAreaB	DevAreaC	DevAreaD
Day care: adult (1-4 persons)	X	X	X	X
Day care: adult (greater than 4 persons)	X	X	X	X
Day care: pet	X	X	X	X
Day labor agency	-	-	-	-
Entertainment facility, theater	X	-	X	X
Farm product sales	X	X	X	X
Food catering	X	X	X	X
Funeral home	X	-	X	X
Gas station	X	-	X	X
Grocery store	X	X	X	X
Indoor recreation facility	X		X	X
Instructional facility	X	X	X	X
Kennel	-	-	-	-
Large item sales and rental: class 1	X	-	X	X
Large item sales and rental: class 2	X	-	X	X
Lodging establishment	X	X	X	X
Lodging establishment: bed and breakfast	X	X	X	X
Manufactured home sales	-	-	-	-
Nightclub	X	-	X	X
Office: medical	X	X	X	X
Office: professional	X	X	X	X
Outdoor recreation facility	X	X	X	X
Personal and business service shop	X	X	X	X
Print shop	X	X	X	X
Restaurant, bar	X	X	X	X
Retail store (no more than 10,000 sq. ft.)	X	X	X	X
Retail store (greater than 10,000 sq. ft.)	X	-	X	X
Special services	-	-	-	-
Travel plaza, truck stop	-	-	-	-
Vehicle auction	-	-	-	-
Veterinary clinic	X	X	X	X
Enhanced architectural self-storage facilities		*	*	X

2.2.2.4 Industrial Uses

Industrial uses	DevAreaA	DevAreaB	DevAreaC	DevAreaD
General industrial use	-	-	-	X
Heavy industrial use	-	-	-	X
Junkyard	-	-	-	-
Light industrial use	-	-	X	X
Research laboratory	-	-	X	X
Self-storage facility	-	*	*	X
Trade use	X	-	X	X
Vehicle minor repair facility	X	-	X	X
Vehicle major repair facility	-	-	-	X
Vehicle storage facility	-	-	-	-
Warehouse and distribution facility	-	-	X	X

2.2.2.5 Institutional Uses

Institutional and civic uses	DevAreaA	DevAreaB	DevAreaC	DevAreaD
Amenity center	X	X	X	X
Aquatic facility	X	X	X	X
Athletic facility	X	X	X	X
Cemetery	-	-	-	-
Community facility	X	X	X	X
Golf course	-	-	-	-
Hospital	X	-	X	X
Park	X	X	X	X
Park and ride lot (as principal use)	X	-	X	X
Place of worship or assembly	X	X	X	X
Public utility substation	X	X	X	X
School: no more than 5 students	X	X	X	X
School: at least 6 students	X	X	X	X
Transit station	X	-	X	-

2.2.2.6 Temporary Uses

Temporary uses	DevAreaA	DevAreaB	DevAreaC	DevAreaD
Construction equipment storage lot	-	-	X	X
Construction field office	X	X	X	X
Garage sale	X	X	X	X
Model home / lot sales	X	X	X	X
Portable storage container	X	X	X	X
Temporary building	-	-	X	X

* A self-storage facility overlay area within Development Areas A and C extending south 300 feet from the northern property line adjacent to the Union Pacific Railroad and east within Development Area A to the private drive serving the commercial pad site uses fronting Chris Kelley Boulevard (see Exhibit A – PUD Development Plan). Within this overlay area, self-storage facilities are a permitted use.

2.2.2.7. Accessory uses

Accessory uses and structures are intended to allow property owners the full use of their property while maintaining the character of the surrounding area. Accessory uses and structures must be built and used only for purposes that are secondary and normal to the principal use of the property and must be placed on the same lot with the principal use.

Accessory uses	DevAreaA	DevAreaB	DevAreaC	DevAreaD
Antenna, radio hobbyist $\leq$ max ht in district	X	X	X	X
Antenna, radio hobbyist $\geq$ max ht in district	-	-	-	-
Antenna, non-residential: $\leq$ 15 ft. above roofline	X	X	X	X
Antenna, non-residential use: other	X	X	X	X
Wireless facility: attached	X	X	X	X
Wireless facility: concealed	X	X	X	X
Wireless facility: freestanding	-	-	-	-
Donation drop-off box	X	X	X	X
Drive through facility	X	X	X	X
Home occupation	X	X	X	X
Residential accessory structure	X	X	X	X
Satellite dish	X	X	X	X
Swimming pool	X	X	X	X
Vending machine (outdoor)	X	X	X	X

Accessory uses	DevAreaA	DevAreaB	DevAreaC	DevAreaD
Free-standing cisterns	X	X	X	X
Wind energy system	X	X	X	X

2.2.3. Applicability and enforcement

2.2.3.1. New and undefined uses

As commerce and technology evolve, new types of land uses will develop and forms of land use not anticipated may seek locations in the city. To provide for contingencies, Development Services staff will consider the appropriateness of an undefined use in this PUD and may administratively approve such uses. Approval criteria include:

- Impacts of the use, including externalities and use of public services and infrastructure
- The use is similar in nature and impact to a use listed and defined as a permitted use in the PUD
- The use is not similar in nature and impact to a use defined and listed as a prohibited use in the PUD, or prohibited in the PUD but permitted in a different district
- The use conforms to the intent of this PUD
- The interpretation does not lower the protection given to the public by this PUD
- The use does not have the potential to create a dynamic that would harm the vitality or future development potential of surrounding commercial, industrial and residential areas
- Performance standards and conditions for uses similar in nature and impact are also considered

If Development Services staff finds the proposed land use is not appropriate for the district, the applicant may appeal the decision to the City Council within 60 days of determination.

2.3. Use Specific Design Standards

2.3.1. Large item sales and rental (Class 1, 2, and 3)

2.3.1.1. Architecture

Separate structures (service building, car wash, used car sales building, etc.) on a site must share architectural detail and design elements similar or compatible to the host building to provide a cohesive project site.

Vehicle service areas and bays must be screened or sited so they are not visible from the street.

Garage doors cannot face the street.

Garage doors must be integrated into the overall design theme of the site with color, texture, and windows.

2.3.1.2. Parking, circulation, and stacking

Vehicle display parking and inventory areas are not exempt from site planning standards.

Large expanses of concrete or asphalt must be avoided. Unrelieved pavement in vehicle display areas and other areas often visited by customers must be limited by using landscaping, contrasting colors and banding or pathways of alternate paver material.

Vehicle/pedestrian conflict points must be clearly defined with textured and colored pavement or pavers.

Service areas must provide adequate stacking space that does not impede vehicle circulation through the site or result in vehicles stacking into the street.

2.3.1.3. Landscaping

Vehicle display parking and inventory areas are not exempt from landscaping standards.

Inventory cannot be stored, parked or displayed in landscape areas.

2.3.2. Vertical mixed use

2.3.2.1. Definition

A single building containing more than one type of land use; or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary, cohesive whole. Vertical mixed use buildings are building where two or more different uses occupy the same building usually on different floors, for instance, retail on the ground floor and office and/or residential uses on the second and/or third floors.

2.3.2.2. Applicability

Vertical mixed use buildings and development containing residential uses permitted in table 2.2.2.2 and commercial and retail uses permitted in table 2.2.2.3 are permitted in designated areas conforming to **Exhibit A, PUD Development Plan.**

2.3.3 Self-storage facilities

Use specific design standards for self-storage facilities are set forth in Attachment A – Use-specific Design Standards for Self-storage Facilities and made a part of the Hutto Crossing PUD.

Exhibit A- PUD Development Plan



3. Site Design Standards

3.1. General Standards

3.1.1. Utilities

3.1.1.1. Utility lines

All new utility service lines must be placed underground. Transmission lines are exempted.

3.1.1.2. Utility boxes

- Utility boxes must be as small as practical.
- Utility boxes greater than 2 ft. tall cannot be placed in the clear vision area, or interfere with use of streets, alleys, sidewalks, and bicycle paths.
Utility boxes in the front yard on a block must be painted a uniform earth tone color.

3.1.2. Lot dimensions and area

Required lot dimensions and area are as follows:

	Single Family				Two-to-Four Unit	Single Family Attached	Multifamily	Vertical Mixed Use; Institutional	Commercial and Retail	Industrial
	Detached	Detached alley load, cul-de-sac or detached garage	Zero Lot Line	Village						
Lot area (min)	5,175 sq. ft.	5,500 sq. ft.	4,950 sq. ft.	4,500 sq. ft.	4,500 sq. ft.	1,500 sq. ft. per unit	20,000 sq. ft.	10,000sq. ft.	10,000sq. ft.	10,000 sq. ft.
Lot width at front setback line (min) *	45 ft.	45 ft.	45 ft.	45 ft.	45 ft.	20 ft.	100 ft.	75 ft.	75 ft.	75ft.

* except flag lots, which shall be 30 ft.

- Flag lots must have at least 30 ft. frontage along a public right-of-way.

3.1.3. Building envelope

3.1.3.1. General

If there is a conflict among the setback and landscape/buffer yard standards in this PUD when applied to a certain site, the setbacks set forth in this section will apply.

3.1.3.2. Primary and accessory structures

Default bulk standards for primary and accessory structures are as follows:

	Single Family			Two-to-Four Unit	Single Family Attached	Multifamily	Vertical Mixed Use; Institutional	Commercial and Retail	Industrial
	Detached	Zero Lot Line	Village						
Front yard (min)	15 ft.	15 ft.	15 ft.	15 ft.	15 FT	15 ft.	5 ft.	10 ft.	25 ft.
Front yard on loop lane (min)	15 ft.	10 ft.	10 ft.	n/a	n/a	n/a	n/a	n/a	n/a
Front yard: garage door (min)	20 ft.; 20 ft. side load yard	20 ft.; 20 ft. side load yard	20 ft.; 20 ft. side load yard	20 ft.	20 ft.; 20 ft. side load yard	25 ft.	20 ft.	25 ft.	25 ft.
Side yard (min)	5 ft.	0 ft. one side, 12 ft. other	5 ft.	5 ft.; 0 ft. for common walls	5 ft.; 0 ft. for common walls	15 ft.	0 ft. for common walls or 10 ft.; 50 ft. from existing residential uses	0 ft. for common walls or 10 ft.; 50 ft. from existing residential uses	0 ft. for common walls or 10 ft.; 50 ft. from existing residential uses
Rear yard (min)	15 ft.	10 ft.	15 ft. (house and garage)	15 ft.	15 ft.	25 ft.	25 ft.; 50 ft. from existing residential uses or building height	25 ft.; 50 ft. from existing residential uses or building height	25 ft.; 50 ft. from existing residential uses
Side and rear yard for accessory building (min)	5 ft.	5 ft.	5 ft.	5 ft.; 0 ft. for common walls	5 ft.	15 ft.	Same as main building	Same as main building	Same as main building
Spacing between buildings (min)	10 ft.	10 ft.	10 ft.	10 ft.; 0 ft. for common walls	10 ft.; 0 ft. for common walls	20 ft.	0 ft. for common walls or 20 ft.	0 ft. for common walls or 50% height of taller building, at least 20 ft.	0 ft. for common walls or 50% height of taller building, at least 20 ft
Building height (max)	35 ft. / 2.5 stories	35 ft. / 2.5 stories	35 ft. / 2.5 stories	35 ft. / 3 stories	3 stories	3 stories	3 stories; 5 stories along US 79, FM 685 and SH 130	3 stories; 5 stories along US 79, FM 685 and SH 130	5 stories*
Building height, accessory (max)	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	80 ft *.

	Single Family			Two-to-Four Unit	Single Family Attached	Multifamily	Vertical Mixed Use; Institutional	Commercial and Retail	Industrial
	Detached	Zero Lot Line	Village						
*Height of main or accessory structures, exclusive of appurtenances, such as railings, light fixtures and antennas, for permitted heavy industrial use in Development Area D may exceed maximum height limitations with administrative approval by Development Services staff. Accessory structures are prohibited between the front building line of the primary building and the public right-of-way, except for industrial uses permitted in Development Area D. The cumulative gross floor area of all accessory structures on the site may be no more than 25% of the yard where they are located, except for industrial uses in Development Area D. Accessory structures must be placed at least 10 ft. or a distance equivalent to their height from primary structures on a site, whatever is lesser, except for industrial uses in Development Area D. Building permitting and setback standards do not apply to accessory structures no more than 20 sq. ft. in area Required buffer yards may result in larger required setbacks.									

3.1.4. Riparian setbacks

Minimum structural setbacks from riparian areas (edge of 100-year floodplain or delineated wetlands), wherein structures are defined as substantial impervious cover improvements, are:

- Watercourses draining an area at least 0.5 square mile and having a defined bed and bank, designated 100-year flood plains, and Category 3 wetlands: 0 ft.
- Watercourses draining an area of 0.5-20 square miles, and Category 2 wetlands: 5 ft.
- Watercourses draining an area of greater than 20 square miles, and Category 1 wetlands: 10 ft.

3.1.5. Setback encroachment and exceptions

These uses and structures may encroach into a yard or required setback as follows:

Type of structure or use	Residential uses	Non-residential uses
Air conditioning equipment	Any part of the side and rear yard	n/a
Arbors and trellises	Any yard, at least 5 ft. from neighboring PL	
Awnings	no more than 3 ft. into front, side or rear setback; may hang over easements	no more than 6 ft. into front, side or rear setback; may hang over easements; may hang over public ROW with approval of City Council
Backflow prevention devices	Any part of the side and rear yard	Any yard on the site
Bay windows, chimneys, entry vestibules less than 8 ft. wide and less than 33% of the wall length, overhanging eaves	no more than 3 ft. into any setback	
Newspaper vending boxes, pay telephones	n/a	Any yard on the site; property must be occupied by a principal building
Open deck and covered patio in which the finish grade is greater than 5 ft. above grade	at least 5 ft. into rear setback, if area underneath is left unscreened/unenclosed	n/a
Open deck and covered patios in which the finish grade is no more than 5 ft. above grade	No more than 10 ft. into rear setback	n/a
Ramps and other access devices required by the ADA.	Any yard on the site	
Retaining walls	Any yard on the site	
Satellite dishes at least 1m in diameter	Side and rear yard, at least 10 ft. from PL	

Encroachments across property lines, into the public right-of-way, or into utility, drainage, access, conservation or riparian easements are prohibited.

3.1.6. Buffer yard

3.1.6.1. Buffer yards between lots

Buffer yards planted and/or screened in conformance to landscape and/or fencing standards in this PUD, are required between adjacent lots as follows. A buffer yard shall be measured from property line of the adjacent development use. Sidewalks and internal walkways are a permitted use within a buffer yard. A public street and private drive may cross a buffer yard.

Proposed development	Adjacent development				
	Residential 1-4 Units	Residential 4+ Units	Vertical Mixed Use, Institutional	Commercial and Retail	Industrial
Residential: 1-4 Units	n/a	5 ft.	5 ft.	25 ft.	50 ft.
Residential: 4+ Units	5 ft.	n/a	n/a	n/a	50 ft.
Vertical Mixed Use, Institutional	10 ft.	10 ft.	n/a	n/a	25 ft.
Commercial and Retail	25 ft.	10 ft.	n/a	n/a	25 ft.
Industrial	50 ft. + 6 ft. min tall masonry wall or 6 ft. min tall earthen berm (both wall/berm and footage required)	50 ft. + 6 ft. min tall masonry wall or 6 min ft. tall earthen berm (both wall/berm and footage required)	25 ft.	25 ft.	n/a
A 6ft ht. min. tall masonry (brick, stone, decorative CMU, similar materials) wall or 6 ft. ht. min. tall earth berm may substitute for buffer yard up to 100 ft. in depth.					
Buffer yards must be landscaped per Section 3.5.					

3.1.6.2. Landscape buffer yards between parking lots and streets

Landscape buffer yards, planted per applicable landscaping standards in Section 3.5.3.4, are required between a parking lot and a street with the intent to screen prominent views of parking lots and streets from off-site views as follows:

- SH 130 and FM 685: 10 ft. buffer yard setback from right-of-way.
- Other streets: 5 ft. buffer yard setback from right-of-way.
- A landscape buffer yard is not required along the UP Railroad in Development Area D.

A 10 ft. landscape buffer yard shall be required in Development Area D along SH 130 right-of-way. In addition to a landscape buffer yard complying with this Section, the following buffering techniques meet the intent of a landscape buffer yard in Development Area D between parking lots and streets to SH 130: a 6 ft ht. min. tall masonry wall (brick, stone, decorative CMU or similar durable materials) or 6 ft. tall earthen berm. A landscape buffer yard, or its equivalent described in this Section, shall be provided to the extent practical and only to the extent that it is deemed functional and appropriate by Development Services staff. If the landscape buffer yard, or equivalent techniques described in this Section, does not achieve the intended objective of this Section, this requirement shall be administratively waived by Development Services staff.

3.1.6.3. Landscape buffer yards elsewhere

- Landscape buffer yards, planted per landscaping standards in Section 3.5, are required between a development perimeter wall along a street between wall and sidewalk or right-of-way edge: 5 ft. from sidewalk or right-of-way.

3.1.7. Residential adjacency

3.1.7.1. Loading area screening

Off-street loading areas must be screened from view, to the greatest extent practical, using one or more of the following: Wing walls, changes in building orientation, and/or other architectural elements, and/or landscape screening or earthen berms to buffer loading docks located less than 150 ft. from a residential use, lodging establishment, nursing home or assisted living facility.

3.1.7.2. Vehicle intensive use screening

One or more of the following: wing walls, changes in building orientation, and/or other architectural elements, and/or landscape screening or earthen berms must be used to the greatest extent practical to buffer drive-through aisles and mechanical commercial uses when they are located less than 150 ft. from a residential use, lodging establishment, nursing home or assisted living facility.

3.1.7.3. Vehicle service bays

Vehicle service bays and loading area garage doors located less than 150 ft. from a residential use must face away from residential uses, unless separated by a building, permanent architectural feature and/or landscape screening or earthen berms. Walls 6 ft. ht. min. separating service bays from a residential use must be masonry (stone, brick, decorative CMU, or similar solid and durable material) with limited openings shall satisfy this screening requirement.

3.1.7.4. Dumpster enclosures

Dumpster enclosures in nonresidential areas of the PUD must be located at least 50 ft. from a residential use.

3.2. Site Design

3.2.1. Siting and Orientation

3.2.1.1. One to Four Household, Attached Single Family Dwellings and Developments

3.2.1.1.1. Applicability

These standards apply to all development with residential uses other than multiple unit dwellings.

3.2.1.1.2. Building orientation

One and two household dwellings must be oriented where the front façade is parallel to and facing the street as much as possible, and not another dwelling on an adjacent lot. On corner lots, houses may face the corner of either fronting street.

3.2.1.2. Multiple Unit Household Development and Structures

3.2.1.2.1. Applicability

These standards apply to all residential development with multiple unit dwelling uses.

3.2.1.2.2. Building orientation

Buildings must be oriented towards the perimeter streets, or an internal drive or road network, rather than orientation only to internal parking lots.

3.2.1.2.3. Common open space

3.2.1.2.3.1. Common open space required

The minimum amount of common open space (as a percentage of net land area) for a multiple household development is 10%.

3.2.1.2.3.2. Common open space siting

Common open space must be amassed into meaningful, quality open spaces. Clustering of buildings is encouraged to minimize small, narrow, unassigned strips in front of and between buildings. Designated common open space may be in a natural, undisturbed state, landscaped for more formal courtyards or plazas, or developed for active or passive recreation.

Common open space land must be compact and contiguous to the maximum extent practicable, unless the land is used as a continuation of an existing greenway, trail, or other linear park, or unless specific topographic features require a different configuration.

Common open space must be reasonably accessible to all residents of the development.

3.2.1.2.3.3. Areas not considered as common open space

The following do not count towards required common open space:

- Private lots, yards, balconies and patios dedicated for use by a specific unit.
- Public right-of-way or private streets and drives.
- Parking areas and driveways for dwellings.

- Land covered by structures except ancillary structures associated with use of open space such as gazebos and picnic shelters.
- Designated outdoor storage areas.
- Land areas between buildings less than 30 ft., and land area between a building and parking lots or driveways less than 30 ft.
- Required rear and side yard setbacks. Detention/retention facilities, including drainage swales, unless for use as accessible and useable year-round community amenities for residents of the development (e.g., picnic areas, passive recreation areas, playgrounds, ponds for fishing and/or boating, walking trails, etc.).
- Wetlands that are saturated for greater than 50% of the year.

3.2.1.3. Non-Residential Sites of Structures

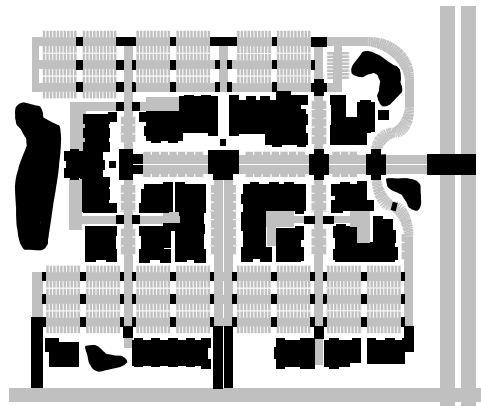
3.2.1.3.1. Applicability

These standards apply to all development with commercial and retail uses.

3.2.1.3.2. Orientation to streets

The primary façade and pedestrian entrance of a building must be oriented towards the public right-of-way when not facing an internal street or drive.

In shopping, commercial centers and developments with multiple buildings, buildings must be oriented towards either the perimeter streets or an internal drive or road network that orients buildings towards an internal street, rather than orientation only to internal parking lots.



Retail Village

3.2.1.3.3. Orientation to walkways

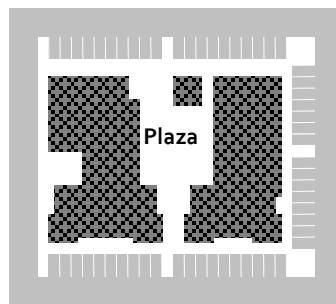
One building entrance must open directly onto a connecting walkway with pedestrian frontage. Sides of a principal building facing a public street must have one or more customer entrances.

3.2.1.3.4. Plazas

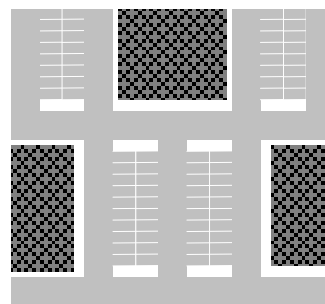
Commercial buildings 25,000 SF and larger must be placed in a way that creates plazas and/or pedestrian gathering areas that are large enough to encourage active pedestrian use and buffer pedestrians from street traffic .

3.2.1.3.5. Clustering

Clustering of buildings in larger master planned and multiple building developments is required, to the greatest extent practical.



Do this: cluster buildings to create plazas and pedestrian gathering areas



Don't do this : separate buildings with parking lots

3.2.1.3.6. Building perimeter wall spacing from driving surfaces

Building walls must be placed at least 5 ft. from drive aisles and parking areas. This buffer area may be breached for loading areas, drive-through windows, garage access and similar uses.

3.2.1.3.7. Solar orientation

When building orientation to the east and west is unavoidable, landscaping, canopies, arcades, roof overhangs, or similar features must be used to shade facades and building walls that face into the summer afternoon sun to the greatest extent practical.

3.2.2. Sidewalks

3.2.2.1. Sidewalks required

Sidewalks in conformance to Section 4.8 and Section 4.9 must be provided along both sides of public or private street frontages to promote an active pedestrian environment and reduce potential conflicts.

3.2.2.2. Sidewalks required for use change

Sidewalks in conformance to Section 4.8 and Section 4.9 must be constructed along the public right-of-way adjacent to any lot that changes use. A Certificate of Occupancy for new construction will not be issued until the sidewalk is constructed and accepted by the city.

3.2.3. Internal Pedestrian Circulation

3.2.3.1. Applicability

The following standards apply to all development with residential uses with multiple unit dwellings, and commercial, retail and industrial uses.

3.2.3.2. Internal walkways

Internal walkways must be provided along all façades featuring a customer entrance and along all façades abutting public parking areas. Internal walkways must be placed at least 4 ft. or more from the façade or wall along at least 30% of its length, to provide opportunities for beds for foundation landscaping, outdoor seating and patios, and building articulation (except for storefronts with a zero setback). Sidewalks are not required within service areas, loading docks and other non-customer areas.

3.2.3.3. Pedestrian connectivity

Connecting walkways, at least 5 ft. wide for a commercial development and at least 5 ft. for MF development, must link perimeter public sidewalks to primary building entries, including through parking areas, and to buildings on adjacent parcels, to the greatest extent practical. Circulation patterns must be as obvious and simple as possible. All likely pedestrian routes must be considered to minimize shortcuts to the extent practical through parking and landscape areas.

3.2.3.4. Conflict points

Internal pedestrian walkways must be distinguished from driving surfaces by textured and colored pavement or similar contrasting technique, to emphasize conflict points and enhance pedestrian safety.



Well-defined conflict point

3.2.3.5. Aggregation of plazas

Pedestrian areas and plazas shall be aggregated in high activity areas to the greatest extent practical, and not distributed in low impact areas such as building peripheries, areas behind blank walls.

3.2.3.6. Orientation of plazas

Pedestrian areas and plazas shall be oriented to views of activities, architectural landmarks or useable open space wherever possible.

3.2.4. Public transit facilities

Commercial and residential developments that could generate high volumes of transit use must accommodate the potential for public transit facilities. If the development is in an existing transit service area, it must provide for an appropriately scaled transit facility; otherwise, the development must make accommodations for a potential future public transit facility.

Transit routes, access points and shelter locations should be addressed along city adopted transit streets in and on the perimeter of nonresidential projects. Bus stop areas and bus shelters within a city adopted transit service area must be placed close to significant clusters of buildings.

There must be an uninterrupted durable pedestrian path connecting transit stops and/or shelters with the nearest sidewalk or pedestrian path.

3.2.5. Service Areas

3.2.5.1. Applicability

These standards apply to all development with multiple unit residential dwellings, commercial, retail and industrial uses. Uses in Development Area D shall comply with requirements set forth in this Section to the extent practical.

3.2.5.2. Orientation

Service entrances, loading docks, waste disposal areas and similar uses, also referred to as 'back of house uses' must be oriented toward service roads and drives internal to the development to the greatest extent practical and away from the public right-of-way and residential areas, unless adequately screened to the extent practical. It is recognized that uses in Development Area D will inherently contain a large amount of back of house uses that do not require screening within Area D. Screening and orientation of back of house uses shall comply with requirements set forth in this Section to the extent practical from prominent views from SH 130. The following screening techniques meet the intent of this Section in Development Area D between back of house use to SH 130: landscape buffer screening as set forth in Section 3.1.6.2, a 6 ft ht. min. tall masonry wall (brick, stone, decorative CMU or similar durable materials) or 6 ft. tall earthen berm. Orientation and screening, as described in this Section, shall be provided to the extent practical and only to the extent that it is deemed functional and appropriate by Development Services staff. If back of house orientation or screening described in this Section does not achieve the intended objective of this Section, this requirement shall be administratively waived by Development Services staff.

Service areas may not be located where they will be readily visible from primary facades of adjacent buildings without appropriate screening to screen service area views from the primary facades of adjacent or where they will harm important or identified view corridors. This requirement does not apply to service area orientation to primary facades of adjacent buildings within Development Area D.

3.2.5.3. Screening

Service entrances, loading docks, waste disposal areas and similar uses must be screened from public streets, pedestrian gathering areas and primary building entrances with fencing, walls and/or landscaping, with design elements compatible with the architectural theme of the host building. Uses in Development Area D shall comply with screening requirements set forth in this Section to the extent practical.



Effective use of wing wall used to screen loading dock

3.2.5.4. Coordination of service area locations

Service area location must be coordinated with adjacent developments wherever possible to promote use of shared service drives.

3.2.5.5. Access routes

Service circulation in a development must be designed to provide safe movement for anticipated vehicles.

Fire lanes and routes for service, emergency and utility access must be clearly marked.

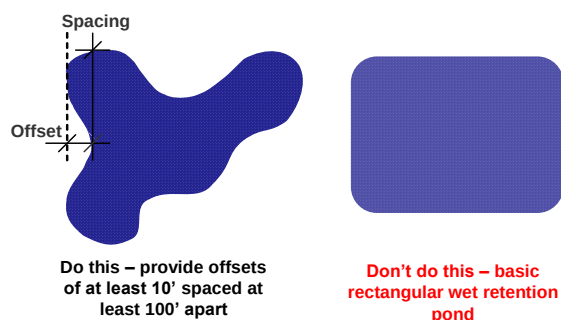
3.2.5.6. Gas tank bed pipes

Tank vent pipes must be screened, placed in an inconspicuous location and painted a dark color, or integrated into or adjacent to the building.

3.2.6. Water Bodies and Retention Areas

3.2.6.1. Shape

Permanent wet retention ponds visible from a street or other public area must be designed to appear natural by having edge alignment offsets to the greatest extent practical.



3.2.6.2. Project incorporation

Natural and manmade water bodies at least 20,000 sq. ft. that are located next to a public right-of-way must be integrated into the overall design of a development in one of the following ways:

- Provide a walkway at least 5 ft. wide, with native tall trees on average 30 ft. centers and a bench and/or picnic table next to the water body every 150 ft.
- Provide a plaza or pedestrian gathering area at least 200 sq. ft. with a bench and/or picnic table close to the water body.

3.2.6.3. Slope

Retention basins must be designed with at least 5:1 side slopes to 2 ft. below the normal water line.

Fenced retention basins will be approved administratively by City Engineer staff, only in extreme situations, and may be placed to the side and/or rear of the parcel as far from a public street as possible.

3.2.6.4. Fencing

Metal decorative fences may be used to fence manmade water bodies and retention basins.

3.2.7. Land Disturbance

New development should respect and maintain the natural topography on a site through sensitive site organization and minimizing land disturbance. Layout of new development should follow and respect the natural topography of the site to the maximum extent possible. Over lot grading to create a large level lot or site shall be limited to disturbed sites and in all cases minimized to the extent practical.

Extensive grading or unusual site improvements (e.g. large retaining walls) to force a preconceived design onto a particular piece of property is strongly discouraged. Berms, channels, swales, and similar man-made changes to the landscape must be designed and graded to be an integral part of the natural landscape and to provide a smooth transition in changes of slope.

3.3. Parking and Access

3.3.1. General standards

3.3.1.1. Applicability

Parking, access and design standards apply to all uses, unless otherwise stated. Vehicle display and storage areas at vehicle dealers, vehicle repair businesses and vehicle storage facilities, and areas intended for the storage or movement of vehicles on industrial sites in Development Area C are not exempt. Parking, access and design standards for customer and visitor parking in Development Area D shall comply with requirements set forth in this Section to the extent practical; however, it is recognized that permitted uses in Development Area D typically have limited customers and visitors and therefore will have limited application. Circulation in industrial uses in Development Area

D shall prioritize functionality, operations, safety and efficiency of heavy vehicle circulation, storage and loading. Parking, access and design standards for industrial equipment and industrial use vehicles do not apply in Development Area D.

3.3.1.2. Large vehicles and equipment

Outdoor storage or overnight parking of semi-trucks, semi-trailers, and other vehicles having a gross vehicle weight rating of at least 17,000 pounds is prohibited in residential and commercial use areas, except within commercial service or storage yards and loading areas. Exceptions are pickup trucks, personal recreational vehicles not being used for habitation, and vehicles associated with a business on a commercial site. Construction equipment may only be stored on lots in residential and commercial use areas while construction is permitted.

3.3.2. Access

3.3.2.1. Shared access

- Shared and master planned access, rearage roads and/or access easements across parcels are permitted and encouraged and will be required where considered necessary by Development Services staff and/or city engineer, with administrative approval, to minimize potential congestion, decrease accident potential and reduce the number of curb cuts and conflict points along a street.
- Commercial and individual development must be designed to provide for shared access with adjacent commercial and industrial parcels to the greatest extent practical. Provisions must be made for connection of pedestrian and vehicle circulation systems with adjacent parcels.
- Property owners cannot block access to parking lot connections on adjacent parcels.
- Vehicular access easements from one lot to adjacent lots and for private driveways within a lot may be provided on the subdivision plat or by separate recorded instrument. Such access easements may be specifically defined or blanket access easements.

3.3.2.2. Curb cuts

- Curb cuts and ramps must be placed at convenient and safe locations. Curb cuts must be limited to the fewest necessary to provide adequate circulation and workable access to a parking area.
- Commercial and industrial driveway connections to public streets shall be designed to align with opposing driveways or be offset a minimum of 80 feet, measured from face of curb or edge of pavement to face of curb or edge of pavement on undivided streets.

- Curb cuts must be spaced at intervals of at least 250 ft., or at least 500 ft. along major arterials, unless this would prevent access to a separate property (not an outparcel) and a rearage road is not possible.
- When a parcel fronts on two different streets, or a street and a rearage road, the curb cut must be from the street with the lower functional classification unless otherwise administratively approved by Development Services staff.
- Curb cuts and ramps must avoid crossing or funneling traffic through loading areas, drive-through aisles and outdoor trash storage and collection areas.

3.3.2.3. Driveway throats

- Driveway throats to parking areas serving <50,000 sq. ft. of commercial, industrial or civic GFA accessing non-arterial streets must be at least 20 ft. long.
- Driveway throats to parking areas serving at least 50,000 sq. ft. of commercial, industrial or civic GFA, and those accessing arterial streets, must be at least 30 ft. long.
- Driveway throat length is measured from the right-of-way line.

3.3.2.4. Entry orientation

Entrance drives should align with focal points in a development such as landmark towers or landscape features, whenever practical.

3.3.2.5. Emergency access

Site design elements must reasonably accommodate access standards of emergency vehicles and services.

3.3.2.6. Service functions

Service functions must be integrated into the circulation pattern in a way that minimizes interaction with customer vehicles and pedestrians.

3.3.2.7. Connectivity for multi-family residential development

Multifamily residential development must not be planned as “pods”, isolated from surrounding development, but instead must be integrated into the larger grid of public streets and internal access driveways. Residential development with multiple unit dwellings must have pedestrian and vehicular connections to adjacent residential and commercial development.

3.3.3. Circulation

3.3.3.1. Circulation routes

- Circulation and parking areas in a development must be designed to be safe, efficient and attractive, considering use by all modes of available transportation.
- Parking lots must provide well-defined circulation routes for vehicles, bicycles and pedestrians that minimize conflicts to the greatest extent practical.
- Circulation routes must focus on main entries and exits, and provide for secondary access points to the greatest extent practical.
- Redundant circulation cannot reduce land available for landscaping or walkways.

- Vehicle circulation paths must be designed and sited to calm traffic where practical without the required need for vertical deflection devices such as speed bumps and humps. Horizontal deflection and psychological traffic calming (traffic circles, corner neckdowns, chicanes, tapers, landscape medians, small turn radii, decorative paving) is encouraged.

3.3.3.2. Safety and conflict points

Circulation areas must be designed so vehicles can proceed safely without posing a danger to pedestrians or other vehicles, and without interfering with parking areas. Standard traffic control devices and signs must be used to direct traffic where necessary.

To the maximum extent practicable, pedestrians and vehicles must be separated through walkways or sidewalks. Where complete separation of pedestrians and vehicles is not possible, landscaping, bollards, decorative paving, lighting and other permanent methods must be used to delineate pedestrian areas and other conflict points.

3.3.4. Parking Aisles

3.3.4.1. Aisle and curb cut dimensions

Access drive lanes and aisles must have the following widths (excluding added width from curb return areas) at the gutter line:

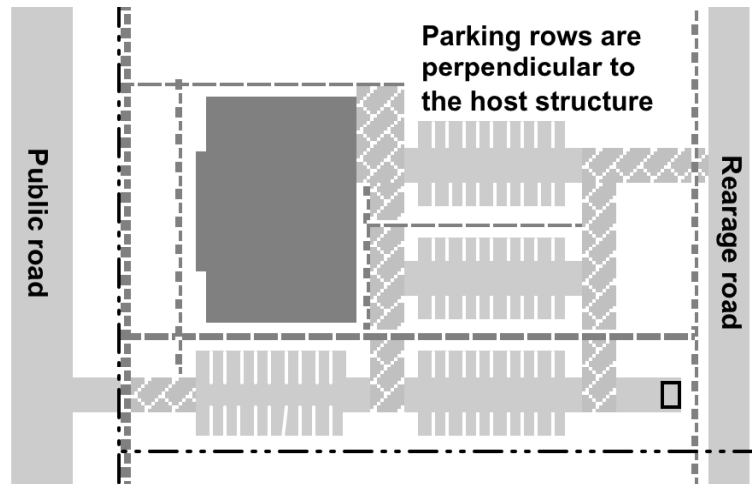
- Residential driveway: 8 ft. - 24 ft.
- Residential parking lot: 10 ft. - 14 ft. one way, 20 ft. - 24 ft. two-way
- Nonresidential parking lot to 99 spaces: 10 ft. - 14 ft. one way, 20 ft. - 24 ft. two-way
- Nonresidential parking lot 100 spaces or more: 10 ft. - 24 ft. one way, 24 ft. - 36 ft. two-way
- Service access driveways: drive width sized for adequate vehicular access and turning movement

Parking area aisles must have these minimum widths:

- Angle 0° / parallel to aisle: at least 12 ft. one way, at least 20 ft. two-way.
- Angle 30°: at least 11 ft. one way, at least 20 ft. two-way.
- Angle 45°: at least 13 ft. one way, at least 21 ft. two-way.
- Angle 60°: at least 18 ft. one way, at least 23 ft. two-way.
- Angle 90°: at least 24 ft.

3.3.4.2. Aisle orientation

In large parking lots, parking aisles must be oriented perpendicular to buildings where practical in order to minimize the need for pedestrians to walk parallel to moving cars and across landscaped areas.



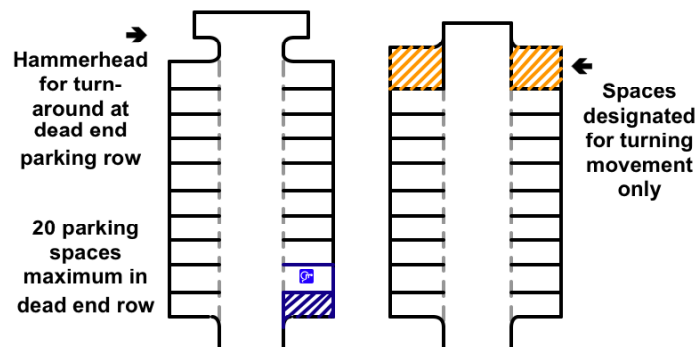
3.3.4.3. Mixture of angles and one-way and two-way aisles

Mixture of one-way and two-way parking aisles, or different degrees of angled parking in a parking area is prohibited, except when individual parking areas are separated by a landscape buffer at least 5 ft. wide.

3.3.4.4. Dead end aisles

Dead end aisles must be avoided wherever possible. Where a dead end aisle is unavoidable, adequate space for unimpeded turn-around must be provided.

Dead end aisles may contain no more than 20 parking spaces.



3.3.4.5. Head-in/head-out and parallel parking from the public right-of-way

Parking areas larger than 12 spaces fronting on residential local street or lower must be designed so vehicles can leave without backing or fronting out onto a public street, or having to reenter a public street to access another aisle on the same lot. Driveways for single household dwelling units are exempted.

3.3.5. Stacking/Queuing Areas

3.3.5.1. Drive-through aisles

Minimum length of off-street stacking lanes for drive-through aisles must be provided as follows:

Bank teller window, ATM: at least 50 ft. measured from teller, window or ATM.

Restaurant drive-through: at least 50 ft. measured from order box, at least 30ft. between order box and first payment or pick-up window.

Other uses with drive-through windows (pharmacy, dry cleaners, etc.): at least 50 ft. measured from window.

Drive-through aisles must be physically separated from parking and circulation areas, and:

- Cannot interfere with the on-site parking and circulation for other vehicles on the site.
- Cannot interfere with on-site parking.
- Cannot result in traffic queuing into a drive aisle, adjacent property or street.

Drive-through aisles must be 10 ft. - 12 ft. wide.

Drive-through aisles and pickup windows cannot be on a street-facing side of the building.

Reduction of minimum length of queuing length may be approved by Development Services staff if it can be demonstrated that it is necessary and feasible.

3.3.5.2. Gas pumps

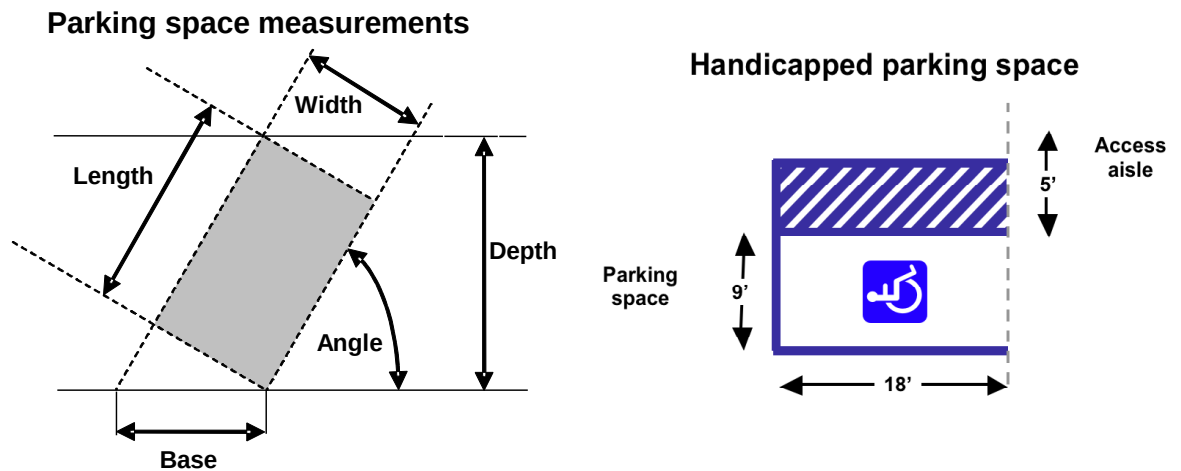
There must be at least 20 ft. space for one vehicle stacked behind the vehicle at the far end of a row of gas pumps, and room for other vehicles to bypass stacked vehicles at fueling areas.

3.3.6. Parking and Loading Space Bulk Standards

3.3.6.1. Parking space dimensions

Parking spaces must have the following dimensions:

- Standard parking space (perpendicular or angled to the aisle): 9 ft. x 18 ft.
- Standard parking space (parallel to the aisle): 8 ft. x 23 ft.
- Handicapped parking space: 9 ft. x 18 ft., plus a clear 5 ft. x 18 ft. loading area to the side. Two handicapped spaces may share one loading area.
- Motorcycle space: 4.5 ft. x 9 ft.
- Off-street loading space: 12 ft. x 25 ft.
- Bicycle space: a stationary object where a user can secure both wheels and the frame of the bicycle with a 6 ft. cable and lock. The stationary object may be a freestanding bicycle rack, a wall-mounted bracket; an enclosed bicycle locker; a three point bicycle rack; or a fenced, covered, locked or guarded bicycle storage area.



3.3.6.2. Parking space location

3.3.6.2.1. Lots and Parcels Fronting along FM 685, Carl Stern Boulevard and SH 130 in Development Area C

Parking for non-residential buildings on non-corner lots must have at least 50% of the parking spaces placed behind the front building line.

Parking for non-residential buildings on corner lots must have at least 30% of the parking spaces placed behind the front building line.

Parking for non-residential buildings larger than 50,000 sf. is exempt from this parking space location requirement.

3.3.6.2.2. Lots and Parcels Fronting along internal streets

Parking for non-residential buildings on non-corner lots must have at least 70% of the parking spaces placed behind the front building line.

Parking for non-residential buildings on corner lots must have at least 50% of the parking spaces placed behind the front building line.

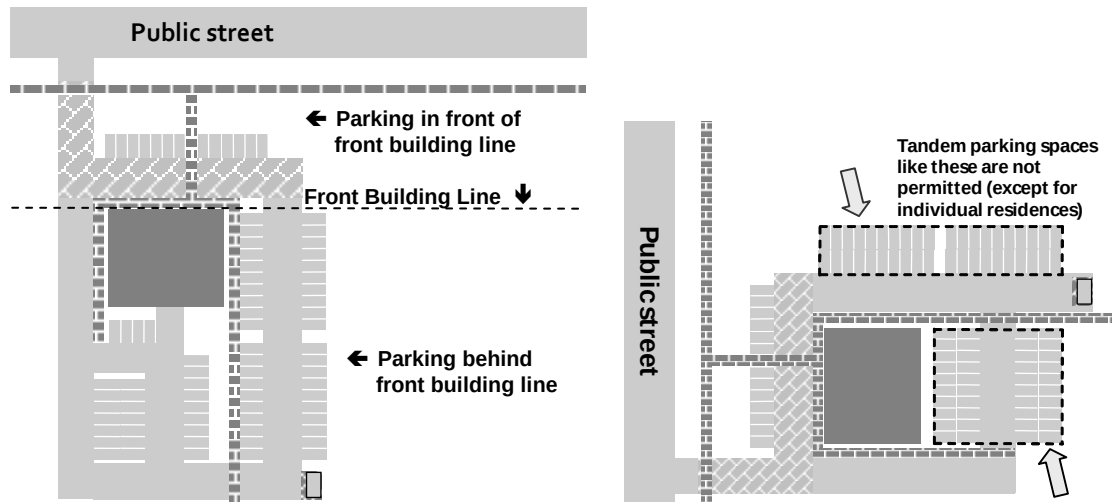
Parking for retail, commercial and industrial uses in buildings larger than 50,000 sf. is exempt from this parking space location requirement.

3.3.6.2.3 Lots and Parcels Fronting along UP Railroad Right-Of-Way and SH 130 in Development Area D

Parking for non-residential uses may be located without limitation, provided that landscape screening is provided along the UP Railroad right-of-way and the SH 130 ROW in Development Area D that comply with requirements set forth with Section 3.1.6.2 Landscape buffer yards between parking lots and streets.

3.3.6.3. Tandem parking

Tandem parking spaces, where the only access to a parking space is from another parking space, are permitted only for individual residential units.



Parking for non-residential buildings

3.3.7. Parking and Loading Space Number Standards

3.3.7.1. Required parking spaces

Uses should offer only the minimum amount of parking that is necessary to meet anticipated normal demand. The number of required off-street parking and truck loading spaces for a use is as follows.

Residential use classification	Required spaces (minimum)	Maximum spaces	Required loading spaces (minimum)
Dwelling unit: single household	2 per dwelling	n/a	n/a
Dwelling unit: single household + accessory unit, at least 2 units	1.5 per dwelling	n/a	n/a

Commercial use classification	Required spaces (minimum)		Required loading spaces (minimum)
Multi-tenant retail buildings (shopping centers); indoor recreation facility	1 per 400 sq. ft. GFA	n/a	1 per tenant; may be administratively waived by Development Services staff
Restaurant, bar/tavern, adult oriented use (live entertainment), nightclub, club/lodge	1 per 150 sq. ft. GFA	n/a	1
Retail uses, including: art studio, performing; art studio, visual; bank; bakery, retail; convenience store; funeral home; gas station; grocery store; instructional facility; large item sales and rental; personal and business service shop; print shop; retail store; vehicle minor repair.	1 per 400 sq. ft. GFA	n/a	1 per tenant; may be administratively waived by Development Services staff
Office uses, including medical office, professional office, veterinary clinic	1 per 400 sq. ft. GFA	n/a	1 per building
Child day care facility, pet day care and boarding, elderly day care facility	1 per employee + 3 (n/a for child day care in a home)	n/a	n/a
Lodging establishment (all) (restaurants, bars, nightclubs and other accessory uses computed separately)	1.2 per guest room + 1 per 100 sq. ft. GFA meeting/banquet room	n/a	1 + 1 per 5000 sq. ft. GFA meeting room area
Entertainment facility: theater	1 per 4 seats	n/a	1
Farm product sales, flea market, kennel, plant nursery, greenhouse	No requirements	n/a	n/a
Enhanced architectural self-storage facilities	1 per 2,500 sq. ft. GFA	n/a	1 per building

Industrial use classification	Required spaces (minimum)		Required loading spaces (minimum)
Light industrial use, trade use, vehicle major repair	1 per 1000 sq. ft. GFA in Development Area C No set requirement in Development Area D	n/a	1 per 2500 sq. ft. GFA or 2 per user/tenant, whatever is more in Development Area C No set requirement in Development Area D
Research laboratory	1 per 400 sq. ft. GFA in Development Area C No set requirement in Development Area D	n/a	1 per building in Development Area C No set requirement in Development Area D
Warehouse and distribution facility	1 per 2000 sq. ft. GFA in Development Area C No set requirement in Development Area D	n/a	1 per 5000 sq. ft. GFA in Development Area C No set requirement in Development Area D
General industry use	No set requirement		No set requirement
Heavy industry use	No set requirement		No set requirement
Self-storage facilities	1 per 1,000 sq. ft. GFA	n/a	1 per 10,000 sq. ft. GFA
Vehicle storage facility	1 per 400 sq. ft. GFA office space + 1 per stored vehicle	n/a	n/a

Note: parking space count and off-loading space count for industrial uses in Development Area D shall be based on the intended use and as necessary to meet the normal day-to-day needs of the use and administratively approved.

Institutional use classification	Required spaces (minimum)		Required loading spaces (minimum)
Community facility, amenity center	1 per 500 sq. ft. GFA	n/a	n/a
Hospital (excluding general medical office space)	0.5 per bed + 1 per 500 sq. ft. GFA inpatient treatment area + 1 per 400 sq. ft. GFA outpatient treatment area	n/a	1 per 20,000 sq. ft. GFA
Place of worship or assembly	1 per 5 seats in primary sanctuary or assembly area	n/a	Required for accessory uses (school, etc.)
School: elementary, middle and high	1 per 10 seats in auditorium/cafatorium	n/a	1 per cafeteria + 1 per gymnasium + 1 per assembly hall + 1 bus per 2 classrooms

Temporary use classification	Required spaces (minimum)	Maximum spaces	Required loading spaces (minimum)
Christmas tree lot, carnival, construction equipment field storage lot, vehicle sales-off site	No set minimum; parking plan requires approval by CD staff	No set maximum n/a	No set minimum; parking plan requires approval by CD staff
Construction field office	3 per facility	n/a	n/a
Garage sale, lot sales office, model home	No requirements	No requirements	No requirements

Accessory use classification	Required spaces (minimum)	Maximum spaces	Required loading spaces (minimum)
Agricultural activity, antenna-radio hobbyist, antenna-non-residential use, boat house, CMRS facility (attached), dock, home occupation, satellite dish, swimming pool	No requirements	No requirements	No requirements
CMRS facility (freestanding), public utility substation	No requirements	No requirements	1 per site
Drive-through facility	Refer to queuing area standards	n/a	n/a

3.3.7.2. Variance to minimum parking requirements and parking space location

Reducing minimum parking requirements may be approved by the Board of Adjustment if it can be demonstrated that the parking space location or required minimum number of spaces are not necessary to meet the normal day-to-day needs of a proposed use. Reducing any established minimum parking and off-street loading space requirements in Development Area D may be approved administratively if it can be demonstrated that the parking space location or required minimum number of spaces are not necessary to meet the normal day-to-day needs of a proposed use.

3.3.7.3. Handicap designated parking spaces

Handicapped designated parking spaces must be placed on the shortest possible accessible route of travel to an accessible building entrance. The number of handicapped designated parking spaces required for nonresidential uses is:

Total spaces	<25	36-50	51-75	76-100	101-150	151-200	201-300	301-400	401-500	501-1000	greater than 1000
Handicapped spaces	1	2	3	4	5	6	7	8	9	2%	20 + 1 per additional 100 total spaces

3.3.7.4. Motorcycle parking spaces

One or more motorcycle parking spaces must be provided for every 100 standard vehicle parking spaces provided for non-residential uses, when the parking lot has greater than 50 spaces.

3.3.7.5. Bicycle parking

One or more bicycle parking spaces must be provided for every 20 vehicle parking spaces required as a minimum for non-residential uses. Bicycle parking design must follow standards recommended by the Association of Professional and Bicycle Professionals.

3.3.7.6. Shared parking facilities

Agreements which share parking between uses with non-conflicting parking demands (eg. a church and a bank) are encouraged as a means to reduce the amount of land area devoted to parking if the applicant can demonstrate that shared parking is feasible. Where different uses create staggered parking demand periods, shared parking calculations among adjacent parcels is permitted to justify reducing the amount of required parking.

3.3.7.7. On-street parking

Designated on-street parking spaces no more than 200 ft. from the main entrance of a building with a commercial use may be counted towards the required amount of parking spaces for commercial and retail use. These spaces do not count towards the permitted parking space location requirements. Designated on-street parking spaces no more than 100 ft. from the entrance of a building may be counted towards the required amount of parking spaces for residential use with multi-unit dwellings. On-street parking being counted towards the required amount of parking spaces for any use or business, other than a residential amenity center, recreation use, common open space use, or parkland must not encroach into single family detached residential areas.

3.3.7.8. Building or use enlargement

When a building or use is enlarged 25% or more, additional parking and loading spaces, in compliance with Section 3.3.7, minimum required parking, must be provided based on the building area associated with the enlargement.

3.3.7.9. Space computation and fractions

Fractional results will be rounded up when computing the number of required parking and loading spaces.

3.3.8. Landscaping Areas

3.3.8.1. Applicability

These standards do not apply to single household dwellings, two to four household dwellings, single family attached dwellings, parks and common open space, or industrial uses in Development Area D.

Specific plant material standards are detailed in the landscaping standards in this chapter. Parking setback and buffer yard standards are detailed in the bulk standards section in this PUD.

3.3.8.2. Parking lot interior landscaping

Landscape areas must consist of at least 10% of the interior area of a parking lot. Landscaped islands may be clustered or evenly distributed.

3.3.8.3. Parking lot entrances

Landscape islands at least 10 ft. wide must be used to define primary parking lot entrances.

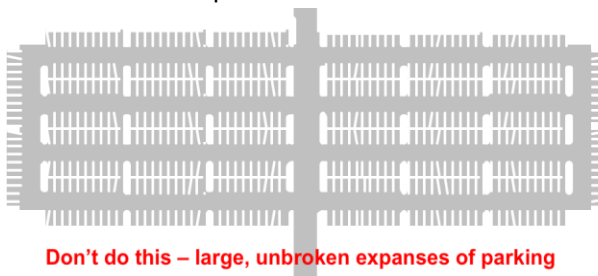
3.3.8.4. Parking rows

Landscape islands of at least 180 sq. ft. must be placed at both ends of a parking row.

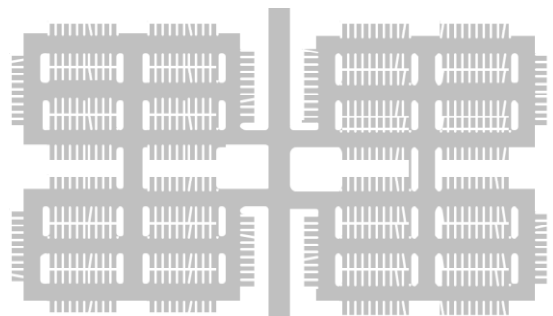
Parking rows cannot extend for greater than 10 spaces without an interrupting landscape island of at least 180 sq. ft.

3.3.8.5. Division of large parking lots

Large parking lots must be visually and functionally segmented into smaller lots with no more than 150 parking spaces, by landscape islands at least 10 ft. wide, to the greatest extent practical.



Don't do this – large, unbroken expanses of parking



Do this – divide large parking areas into a series of connected lots.

3.3.8.6. Connecting walkways

The landscape area following a connecting walkway within a commercial center must be at least 5 ft. wide.

3.3.8.7. Parking overflow to landscape areas

Parking cannot overflow onto areas outside of the designated parking area that does not meet the minimum pavement standards for the use. Parking and vehicle display on pedestrian and landscaped areas is prohibited.

3.3.8.8. Street corners

A corner landscape area must be provided if parking or a drive aisle is between a building and the street corner. Parking spaces and drive aisles must be at least 30 ft. from the intersection point of property lines at the corner.

3.3.9. Development Standards

3.3.9.1. Surface standards and paving materials

3.3.9.1.1. Permanent surfacing

- Parking and loading areas must have a permanent surface of asphalt, concrete, brick, paver blocks or a solid surface of similar or better durability and performance characteristics. Designated office facilities and designated customer and visitor parking areas in Development Area D shall have permanent surfacing.
- Porous pavement and concrete may be used for individual parking spaces and lightly used drive aisles. Porous pavement and concrete is discouraged for busy drive aisles, service drives and truck/freight loading areas. Porous pavement cannot be used for handicapped parking spaces.
- Parking and loading areas for heavy use and industrial vehicles ~~in heavy~~ serving industrial uses in Development Area D may be surfaced with ~~consist of~~ compacted gravel, which is not considered a permanent surfacing. Compacted gravel yards shall be fenced, to the extent practical and only to the extent that it is deemed functional and appropriate by Development Services staff. If the fencing described in this Section does not achieve the intended objective of this Section, this requirement shall be administratively waived by Development Services staff.

3.3.9.1.2. Permanent surfacing exception: single and two-household dwellings

- Porous pavement may be used as a parking surface for single and two household dwellings.
- Driveways may have a "Hollywood driveway" design, where the driving surface is broken up into paved tracks at least 2.5 ft. wide for the wheels, separated by a planted strip.
- Driveway width shall be no wider than a 2-door garage at property line; driveways for 3rd garage door must flare out.
- Parking on an unpaved surface is prohibited.



Separated Hollywood driveway strips

3.3.9.1.3. Permanent surfacing exception: temporary uses

Permanent parking surfaces are not required for temporary uses. A parking plan must be approved for temporary uses, subject to Development Services staff review.

3.3.9.2. Grading and drainage

Parking and loading areas must be graded and drained to dispose of all surface water, in conformance to the approved drainage plan for the site.

3.3.9.3. Markings

Parking spaces, aisles, entryways, loading spaces and queue spaces surfaced in permanent materials must be marked to show their location.

Handicapped parking spaces must be marked with the international symbol of accessibility on the space and on a sign at the head of the parking space.

Motorcycle parking spaces must be marked with a sign at the head of the space, from 3 ft. and 5 ft. above the parking surface.

Parking space markings for one, two and three household dwellings are not required.

3.3.10. Shopping cart return areas

Shopping cart return areas must be defined by curbs and landscaping.

3.4. Architectural design

3.4.1. Single Household and Two- to Four-Household Residence Design

3.4.1.1. Mandatory homeowner association

A mandatory homeowner association shall be created and maintained for all single household and two-to-four-household residential development.

3.4.1.2. Required elements

Single household and two to four household dwellings must include at least one of the following elements:

- Side, detached, rear or alley-loaded garage
- Masonry (brick, stone) wainscot at least 4 ft. on front and side exterior walls, if the side walls are not those materials
- One story scaled entries recessed or covered with a porch, canopy, or other shading device
- Functional front porch at least 72 sq. ft.
- One of the following green building certifications:
National Association of Home Builders National Green Building Program: ANSI ICC 700-2008 National Green Building Standard, Bronze, Silver, or Gold.

U.S. Green Building Council Leadership in Energy and Environmental Design (LEED): Certified, Silver, Gold or Platinum.

3.4.1.3. Exterior Wall Standards:

- Exterior surface area (all stories) of primary buildings shall consist of un-painted clay brick, ledge stone, fieldstone, cast stone, granite, tile, painted or tinted stucco, glass façade, glass block (or alternative glazing e.g. Kalwall) and factory tinted (not painted) split faced concrete masonry unit, cementitious-fiber planking (not panels) or similar material approved by the Development Services staff.
- Solid wood planking, decorative cementitious-fiber panels and other materials approved by the Development Services staff may be used for accent features.
- A minimum of fifteen percent (15%) of the front primary building façade for buildings shall consist of window or door openings.
- All building fronts shall have at least four different design features to break the wall plane. The following are examples of the types of design features that meet this requirement: horizontal off-sets, recesses or projections, porches, breezeways, porte-cocheres, courtyards, awnings, canopies, alcoves, recessed entries, ornamental cornices, display or other ornamental windows, vertical "elevation" off-sets, peaked roof forms, arches, outdoor patios, architectural details such as tile work or moldings integrated into the façade, integrated planters or wing walls, accent materials, varied roof heights, premium roofing materials such as tile or standing seam metal, or similar design features approved by the Development Services staff. Windows shall have a maximum exterior reflectivity of twenty percent (20%).
- Design elements and detailing, including the presence of windows and window treatments, trim detailing, and exterior wall materials, must be continued around the structure. The percentage of design elements and detailing are not required to be consistent on all facades.



Façade with elevation design features, first floor articulation and detached rear garage



Example of façade with elevation design features, individual garage doors (projecting), and articulation of first story



Example of façade treatment through first and second floor articulation, elevation design features, color selection of garage doors (projecting)



Example of elevation design features



Example of elevation design features, first floor articulation, and individual garage doors (flush)



Avoid - flat and boxy 2-story facade with low-pitched roof and lacking elevation design features



Avoid – façade with flat pitch roof, lack of pedestrian-scaled entry and elevation design features

3.4.1.4. Facades - corner

Houses on corner lots shall be articulated on both street facades; continue siding material palette on both street-facing facades and incorporate architectural elements such as side porches, bay windows, gable roofs and similar design elements and detailing on side street facing façade. The percentage of design elements and detailing are not required to be consistent on both facades.



Corner lot/street facing facades - example of elevation detailing continued on both façades



Corner lot/ street facing facades – continuation of elevation design features



Avoid: Side street facing façade that lacks elevation design features



Avoid: Side street-facing facade that lacks elevation design features

3.4.1.5. Garages

3.4.1.5.1. Front-loaded garages

A front-loaded garage may occupy no more than 70% of the house frontage.

3.4.1.5.2. Garage doors - articulation

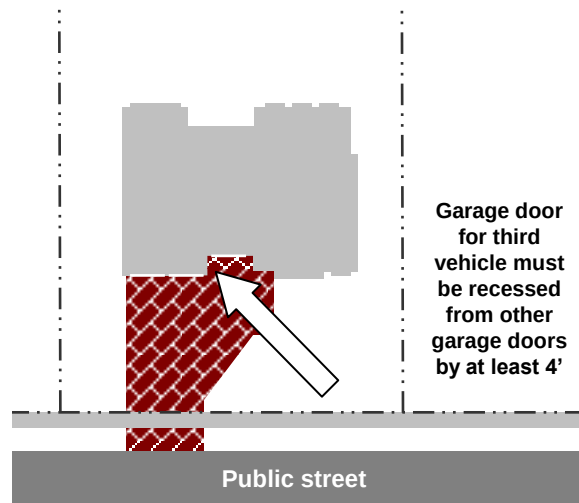
- Garage doors articulation shall include detailing and/or relief in the surface using wood or wood-like finished materials, windows are a preferred element
- Paint colors and/or stain for garage doors shall be compatible with the color palette of the building elevation on which the garage door is located
- Individual garage doors are preferred on street facing facades; garage doors are limited to 2-car garage size.
- The use of 3 garage doors on a street facing facade is discouraged; At least one of the 3 garage doors must be side facing or recessed a minimum of 4 ft. from the other garage doors.



Detailing of the wooden garage door provides required garage door articulation on street facing facades



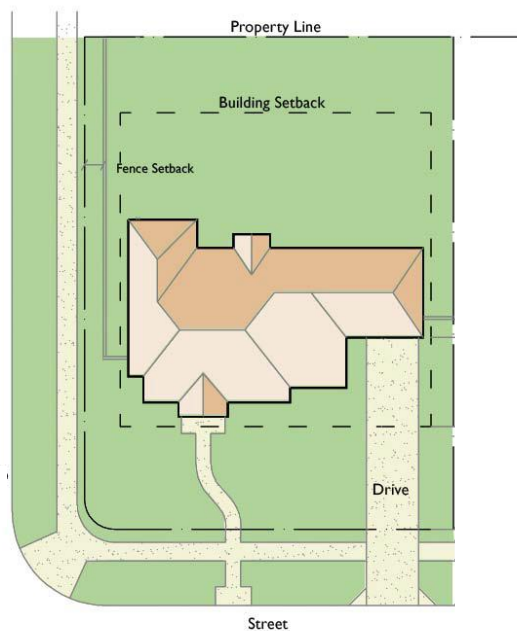
Three-car garage with detailed, individual garage doors; note required recess of two doors on right



Driveway flares out are required from the property line to accommodate the 3 garages

3.4.1.5.3. Orientation: corner lots and open space lots

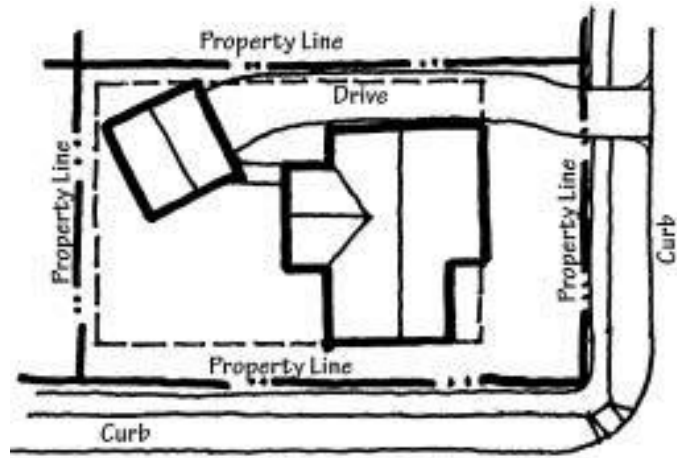
Garages for one and two household dwellings accessed from the fronting street must be located on the interior lot line side of the lot, opposite from the corner or open space lot.



Corner lot: locate garage/driveway away from the corner

3.4.1.5.4. Types of garages

3.4.1.5.4.1. Garage – detached rear



A detached rear garage is a permitted garage type.



Example of detached rear garage



Example of detached rear garage



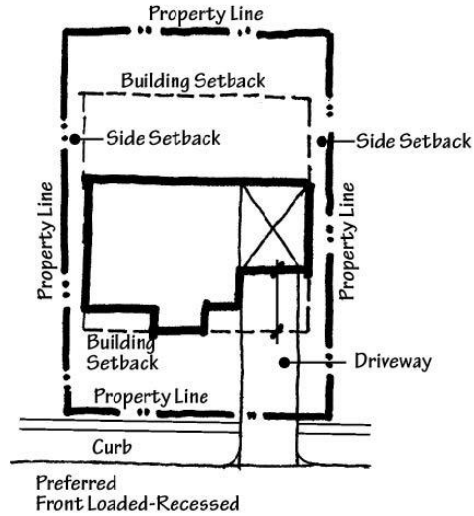
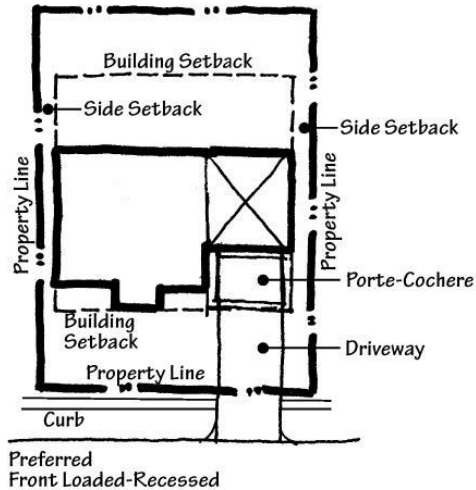
Example of detached rear garage



Example of detached rear garage

3.4.1.5.4.2. Garage - recessed

A garage door recessed from the face of the front façade is a permitted garage type. An overhead eave is a preferred detail element above the garage



Street facing garage with a large eave and individual garage doors



Recessed, tandem garage with individual garage door and detailing above



Recessed front garage creates a shadow line and emphasis on the rest of the facade

3.4.1.5.4.3. Garage - flush with façade

Garage doors flush with the street facing façade require detailing on the façade to de-emphasize the visual impact of the garage, including the following:

Trim or banding around the garage door

Garage door relief detailing and windows are a preferred element

Coordinated color selection to de-emphasize the garage door

Individual garage doors are preferred



Avoid - flush garage with completely flat 2- car garage door, no detailing or relief, highlight paint color on door inadvertently attracts attention, lack of trim around door, lack of first floor façade articulation above garage

3.4.1.5.4.4. Garage – projecting

Garages projecting in front of the street facing façade may protrude in front of the façade provided that detailing is provided on all exposed garage facades to de-emphasize the visual impact of the garage.

Windows and individual garage doors are preferred element.

The following are required on projecting garage:

- Integrated trim or banding around the garage door that matches the residential building
- Detailing and articulation of the door facade
- Color selection that does not emphasize the garage door
- An architectural top to the garage, such as a gabled roof



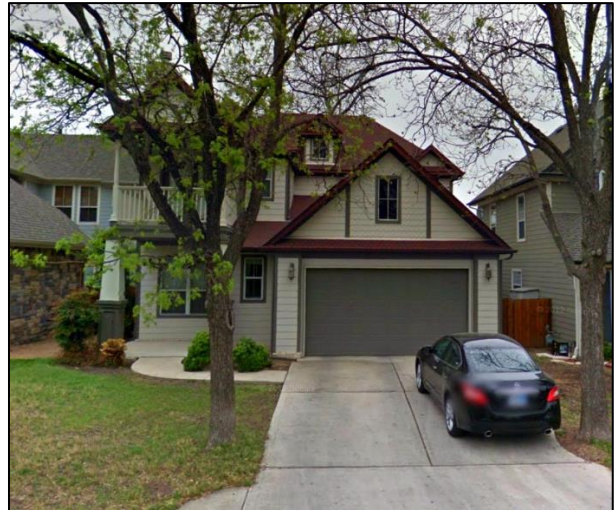
Projecting garage- example of integration of matched house/garage siding, trim detailing above, garage door detailing, accent colors, articulation of first floor level above garage, and use of gable above



Projecting garage – example showing windows on door, detailing and trim and good color selection



Projecting garage – example integration of masonry siding matching façade, good detailing, trim and color selection (note: garage door lacks adequate detail)



Projecting garage- example of integration of siding on garage trim, accent lights, accent colors, articulation of first story level, detailing on garage door, gable and centered window above

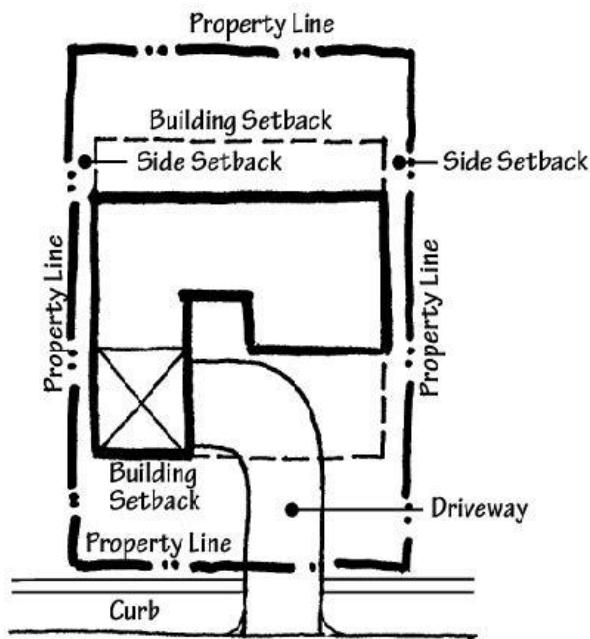


Avoid - projecting garage with completely flat 2-car garage door, no detail, paint color not complimentary to house façade. Light color masonry poor selection choice as it highlights the garage

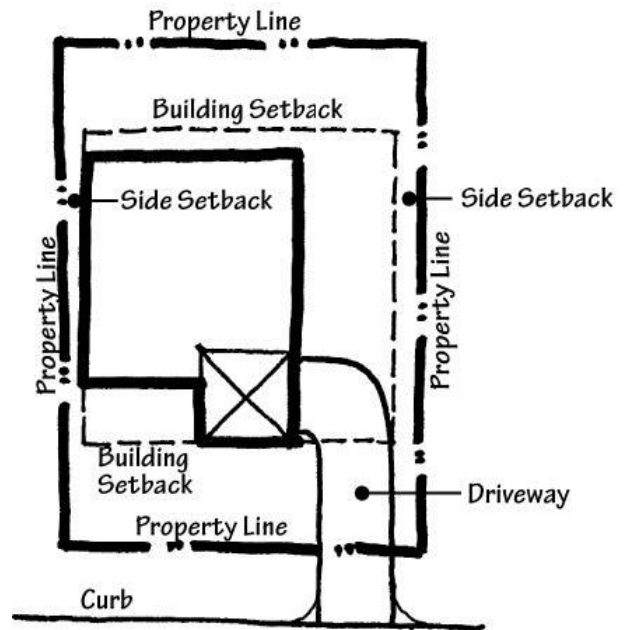
3.4.1.5.5. Garage - side-loaded

Garages that are side-loaded (in relation to the street) are a preferred and permitted garage type provided the following requirements are incorporated:

- Garage door articulation requirements are incorporated
- Placement of driveway pavement meets setback restrictions
- Driveway pavement is limited to the minimum necessary for safe vehicular movement



Inside Swing Side Loaded



Outside Swing Side Loaded



Side-loaded garage with individual doors and windows

3.4.1.5.6. Garage – Rear alley loaded

Alley loaded garages is a permitted garage type. Alley loaded garages may be attached or detached from the home.

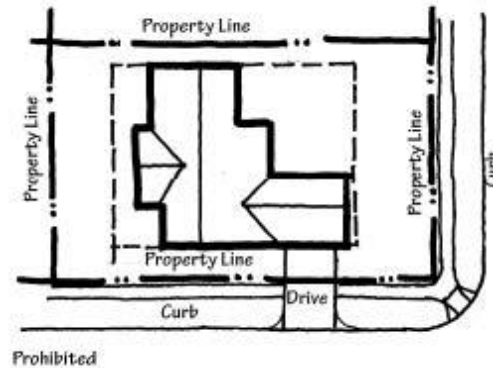
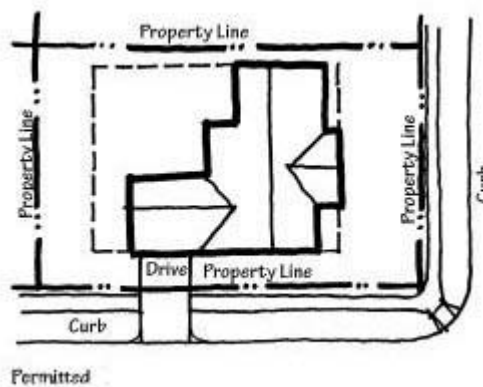


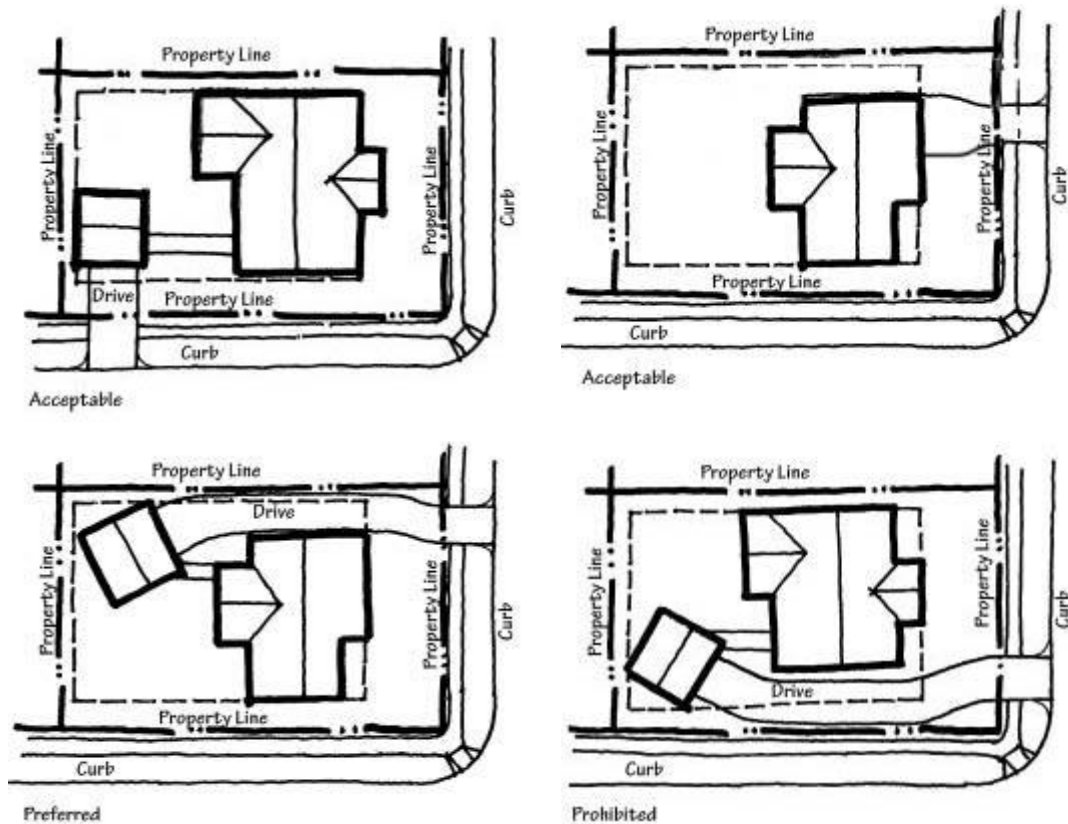
Garages access from rear alley

3.4.1.5.7. Corner lot garage placement

Minimize the visual prominence of garage and driveway placement on corner lots by incorporating the following:

- Avoid garage placement/driveway access from a side street that is:
 - Centered on an approaching street. It is visually prominent
 - Placed close to the street corner
- Avoid garage placement/driveway access from the fronting street that is:
 - Placed close to the street corner



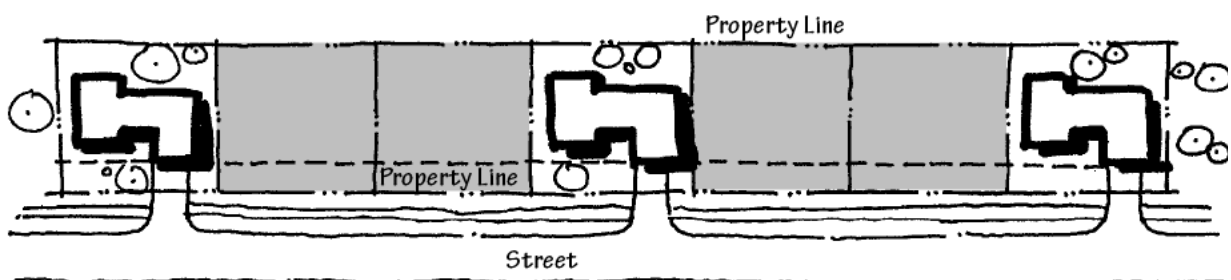


3.4.1.6. Plan spacing and repetition

No two elevations of the same style and plan type are permitted side-by-side within a given block face. Developments with single household and two household dwellings must adhere to the following minimum standards:

3.4.1.6.1. Same plan, different elevation, same side of the street

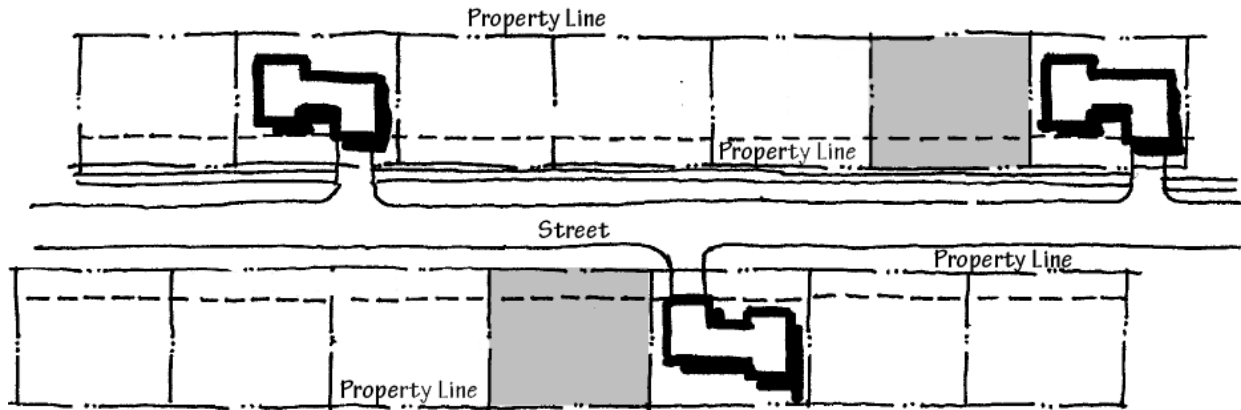
When building different elevations of the same plan on the same side of the street, two lots must be skipped and the home (same plan, different elevation) shall be placed on the third lot.



Same Plan, Different Elevation, Same Side of the Street

3.4.1.6.2. Same plan, different elevation, opposite side of the street

When the same plan, different elevation is on the opposite side of the street, the lot fronting the property, and the one beside it shall be skipped, for a total of two skipped lots, and the home (same plan, different elevation) shall be placed on the third lot. The lot fronting the subject lot is defined as a lot that has one or more side property lines directly across the street from the subject lot.

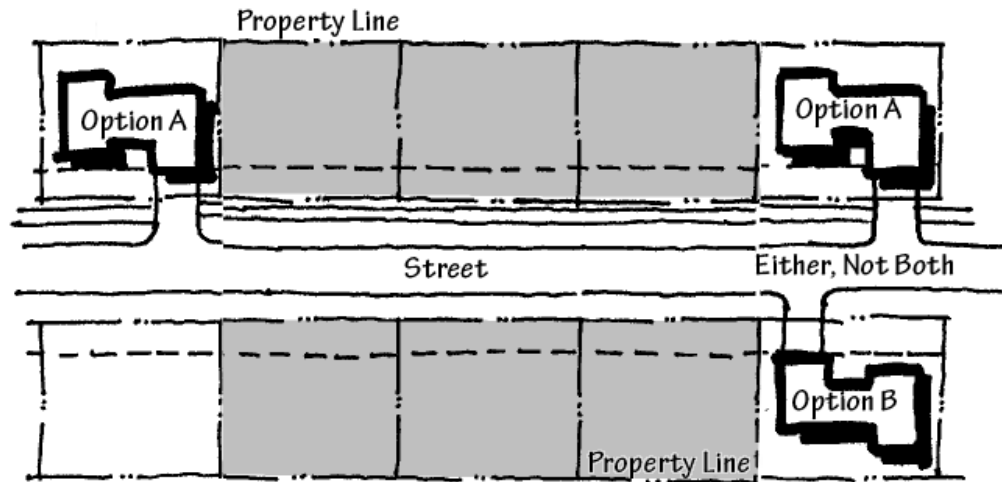


Same Plan, Different Elevation, Opposite Side of Street

3.4.1.6.3. Same plan, same elevation, same or opposite side of the street

When the same plan, same elevation is on the same side of the street, three lots shall be skipped and the home (same plan, same elevation) shall be placed on the fourth lot.

When the same plan, same elevation is on the opposite side of the street, the lot fronting the property shall be counted as the first lot, then count an additional two lots and place the home (same plan, same elevation) on the fourth lot. The lot fronting the subject lot is defined as a lot that has one or more side property lines directly across the street from the subject lot.



Same Plan, Same Elevation, Same or Opposite Side of Street



Same elevation on non-adjacent lots (2 lots must be skipped)



Diversity in elevations (even within the same architectural style), no duplicate elevations adjacent

3.4.1.7. Roofs

On buildings with pitched roofs, the minimum roof pitch is 6:12. Pitched roofs shall be clad in 25-year minimum composition shingles or low reflectivity galvanized metal roofing materials.

3.4.1.8. Mechanical equipment screening

Rooftop mechanical equipment is prohibited unless placed where they are not visible from the public ROW.

Ground mounted mechanical equipment (air conditioning units, utility boxes, etc.) must be hidden or screened with architecturally integral wing walls or landscape screening material that will grow to the same height as the equipment being screened, or placed where they are not readily visible from a public street, to the greatest extent practical.

Solar panels and rain collection tanks are exempt from mechanical equipment screening standards.

3.4.2. Single Household Attached and Multiple Unit Household Residence Design

3.4.2.1. Architectural style

Distinct groups of buildings on a site must share common, identifiable, complementary design elements and/or detailing in a multiple household residential development. This includes non-residential structures in the development such as amenity centers, laundry and maintenance buildings, garages, carports, and dumpster enclosures.

3.4.2.2. Form and mass

A single, large, dominant building mass should be avoided.

Multiple household residential building designs should incorporate visually heavier and more massive elements, details or colors at the building base, and visually lighter elements, details or colors above the base.

Changes in mass or form should be related to entrances, the integral structure and/or the interior space organization, and not just for cosmetic effect.

3.4.2.3. Exterior walls

3.4.2.3.1. Pattern

Facades must be articulated with bays, insets, balconies, porches, stoops or other similar design elements related to entrances and windows.

3.4.2.3.2. Four-sided design

All walls viewed must include materials and design characteristics consistent with those on the front. Lesser quality materials for side or rear walls are prohibited.

3.4.2.3.3. Long walls and facades

- The maximum length of a multiple household residential building is 200 ft.
- Wall and roof planes must have offsets or setbacks with a differential in horizontal plane of at least 2 ft. every no more than 50 ft.
- Up to six townhouse units may be attached in a single row.

3.4.2.3.4. Building entries

- Common balconies on perimeter walls providing access to two or more units are prohibited.
- Building entries next to a public street, private drive or parking area must be articulated to provide an expression of human activity or use in relation to building size through the use of doors, windows, entranceways, and other design features such as corners, setbacks, and offsets can be used to create articulation.

3.4.2.3.5. Garage doors

Front loading garage doors on multiple household residential building must include the following elements:

- Front-loaded garage doors may comprise no more than 50% of the total length of the front façade of a multiple residential building's front façade. Every two single-bay garage doors or every double garage door must be offset by at least 4 ft. from the plane of an adjacent garage door,
- Garage doors must integrate into the overall building design with color, texture or other similar design elements.

3.4.2.3.6. Windows and transparency

- All walls and elevations on all floors of multiple household buildings must include windows, except when necessary to assure privacy for adjacent property owners.
- Exterior windows should be located to promote occupant surveillance of entryways and common areas.

3.4.2.3.7. Building roofs

- On buildings with pitched roofs, the minimum roof pitch is 6:12.
- Roof forms must be designed to correspond and denote building elements and functions such as entrances and arcades
- On buildings where flat roofs are the predominant roof type, parapet walls must vary in height and/or shape at least once every no more than 50 ft. along a wall façade. Exceptions to the parapet standards may be administratively approved by Development Services staff if it can be demonstrated that the building design character meets the intent of this Section.
- On buildings where sloping roofs are the predominant roof type, each building must have a variety of roof forms

3.4.2.4. Materials and color

3.4.2.4.1. Building materials

- Building exterior materials must be high quality and durable. Masonry, stone and/or brick must be used as exterior materials for at least 40% of exterior facades, excluding doors, windows and trim. Wood, fiber-cement siding, corrugated metal, and stucco are suitable examples of appropriate secondary exterior materials.
- Deviations up to 10% to building material standards may be administratively approved by Development Services staff if it can be demonstrated that the building material meets the design intent of this Section.
- T-1-11 and other plywood-based siding materials are prohibited.
- Prefabricated and pre-engineered buildings are prohibited.

3.4.2.4.2. Roof materials

- Roof materials must be high quality and durable. Acceptable roof materials include concrete tile, architectural asphalt shingles, metal shingles and split seam metal.
- Flat roofs may utilize any roofing material but must include a parapet.

3.4.2.4.3. Material or color changes

- Material or color changes must only occur at a change of plane or reveal line.
- Exceptions to location of material or color change standards may be administratively approved by Development Services staff if it can be demonstrated that the location meets the design intent of this Section.
- Piecemeal embellishment and frequent material changes are prohibited.

3.4.2.4.4. Mechanical equipment screening

Rooftop mechanical equipment must be hidden or screened with architecturally integral elements at least as high as the equipment to be screened. Makeshift equipment screens, such as wooden or plastic fences, are prohibited.

Ground mounted mechanical equipment must be hidden or screened with architecturally integral wing walls and/or landscaping.

Mechanical equipment must be located where their acoustics will not be disruptive to abutting residential dwelling units.

Solar panels and rain collection devices are exempt from mechanical equipment screening standards.

3.4.3. Commercial, Office, Public, Institutional and Mixed-Use Building Design

3.4.3.1. Architectural style

Attached or distinct group of buildings on a site must share common identifiable, complementary design elements and/or detailing. This includes accessory structures such as freestanding canopies, accessory and maintenance buildings, and dumpster enclosures.

A building must have a single definitive, consistent style; mixing of various architectural styles on the same building is discouraged.

3.4.3.2. Form and mass

A single, large, dominant building mass must be avoided in new building additions involving changes to the mass of existing buildings. Changes in mass should be related to entrances, tenant spaces, the integral structure and/or the interior space organization and activities.

3.4.3.3. Exterior walls

3.4.3.3.1. Base and top

Façades and walls must have a recognizable base, with design examples achieving this criteria including (but not limited to):

- thicker walls, ledges or sills;
- integrally textured materials such as stone or other masonry;
- integrally colored and patterned materials such as smooth-finished stone;
- lighter or darker colored materials, mullions or panels; or
- planters;
- wainscoting or plinth course

Façades and walls must have a recognizable top, with design examples achieving this criteria including (but not limited to):

- cornice treatments, other than colored stripes or bands alone, with integrally textured materials such as stone or other masonry or differently colored materials;
- sloping roof with overhangs extending a minimum of 18 inches;
- stepped parapets.



Example of sloping roofed building with recognizable base and top.



Example of flat roofed building with recognizable base and top.

3.4.3.3.2. Four-sided design

All walls must include use materials and general design characteristics consistent those on the front.



Example of four sided design

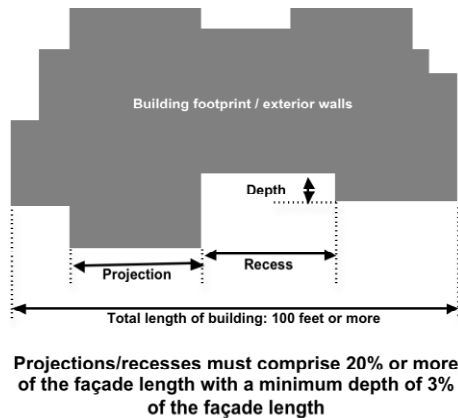


Example of four-sided design



3.4.3.3.3. Long walls and façade; projections and recesses

- Walls at least 100 ft. long must include wall plane projections or recesses having at least 3% depth of the façade length, and extending at least 20% of the façade length.
- Deviations up to 10% to wall plane projections or recesses may be administratively approved by Development Services staff if it can be demonstrated that the building wall design meets the design intent of this Section.



Large retail store with projections and recesses

3.4.3.3.4. Exterior walls

- Exterior walls cannot have a blank, uninterrupted length. greater than 50 ft. without including one or more of these the following design features: change in plane, change in texture or masonry pattern, windows, or other equivalent element(s) that subdivide the wall into human scale proportions. Side or rear walls may include false windows and door openings defined by frames, sills and lintels, or similarly proportioned modulations, only when actual doors and windows are not possible because of the building use. Deviations up to 10% to side or rear wall articulation may be administratively approved by Development Services staff if it can be demonstrated that the building wall design meets the design intent of this Section.

3.4.3.3.5. Primary building entrances

Primary building entrances must be clearly defined and shall be recessed or framed by a sheltering element such as an awning, arcade or portico to provide shelter from the sun and inclement weather.



Well-defined building entrance

3.4.3.3.6. Retail building entrances

Anchor stores (defined as a retail building containing greater than 25,000 sf), and freestanding, single-use buildings, must have a clearly defined, highly visible customer entrance with four or more of the following elements (but not limited to):

- Arcades
- Arches
- Canopies or porticos
- Details such as tile work and moldings integrated into the building structure and design
- Display windows
- Integral planters or wing walls that include landscaped areas and/or places for sitting
- Outdoor patios
- Overhangs
- Peaked roof forms
- Raised corniced parapets over the door
- Recesses and/or projections
- Clinging vines
- Bas-relief artwork or mosaics
- Trellis

At least 25% of the additional stores in a shopping center must have two or more of the elements listed above.



Projections, arches, raised cornice parapet, integrated tile work and molding



Outdoor patio, display windows



Peaked roof form, canopy, display windows, projections



Peaked roof form, projections, arcade, display window, arches

3.4.3.3.7. Awnings

Awnings may only be used in detached increments above individual windows, doors and entries.



Separate awnings above individual windows

3.4.3.3.8. Transparency in commercial buildings

At ground level floors, buildings must have a high level of transparency: façades and walls that face a public street, plaza, or primary customer parking areas (excluding the building rear and side facades and service areas) must be transparent between 2 ft. and 7 ft. above the grade or walkway along at least 50% of its length along the front facade, except where the internal arrangement of a building makes it impractical to provide transparency along a portion of a wall. In these conditions, a combination of sculptural, mosaic, or bas-relief artwork and transparent window areas or displays may substitute for 25% of required transparent areas, except when fronting on plaza areas.



Good door and window coverage on prominent elevations

3.4.3.3.9. Garage doors

- Garage bay doors fronting on a public street: design elements shall include the following: doors must be segmented, with windows covering at least 25% of the garage surface. Roll-up garage doors are prohibited. Garage doors must be recessed at least 2 ft. behind the building façade. Garage bay doors must be integrated into the overall design of the host building with color, texture, windows and similar or compatible design elements. Bay doors may not be visible from a residential use.
- Vehicle service areas and bays must be screened or sited so visibility from a public street is as low as possible: landscape screening shall comply with requirements set forth with Section 3.5.3.4 Parking lot and vehicular use screening.
- Roll-up garage doors are permitted in vehicle service areas and bays.



Garage doors integrated into building architecture

3.4.3.4. Building roofs

3.4.3.4.1. Roof form design

Roof forms must correspond to and denote building elements and functions such as entrances, arcades and porches. Roof forms should relate to adjacent buildings to the greatest extent practical.

3.4.3.4.2. Required features

Sloping roofs must have one of the following features:

- Overhanging eaves, extending at least 1.5 ft. past the supporting wall or facade.

- Sloping roofs that do not have an overhanging eave, or with an eave less than 1.5ft past the supporting wall or facade must have an average slope of at least 1 ft. of vertical rise for every 3 ft. of horizontal run and no more than 1 ft. of vertical rise for every 1 ft. of horizontal run.

3.4.3.4.3. Roof lines

The continuous plane of a roof line must be no more than 100 ft. unless it can be demonstrated it meets the intent of this Section. Exceptions may be administratively approved by Development Services staff.



Example of varied roof line plane

3.4.3.4.4. Drive through facilities

Drive through facilities must be architecturally integrated into the host structure.

Drive through facilities must be located to minimize or avoid conflict with internal pedestrian routes. Pedestrian paths must be distinguished from vehicular driving surfaces by textured and colored pavement or other contrasting design element to emphasize conflict points and enhance pedestrian safety.



Drive-through architecturally integrated into host structure

3.4.3.5. Canopies

3.4.3.5.1. Architectural integration

Canopies must include design elements found on the main building, such as color, exterior materials and/or roof pitch.

3.4.3.5.2. Canopy support poles

Canopy support poles must include design elements consistent with the overall architectural theme of the primary building, or pole covers at least 18 in. in diameter or width, with a similar surface material and architectural treatments as the dominant material on the host building.

3.4.3.5.3. Canopy fascia

Canopy fascia must be the same color as the dominant color of the host building. Striping and banding on canopies is prohibited.



Canopy design integrated into site

3.4.3.6. Materials and color

3.4.3.6.1. Building materials

- Predominant building exterior materials must be high quality and durable. Masonry (stone, brick, decorative CMU and similar materials) must be used as exterior materials for at least 40% of exterior facades, excluding doors, windows and trim. Wood, fiber-cement siding and textured concrete/EIFS are examples of appropriate secondary exterior materials.
- Corrugated metal is an acceptable material. Corrugated metal and ACM panels are examples of acceptable accent materials, and may have a cumulative surface area of no more than 30% of the area of all exterior walls on a building.
- Building-integrated photovoltaics (BIPV) may substitute for any amount of predominant and secondary exterior materials.
- Smooth-faced concrete block, painted masonry, and tilt-up and precast concrete panels are prohibited.
- T-1-11 and other plywood-based siding materials are prohibited.
- Prefabricated metal buildings and panels are prohibited.

3.4.3.6.2. Roof materials

- Roof materials must be high quality and durable. Acceptable roof materials include concrete tile, architectural asphalt shingles, metal shingles, split seam metal, photovoltaic roof tiles and shingles, and solar panels.
- Planted green roofs are permitted and strongly encouraged.
- Flat roofs may utilize any roofing material but must have a continuous parapet.

3.4.3.6.3. Building colors

- Building colors must be low reflecting, muted and neutral or earth toned. Roof colors should be muted and compatible with the dominant building color.
- High intensity colors, metallic colors, black, fluorescent colors, single color schemes and groups of stripes are prohibited as the predominant building color or color scheme.
- High intensity colors, and black or grey, may be used on building trim and accents.

3.4.3.6.4. Material or color changes

- Material or color changes must occur only at a change of plane or reveal line, unless when administratively approved by Development Services staff.



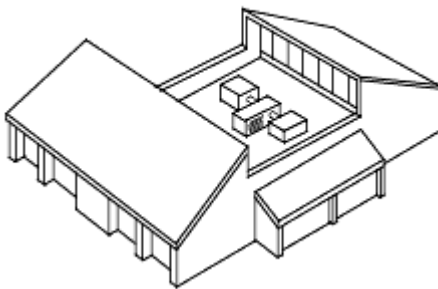
Change in materials at a change in plane.

3.4.3.7. Mechanical equipment screening

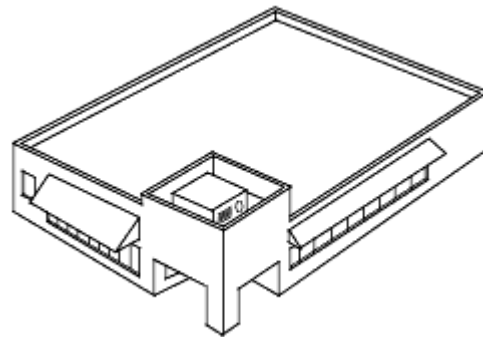
Rooftop mechanical equipment must be hidden or screened with architecturally integral elements at a height least as high as the equipment to be screened. Makeshift equipment screens, such as wood or plastic fences, are prohibited.

Ground mounted mechanical equipment must be hidden or screened with architecturally integral wing walls and/or landscaping to the greatest extent practical.

Solar panels and rain collection tanks are exempt from mechanical equipment screening standards.



Example of appropriate screening for rooftop mechanical equipment



Example of appropriate screening for rooftop mechanical equipment

3.4.3.8. Utility equipment screening

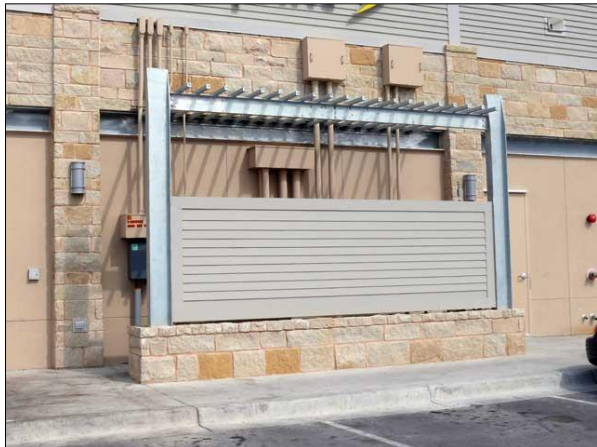
Electrical meters, switch boxes, panels, conduit, and related utility equipment must be placed in the most inconspicuous location practical.

Utility equipment must be painted or coated to match the color of the mounting surface, to the greatest extent practical.

Utility equipment located in an area that may be frequently seen by the general public must be screened to the extent practical with landscape screening or a wing wall architecturally integrated into the host building structure.



Utility equipment at back of building painted to match wall



Utility equipment in more visible location screened by wing wall

3.4.3.8.1. Cobranded uses

Cobranded uses such as restaurants and convenience stores must be well integrated into the host structure. Using disharmonious architectural elements, such as a non-compatible façade materials or disharmonious roof pitch from the host building structure is prohibited, unless it can be demonstrated that it meets the intent of this Section.



Cobranded uses with harmonious architectural elements

3.4.4. Industrial building design in Development Area C

3.4.4.1. Intent

This section shall not apply to industrial structures over 200,000 sq. ft. in area.

3.4.4.2. Character and image

In industrial developments located on a single site, each building must include compatible building design characteristics shared by all buildings in the development, such as façade materials and colors, so the development forms a cohesive place.

Distinct groups of buildings on a site must share a common, identifiable, complementary design or style. This includes accessory structures such as freestanding canopies, accessory and maintenance buildings, and dumpster enclosures.

3.4.4.3. Form and mass

A single, large, dominant building mass should be avoided in new buildings and, as much as possible, in projects involving changes to the mass of existing buildings. Changes in mass must be related to entrances, the integral structure and/or the organization of interior spaces and activities and not merely for cosmetic effect.

3.4.4.4. Exterior walls and facades

3.4.4.4.1. Pattern

Façades and walls must include a repeating pattern with an expression of architectural or structural bays through a change in plane, such as an offset, reveal, pilaster, projecting ribs, fenestration patterns, or piers; and any of the following elements:

- color change
- texture change
- material module change

Design elements must repeat at intervals of no more than 60 ft. Deviations up to 10% to the interval repetition may be administratively approved by Development Services staff.

3.4.4.4.2. Four-sided design

All façades and walls must include materials and design characteristics consistent with those on the front façade. Inferior or lesser quality materials for side or rear walls are prohibited.

3.4.4.4.3. Garage doors

Bay doors must be screened using wing walls, carefully placed berms on the site, or other effective screening and site planning techniques, or otherwise sited so visibility from the public streets is minimized. Bay doors must be integrated into the overall design of the host building with color, texture, windows and similar or compatible design elements. Segmented garage bay doors with windows are preferred to roll-up garage doors.

3.4.4.4.4. Primary building entrances

Primary building entrances must be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico to provide shelter from the sun and inclement weather.

3.4.4.5. Building roofs

3.4.4.5.1. Planted green roofs

Planted green roofs, solar panels and rain collection tanks are strongly encouraged

3.4.4.6. Materials and color

3.4.4.6.1. Building colors

- Building colors must be low reflecting, muted and neutral or earth toned. Roof colors must be muted and compatible with the dominant building color.
- High intensity colors, metallic colors, fluorescent colors, single color schemes and groups of stripes are prohibited as the predominant building color or color scheme.
- Brighter colors, and black or grey, may be used on building trim and accents.
- An exception to the color standards may be administratively approved by Development Services staff if it can be demonstrated that the color selection meets the design intent of this Section.

3.4.4.6.2. Building materials

Durable, high quality building materials must be used. Brick, stone, split-face CMU, EIFS, detailed tilt-up concrete panels, and building-integrated photovoltaics (BIPV) are examples of appropriate building materials.

- T-1-11 and other plywood-based siding materials are prohibited.
- Prefabricated and pre-engineered metal buildings and panels are prohibited.

3.4.4.6.3. Material or color changes

- Material or color changes must occur only at a change of plane or reveal line.
- An exception to the location of material or color change standards may be administratively approved by Development Services staff if it can be demonstrated that the location meets the design intent of this Section.
- Piecemeal embellishment and frequent material changes are prohibited.



Industrial building design: appropriate



Industrial building design: appropriate



Industrial building design: appropriate



Industrial building design: appropriate

3.4.4.7. Mechanical equipment screening

Rooftop mechanical equipment must be hidden or screened with architecturally integral elements at a height at least as high as the equipment to be screened. Makeshift equipment screens, such as wooden or plastic fences, are prohibited.

Ground mounted mechanical equipment must be hidden or screened with architecturally integral wing walls and/or landscaping to the greatest extent practical.

Solar panels and rain collection tanks are exempt from mechanical equipment screening standards.

3.4.4.8. Utility equipment screening

Electrical meters, switch boxes, panels, conduit, and related utility equipment must be placed in the most inconspicuous location practical.

Utility equipment must be painted or coated to match the color of the mounting surface to the greatest extent practical.

Utility equipment located in an area that may be frequently seen by the general public must be screened to the extent practical with landscape screening or with a wing wall architecturally integrated into the host building structure.

3.5. Landscaping

3.5.1. General standards

3.5.1.1. Visibility

Shrubs growing over 3 ft. tall at maturity must be placed at least 10 ft. from curb cuts. This is to maintain clear driver sight distance at driveway-street intersections.

3.5.1.2. Utilities

Tree trunks must be placed at least 10 ft. from streetlights and 5 ft. from wet utilities. Tree trunks must be placed at least 4 ft. from gas lines.

3.5.1.3. Clear zone at intersections

Trees in tree lawns must be at least 15 ft. from the curb return corner at street intersections.

3.5.2. Required landscaping: single and two-household dwellings

3.5.2.1. Tree number

Lots with single household and two household dwellings must have at least the following number of trees:

- Street tree - one native tall tree shall be installed per 25 ft. - 30 ft. of linear street frontage within the tree lawn area provided trees are set back from utilities. Required street trees may be installed in the front yard only if inadequate tree lawn area is available to meet the street tree frontage requirements. It is the responsibility of the installer to insure there are no conflict with utilities and complies with clear vision area

requirements. Intersection clear zones and curb cut visibility areas are not included in the street frontage calculations.

- One native tall tree or two native short trees for every 3,000 sq. ft. of lot area.

Existing native tall and short trees conforming to Section 3.18.3.3 may be used to meet minimum tree planting requirements.

3.5.2.2. Shrub number

Lots with single household and two household dwellings must have one or more native shrubs for every 1,000 sq. ft. of lot area. All of the required shrubs must be placed in the front half of the lot. Lots at least 50,000 sq. ft. do not need more than 100 shrubs.

3.5.2.3. Tree and shrub size

Native tall trees must have a trunk of at least 2 in. caliper and 10-12 ft. ht. Native short trees must have a caliper of at least 1.5 in. and 8-10' ht. Planted shrubs must have at least 1-gallon container or be at least 2 ft. tall, and grow to a height of at least 2 ft.

3.5.2.4. Groundcover

Groundcover must be planted on areas of developed parcels that are not part of an impervious surface, covered with porous paving, occupied by shrubbery or gardens, or under a tree drip line.

3.5.3. Required landscaping: non-residential and 3+ household residential development

3.5.3.1. Landscaping areas

Parcels with a non-residential use or 3+ household residential structures must be landscaped as follows. Additional plants may be required per buffer yard standards in Section 3.1.6, and mechanical equipment screening requirements.

Street tree - one native tall tree shall be installed per 25 ft. - 30 ft. of linear street frontage within the tree lawn area provided trees are set back from utilities. Required street trees may be installed in the front yard only if inadequate tree lawn area is available to meet the street tree frontage requirements. It is the responsibility of the installer to insure there are no conflict with utilities and complies with clear vision area requirements. Intersection clear zones and curb cut visibility areas are not included in the street frontage calculations.

Planting requirements set forth in this Section shall comply with standards set forth in Section 3.5.1. Minor deviations to the standards set forth in this Section may be administratively approved by Development Services staff if it meets the intent of this Section.

3.5.3.2. Minimum percentage

A minimum percentage of the total area being developed shall be landscaped in accordance with the following percentages:

- Commercial uses: 15%

- Commercial pad sites: 5%
- Multifamily dwellings: 20%
- Office and professional uses: 15%
- Institutional and civic uses: 15%
- Industrial or manufacturing uses in Development Area C: 10%
- Light and general industrial or manufacturing uses in Development Area D: 5%
- Heavy industrial uses in Development Area D: 2%

3.5.3.3. Tree and shrub requirement

For every 500 square feet of landscaping required, or portion thereof, at least two (2) large trees and four (4) shrubs are required. Two (2) small ornamental trees may be substituted for one (1) required large tree, not to exceed 50% of the required large trees.

3.5.3.4. Parking lot and vehicular use screening ~~—non-industrial uses~~

The perimeter of all vehicular use areas including parking areas, drive aisles, and loading areas shall be screened as follows:

- Vehicular use areas shall be screened from all abutting rights-of-way, including the UP Railroad and SH 130, by a continuous landscaped area not less than 10 ft. deep, as described in Section 3.1.6.2.
- Vehicular use areas shall be screened from all abutting residential property by a continuous landscaped area not less than 8 ft. deep.
- Landscape screening shall contain one (1) large tree per thirty (30) linear feet, or portion thereof, and a continuous hedge not less than 3 ft. in height.
- In addition to the required vehicular use screening, all outdoor parking shall have landscaping islands within the parking area equal to not less than 7% of the gross parking lot area. This requirement does not apply to Development Area D.
- Landscape islands shall be required on both ends of all parking aisles, if such spaces are not adjacent to another landscaped area or entry throat. This requirement does not apply to Development Area D.
- Not more than ten (10) consecutive parking spaces shall be provided without a landscaped island. This requirement does not apply to Development Area D.
- Landscape islands shall be a minimum of 9 ft. wide and 18 ft. deep, and shall contain at least one (1) large tree and four (4) shrubs. This requirement does not apply to Development Area D.
- Driveways and entry throats accessing lots from public streets shall contain at least one (1) large tree and five (5) shrubs on each side.
- Required parking lot landscaping may be counted toward the minimum landscaped area required in Section 3.5.3.2.

3.5.3.5. Tree and shrub standards applicable to this Section

The following standards apply to trees and shrubs:

- Planting areas for each tree provided shall have a minimum undisturbed pervious area of at least 100 square feet and shall be planted or covered with grass, mulch, or other appropriate ground cover.
- Each development shall provide at least three (3) different species. No more than 50% of all trees, per development, shall be of the same species.

- Two (2) small ornamental trees may be substituted for one (1) required large tree, not to exceed 50% of the required large trees.

3.5.3.6. Tree and shrub size

Native tall trees must have a caliper of at least 2 in. and 10-12 ft. ht. Native tall trees used as street trees in tree lawns must have a caliper of at least 4 in. and 12-14 ft. ht. Native short trees must have a caliper of at least 1.5 in. and 8-10' ht. Planted shrubs must have minimum 1-gallon container or be at least 18 in. tall.

3.5.3.7. Tree and shrub placement

Trees and shrubs may be clustered in groups, to present a natural environment and ease maintenance. All trees must be placed on the parcel being developed, unless otherwise permitted. If Development Services staff finds that it is impractical to plant trees and/or shrubs on parcels being developed, those trees and/or shrubs may be planted elsewhere in the PUD. Minor deviations may be administratively approved by Development Services staff in cases where necessary due to site constraints.

3.5.3.8. Groundcover

Groundcover must be planted on areas on a developed parcel that are not part of an impervious surface, covered with porous paving, occupied by shrubbery or gardens, or under a tree drip line.

3.5.4. Materials, maintenance, and replacement

3.5.4.1. Plant materials

Plant choice must be based on the Central Texas ecological setting and site microclimate conditions.

3.5.4.2. Native tall trees

Native and adapted tall trees that can be planted or used to meet landscaping requirements include the following.

Anaqua	(Ehretia anacua)
Bald Cypress	(Taxodium distichum var. distichum)
Bigtooth Maple	(Acer grandidentatum)
Black Walnut	(Juglans nigra)
Blackjack Oak	(Quercus marilandica)
Bur Oak	(Quercus macrocarpa)
Cedar Elm	(Ulmus crassifolia)
Chinquapin Oak	(Quercus muhlenbergii)
Durand Oak	(Quercus sinuate)
Escarpment Live Oak	(Quercus fusiformis)
Lacebark Elm	(Ulmus parvifolia)
Monterey Oak	(Quercus polymorpha)
Montezuma Cypress	(Taxodium mucronatum)

Pecan	(Carya illinoensis)
Red Maple	(Acer rubrum)
Red Oak	(Quercus lobatae)
Sawtooth Oak	(Quercus acutissima)
Shumard Oak	(Quercus shumardii)
Southern Live Oak	(Quercus virginiana)
Texas Ash (female only)	(Fraxinus texensis)
Texas Red Oak	(Quercus texana)
Western Soapberry	(Sapindus drummondii)
Winged Elm (female only)	(Ulmus alata)
Yellow Buckeye	(Aesculus pavia var. flavescens)

Established deciduous and semi-deciduous (not coniferous or palm) canopy trees at least 30 ft. tall with a trunk of at least 4 in. caliper of other species, that are not on the nuisance tree list.

3.5.4.3. Native short trees

Native and adapted short trees that can be planted or used to meet landscaping requirements include the following.

American Smoke Tree	(Cotinus obovatus)
Anacacho Orchid Tree	(Bauhinia lunarioides)
Big Tooth Maple	(Acer grandidentatum)
Blackhaw Viburnum	(Viburnum prunifolium)
Carolina Buckthorn	(Frangula caroliniana)
Cherry Laurel	(Prunus caroliniana)
Chitalpa	(Chitalpa)
Crape Myrtle	(Lagerstroemia indica)
Desert Willow	(Chilopsis linearis)
Downy Serviceberry	(Amelanchier arborea)
Eve's Necklace	(Styphnolobium affine)
Evergreen Sumac	(Rhus virens)
Goldenball Lead Tree	(Leucaena retusa)
Kidneywood	(Eysenhardtia texana)
Lacey Oak	(Quercus laceyi)
Mexican Buckeye	(Ungnadia speciosa)
Mexican Plum	(Prunus Mexicana)
Mexican Poinciana	(Caesalpinia mexicana)
Mexican Redbud	(Cercis canadensis var. Mexicana)
Mountain Laurel	(Calia secundiflora)
Possumhaw Holly	(Aquifoliaceae Ilex decidua)
Red Buckeye	(Aesculus pavia)
Rough Leaf Dogwood	(Cornaceae Cornus drummondii)
Rusty Blackhaw Viburnum	(Viburnum rufidulum)
Saucer Magnolia	(Magnolia x soulangiana)
Smokeberry	(Cotinus coggygria)
Soapberry	(Sapindus drummondii)
Spicebush	(Lauraceae Lindera benzoin)
Texas Mountain Laurel	(Sophora secundiflora)
Texas Persimmon	(Diospyros texana)
Texas Pistachio	(Pistacia texana)
Texas Redbud	(Cercis canadensis var. texensis)
Western Soapberry	(Sapindus drummondii)

Yaupon Holly

(Ilex vomitoria)

Established deciduous and semi-deciduous trees 10 ft. to 30 ft. tall with a trunk of at least 3 in. caliper of other species, that are not on the nuisance tree list.

3.5.4.4. Native shrubs

Recommended native and adapted shrubs that can be planted or used to meet landscaping requirements include the following.

Abelia	(Abelia)
Agarita	Mahonia trifoliolata)
Agave	(Agavaceae)
American Beautyberry	(Callicarpa Americana)
Bamboo Muhly	(Muhlenbergia dumosa)
Barbados Cherry	(Malpighia glabra)
Beautybush	(Kolkwitzia amabilis)
Big Muhly	(Muhlenbergia lindheimeri)
Black Dalea	(Dalea frutescens)
Burford Holly	(Ilex cornuta 'Burfordii')
Bush Germander	(Teucrium fruticans)
Butterfly Bush	(Buddleja davidii, Buddleja marrubiifolia)
Caellia	(Camellia)
Cenizo/Texas Sage	(Eucophyllum frutescens)
Coralberry	(Symphoricarpos orbiculatus)
Cotoneaster	(Cotoneaste)
Deer Muhly	(Muhlenbergia rigens)
Dwarf Chinese Holly	(Ilex cornuta Rotunda)
Elaeagnus	(Elaeagnus pungens)
Flame Acanthus	(Anisacanthus quadrifidus)
Flowering Senna	(Senna corymbosa)
Forsythia	(Forsythia x intermedia)
Fragrant Mimosa	(Mimosa borealis)
Fragrant Sumac	(Rhus aromatica)
Germander	(Teucrium fruticans)
Gulf Muhly	(Muhlenbergia capillaris)
Inland Sea Oats	(Chasmanthium latifolium)
Japanese Barberry	(Berberis thunbergii)
Mexican Feather Grass	(Nassella tenuissima)
Mock Orange	(Philadelphus coronarius)
Mountain Sage	(Salvia regal)
Nandina	(Nandina domestica compacta)
Primrose Jasmine	(Jasminum mesnyi)
Rose of Sharon	(Hibiscus syriacus)
Sage	(Salvia)
Sideoats Grama	(Bouteloua curtipendula)
Skull Cap	(Leguminosae Scutellaris)
Sweet Mockorange	(Philadelphus coronarius)
Texas Dwarf Palmetto	(Sabal minor)
Texas Lantana	(Lantana horrida)
Texas Sage	(Leucophyllum frutescens)
Texas Sotol	(Dasylirion texanum)
Turk's Cap	(Malvaviscus arboreus)

Upright Rosemary	(Rosmarinus officinalis)
Viburnum (all)	(Viburnum)
Witch Hazel	(Hamamelidaceae Hamamelis
virginiana)	
Wooly Butterfly Bush	(Buddleia marrubiifolia)
Yellow Bells	(Tecoma stans)
Yucca	(Yucca)

3.5.4.5. Nuisance plants

Nuisance plants include the following. Nuisance plants may not be planted or used to meet the City's landscaping requirements, and are not protected by tree preservation, replacement, protection and removal standards.

Trees:

American Sweetgum	(Liquidambar styraciflua)
Arizona Ash	(Fraxinus velutin)
Bois d'arc	(Maclura pomifera)
Boxelder Maple	(Acer negundo)
Bradford Pear	(Pyrus calleryana bradfordii)
Brazilian Pepper	(Schinus terebinthifolius)
Chinaberry	(Melia azedarach)
Chinese Parasol Tree	(Firmiana simplex)
Chinese Tallow	(Sapium sebiferum)
Elephant Ear	(Alocasia spp., Colocasia spp.)
Eucalyptus (all)	(Eucalyptus)
Euonymus (all)	(Euonymus)
Hackberry	(Celtis occidentalis)
Honey Locust	(Gleditsia triacanthos)
Honeysuckle (all)	(Lonicera)
Japanese Zelkova	(Zelkova serrata)
Juniper (males)	(Juniperus)
Leland Cypress	(Cupressocyparis leylandii)
Lombardy Poplar	(Populus nigra)
Mesquite	(Prosopis glandulosa)
Mimosa, Silk Tree	(Albizzia julibrissin)
Monkey Puzzle	(Araucaria araucana)
Mulberry (all)	(Morus)
Olive	(Olea, Elenganus)
Paulownia	(Paulownia tomentosa)
Red-Tipped Photinia	(Photinia x fraseri)
Silver Maple	(Acer saccharinum)
Tree of Heaven	(Ailanthus altissima)
Vitex	(Vitex agnus-castus)

Shrubs:

Chinese Photinia	(Photinia spp.)
Common Privet	(Ligustrum sinense, L. vulgare)
Japanese Ligustrum	(Ligustrum lucidum)
Nandina (berrying varieties)	(Nandina domestica)
Photinia (all)	(Photinia)
Pyracantha, Firethorn	(Pyracantha spp.)
Russian Olive	(Elaeagnus angustifolia)

Wax Leaf Ligustrum

(Ligustrum japonicum)

Vines:

Cat's Claw Vine

(Macfadyena unguis-cati)

English Ivy

(Hedera helix)

Japanese Honeysuckle

(Lonicera japonica)

Kudzu

(Pueraria lobata)

Poison Ivy

(Toxicodendron radicans)

Vinca

(Vinca major, V. Minor)

Other:

Eurasian Watermilfoil

(Myriophyllum spicatum)

Giant Cane

(Arundo donax)

Hydrilla

(Hydrilla verticillata)

Johnson Grass

(Sorghum halepense)

Running Bamboo

(Phyllostachys aurea)

Water Hyacinth

(Eichhornia crassipes)

All plants listed in Texas Administrative Code Section 19.300 (Noxious and Invasive Plant List), and listed as Invasive and Noxious Weeds by the USDA Natural Resources Conservation Service, are also considered nuisance plants. Other plants may be prohibited at the discretion of Development Services staff on a case-by-case basis.

3.5.4.6. Low water use plants

Low water use trees, shrubs and groundcovers shall be used to the greatest extent practical.

3.5.4.7. Planting beds

Shrub and ground cover planting beds must be separated from turf grass with edging, and must have open surface areas covered with mulch or gravel.

3.5.4.8. Topsoil

Topsoil removed during construction activity must be conserved for later use on areas requiring re-vegetation and landscaping, to the maximum extent practicable.

3.5.4.9. Plant quality

Landscape plants must be free of defects, and of normal health, height, leaf density and spread appropriate to the species, as defined by American Association of Nurserymen standards.

3.5.4.10. Installation

Landscaping must be installed using sound horticultural practices, in a way that encourages quick establishment and healthy growth. Landscaping in each phase must either be installed or the installation must be secured with a letter of credit, escrow or performance bond for 150% of landscaping value before a certificate of occupancy for any building in a phase is issued.

3.5.4.11. Maintenance

Trees and vegetation, irrigation systems, fences, walls and other landscape elements are considered elements of the project in the same way as parking, building materials and other site details. The applicant, landowner or successors must be jointly and severally responsible for regular maintenance of all landscaping elements in good condition. Landscaping must be maintained free from disease, pests, weeds and litter.

3.5.4.12. Replacement

Required landscape elements that are removed or dead must be promptly replaced.

3.5.5. Irrigation

3.5.5.1. Automatic irrigation required

All plants on newly developed parcels, except those developed for single household and two household dwellings, must be irrigated with underground or drip irrigation, with these exceptions:

- Plants that do not require irrigation for establishment.
- Mature xeriscape (drought tolerant) areas, with established plants that do not require irrigation for survival.
- Trees established for two years or more.
- Parkland or land designated for parkland in this PUD
- Xeriscape planting areas may be established with temporary irrigation for a period of no less than two years.

3.5.5.2. Irrigation plan required

An irrigation plan must be included in the landscape plan for site plan review, if applicable.

3.5.6. Tree preservation and removal

3.5.6.1. Tree preservation, removal and replacement: undeveloped and redeveloped sites

3.5.6.1.1. Nuisance trees

Nuisance trees, as defined in Section 3.6.4.5, may be removed from a developed or undeveloped lot anytime. Replacement of nuisance trees is not required.

3.5.6.1.2. Diseased, dangerous and dead trees

Diseased, dangerous and dead trees of all species may be removed from an undeveloped lot anytime. Replacement of removed diseased, dangerous and dead trees is not required.

3.5.6.1.3. Healthy, protected trees (native, tall, and small trees)

Protected trees (trees with a DBH of at least 18 in. which are not nuisance trees) that are healthy and located on a vacant parcel or redevelopment site may only be removed when the parcel is developed or redeveloped. A tree inventory and survey, showing the location, size, species and condition of existing protected trees on a lot, must be submitted and approved with a preliminary subdivision, site plan or building permit for a development, whichever comes first.

Site features must be designed to minimize disturbance to protected trees. Tree wells or cut areas may be used to preserve the original grade around an existing tree to the extent practical.

At least 50% of the total number of healthy protected trees must remain on the site or be relocated on a site within the PUD. Gross DBH loss of protected trees to be removed must be replaced at a 1:1 ratio. Replacement trees must be planted either on the development site or elsewhere in the PUD, in areas approved by Development Services staff. Replacement trees must have a DBH of at least 2 in.

A protected tree may be designated for removal if it meets one of the following criteria.

- It is in an existing or proposed easement or stormwater management system and cannot practically be saved.
- It is located where it will create a potential safety or health hazard, or a nuisance to existing or proposed structures or vehicle or pedestrian routes.
- It is located where it interferes with the installation, delivery, or maintenance of existing utility services to the site.

3.5.6.2. Tree preservation, removal, and replacement: developed lots

3.5.6.2.1. Nuisance trees

Nuisance trees may be removed from a developed lot anytime. Replacement of nuisance trees is not required.

3.5.6.2.2. Diseased, dangerous, and dead trees

Diseased, dangerous and dead trees of all non-nuisance species may be removed from a developed lot anytime.

3.5.6.2.3. Healthy, protected trees (native, tall, and small trees)

Healthy native tall and small trees with a DBH of 2.5 in. or more that cannot be considered diseased, dangerous or dead may be removed from a lot if the gross DBH loss is replaced at a 1:1 ratio (1 in. replaced for every 1 in. lost of caliper inches DBH). At least 50% of the total number of replacement caliper inches must be planted on the lot, to the extent practical, or may be planted elsewhere within the PUD as approved by Development Services staff. Required mitigation trees planted elsewhere in the PUD shall be noted on the site plan, as well as the other site plan, and may not be counted towards future mitigation tree requirements on the other site plan.

3.5.6.3. Tree removal and replacement: signs

Healthy trees of all species and sizes, except species defined as nuisance trees, may not be removed with the intent of increasing the visibility of an existing sign, unless with administrative approval of Development Services staff.

3.5.6.4. Tree replacement conditions

3.5.6.4.1. Replacement plant types

Replacement trees may be any combination of native tall and short trees that keeps or brings the site in conformance with minimum required landscaping standards.

3.5.6.4.2. Replacement trees

Replacement trees must be placed on site, or in areas approved by Development Services staff within the PUD.

3.5.6.4.3. Landscape requirements

Existing and replacement trees may be used to meet landscape requirements. After tree removal and replacement, the number and placement of trees on a parcel must continue to conform to landscaping requirements.

3.5.6.4.4. Maintenance

Replacement trees must be maintained in good condition for one year after planting. In that year, the property owner must guarantee survival.

3.5.6.4.5. Unauthorized removal

The gross DBH loss of trees that are removed in violation of this section by the property owner, developer or any party acting on their behalf must be replaced at a 2:1 ratio (2 in. replaced for every 1 in. lost of caliper inches) with native tall trees. For illegal vegetation clearance to increase the visibility of signs per Section 3.5.6.3, replacement native tall trees must be planted in the cleared area, with 1 in. DBH for every 10 sq. ft. cleared.

3.5.6.5. Tree protection during construction

3.5.6.5.1. Tree protection zone

During construction, perimeter fencing must be erected around protected trees, at least at one-half of the drip line to the greatest extent practical, to establish a tree protection zone, unless otherwise approved by Development Services staff. Large parcels with protected trees that are separated from construction or land clearing areas, street rights-of-way and utility easements may be "ribboned off," by placing post stakes at least 50 ft. apart and tying ribbon or rope from stake to stake along the perimeter. Storage or movement of equipment, material, debris or fill in the tree protection zone is prohibited.

3.5.6.5.2. Storage near trees

During construction, equipment cleaning or storage or disposal or waste material such as paints, oils, solvents, asphalt, concrete, motor oil or other material harmful to trees cannot be placed in the drip line of protected trees or group of trees.

3.5.6.5.3. Attachment to trees

Damaging attachments, wires, signs or permits cannot be fastened to protected trees.

3.5.6.5.4. Trenching

Trenches or footings must be outside the inner one-half of the dripline, to the greatest extent practical. Under the drip line of protected trees, no cut or fill may exceed 4 in. unless a qualified arborist or forester evaluates and approves the disturbance. When trenching for utilities, tunneling under roots greater than 8 in. diameter is required to prevent root damage. The developer is responsible for coordination with utility companies when trenching near protected trees, to the extent practical.

3.5.6.5.5. Root preservation

During grading, roots at least 1 in. in must be cut off cleanly with a handsaw about 12 in. behind the line of excavation. Exposed roots must be protected with moist backfill soil.

3.5.6.5.6. Grades

Raising the grade more than 6 in. around tree trunks is prohibited. This can cause trunk rotting, and serious damage or death to the tree. Finished grades must slope away from trunks to avoid water concentrated at tree bases.

3.5.7. Required site furniture

A parcel with a non-single family residential and a non-industrial use must have the following furniture installed, provided the condition(s) described in this Section exist on the site. Furniture must be functional. All amenities located on a site shall be owned, operated and maintained by the private property owner.

- Internal walkways: (choose 1 of the following) 1 bench, 1 trash can, 1 bike rack, or 1 masonry planter per 150 ft. linear walkway.
- Plazas: 1 bench per 50 sq. ft. and 1 trash can per 100 sq. ft. plaza area.
- Colonnades, loggias: 1 bench and 1 trash can per 50 ft.
- Bus stops: 2 benches and 1 trash can per stop (applicable to city adopted transit streets only).

3.6. Common Open Space

3.6.1. Required common open space

The PUD shall provide for a collection of privately owned, common open space lots set within a street system with access to the Brushy Creek park land. Common open space will be designed to (i) serve the recreational needs of the residents (ii) provide places and opportunities for interaction within the community and (iii) provide opportunities for interaction with the natural environment.

A minimum of 5 acres of land located within the Carmel Creek 100-year floodplain shall be established and maintained as common open space. An additional 15 acres of common open space shall be established within the PUD at locations within or adjacent to residential areas.

All private open space and structures thereon shall be conveyed to and permanently owned and maintained by a Property Owner's Association (POA) or other responsible entity approved by the Director. The POA may adopt rules and regulations regarding access, permitted uses, security (policing) and maintenance responsibilities for the open spaces.

Each lot designated as common open space shall include at least six thousand (6,000) square feet. The area of the common open space lot shall be measured and calculated to the property line of the affected lot.

Parking for common open space uses within the PUD may be provided with adjacent on-street parking. Off-street parking may also be provided within a common open space lot, at the option of the Developer. On-street parking will be credited toward the required parking spaces of the affected lot.

Except for undisturbed and reestablished native landscape areas, common open space shall be maintained by one of the following watering methods: an underground irrigation system; a drip irrigation system; or a hose attachment within two hundred (200) feet of all landscaping. Watering may be suspended in times of drought.

Common open space may include detention ponds that are primarily earthen, planted with plants, and functionally serve as an aesthetic and/or recreational amenity for residents. Such elements may include trails on the pond lot, water aeration fountains, shade trees and other plantings and seating. Such detention or wet ponds do not require screening.

3.6.2. Access

Common open space must be reasonably accessible to all residents of the PUD. Convenient pedestrian and vehicular access to open space must be provided. Green links and trails must be provided to common open space not readily accessible to a public street.

3.6.3. Common open space design

Common open space must be configured as a meaningful and functional space. Common open space land must be compact and contiguous to the maximum extent practicable, unless the land is used as a greenway or other linear park. Small, narrow, or unassigned strips behind or between buildings is unacceptable. Designated common open space may be in a natural, undisturbed state, landscaped for more formal, open play areas, or developed for active and/or passive recreation.

Common open space lots shall include park improvements, such as trails, lighting, seating, landscape planting, irrigation and accessory buildings and shade structures that are appropriate for the intended use and site conditions of that site. Access for police, fire or ambulance emergency providers shall be provided to private and common open spaces.

3.6.4. Areas not considered as common open space

The following do not meet the requirement for common open space:

- Private lots or yards not available for common use
- Public right-of-way or private streets and drives.
- Land covered by structures except ancillary structures associated with use of open space such as gazebos, picnic shelters or meeting rooms
- Detention/retention facilities, including drainage swales, unless designed for use as accessible and useable year-round community amenities by the residents of the development (e.g., picnic areas, passive recreation areas, playgrounds, ponds for fishing and/or boating, walking trails, etc.).

Good Open Space Examples	Open Space Examples to Avoid
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Functional common open space, including shade trees, jogging trail, sports court, and irrigated grass turf fronting on a public street



Avoid - expansive, unmaintained area with scattered play structures, lack of shade, trees and walking paths and perimeter fence separating residents from open space



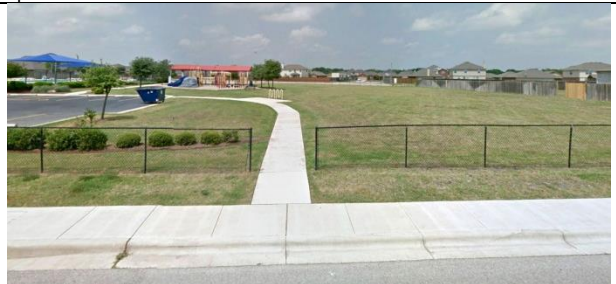
Wide concrete trail graded for bike and pedestrian use within linear open space area accessible from street, undisturbed wooded and natural area and perimeter stone wall



Avoid - left over strip of land between street ROW and perimeter fence, lack of tree cover and perimeter fence separating residents from open space



Concrete trail, native tall trees, natural wooded area, play area, seating, planted trees, and neighborhood pool and pool house



Avoid - expansive area with limited improvements, lack of shade trees, poorly located bike parking

3.7. Fences and Walls

3.7.1. General standards

3.7.1.1. Placement

3.7.1.1.1. Public right-of-way

Fences and walls cannot be placed in the public right-of-way.

3.7.1.1.2. Tree preservation

Fences must be placed where they will not threaten significant vegetation.

3.7.1.2. Materials

3.7.1.2.1. Finished side out

Fences with an unfinished or rough side and a finished or smooth side must be placed so the finished or smooth side faces out.

3.7.1.2.2. Prohibited materials

Materials not originally intended for use in constructing a fence are prohibited as fencing and screening materials. Examples of prohibited materials include plywood, particleboard, corrugated metal sheets (not incorporated into a frame), railroad ties, tires, door panels, and other makeshift materials.

3.7.1.2.3. Barbed wire and electric fences

Electrically charged, barbed wire and razor wire fences are prohibited. Exceptions are fences used to enclose livestock on farms, serve a public or quasi-public institution for public safety or security purposes, and temporarily securing construction vehicles and materials on a construction site.

3.7.1.2.4. Columns

Columns, pilasters, piers, finials and posts may be no more than 6 in. taller than the fence it joins.

3.7.1.3. Maintenance

3.7.1.3.1. General maintenance

Fences and adjacent landscaping must be maintained by their owners in good structural condition and repair. This includes general maintenance, painting and staining, and the replacement of broken, warped or missing portions with materials of equal or better quality that are consistent in design. Fences, walls and hedges must be vertically aligned and maintained upright; and in good structural or living condition. Angled or non-vertical fence support posts are prohibited.

3.7.1.3.2. Development perimeter walls

Individual property owners cannot alter development perimeter walls that are owned or controlled by a property owner's association without prior permission of the property owner's association.

3.7.1.4. Landscaping

Landscaping at a fence or wall may be required per landscape requirements in Section 3.5.

3.7.2. Permitted fences, walls, and hedges

The following fence, wall and hedge types are *permitted* and optional. Minor deviations to the fence standards set forth in this Section may be administratively approved by Development Services staff.

Permitted fence Area / purpose	Height	Fence transparency	Acceptable types/materials
Agricultural use	no more than 5 ft.	at least 50% along at least 50% of height, excluding columns; at least 75% along entire height in clear vision area	Wire (smooth, high-tensile, woven, mesh, hog wire, cable rail) Chain link Pipe Ornamental (metal, plastic) Picket (wood, plastic) Ranch (wood, plastic) Masonry (stone, brick, similar materials) Shrubbery hedge
Residential front yard	no more than 3 ft. (36 in.)	At least 75% along entire height in clear vision area	Wood frame wire Ornamental (metal, plastic) Picket (wood, plastic) Ranch (wood, plastic) Masonry (stone, brick, similar materials) Shrubbery hedge
Residential side and rear yard	no more than 6.0 ft. (72") except that 8.0 ft. permitted on rear and side fences: 1) to stair step in height to finish grade at the base of the fence or slope changes and 2) where adjacent to a commercial or other non-single family use.	at least 25%, excluding columns, when next to trail or park; otherwise, may be solid	Wood frame wire Chain link (plastic coated; no slats. Ornamental (metal, plastic) Picket (wood, plastic) Ranch (wood, plastic) Privacy (wood, plastic) Masonry (stone, brick, similar materials) Shrubbery hedge
Tennis / basketball court	no more than 15 ft.	at least 50%	Ornamental (metal, plastic) Chain link (plastic coated only)
Cannot substitute for other fence types when forming a boundary fence.			
Perimeter security fencing (Industrial and recreational uses only)	no more than 8 ft., except that 12 ft. permitted for industrial uses	at least 75%, excluding columns in front yard; may be solid for industrial uses	Ornamental (metal) Masonry (stone, brick, split face CMU, similar materials)
	Outdoor storage area fencing requirements apply to equipment storage yards and similar areas visible from a street. Outdoor storage areas shall be fenced, to the extent practical and only to the extent that it is deemed functional and appropriate by Development Services staff. If the fencing described in this Section does not achieve the intended objective of this Section, this requirement shall be administratively waived by Development Services staff.		
Temporary perimeter security fencing (construction sites only)	no more than 8 ft., except that 12 ft. for industrial uses	Any	Wire (smooth, high-tensile, woven, mesh, hog wire, cable rail) Ornamental (metal, plastic) Picket, lattice (wood, plastic) Ranch (wood, plastic) Privacy (wood, plastic) Chain link
	The fence must be removed when construction ends.		

Permitted fence Area / purpose	Height	Fence transparency	Acceptable types/materials
Park, open space	no more than 4 ft. 5 ft. for dog park	at least 25%, excluding columns	Wood frame wire Ornamental (metal, plastic) Picket, lattice (wood, plastic) Ranch (wood, plastic) Masonry (stone, brick, decorative CMU, similar materials) Shrubby hedge Chain link (plastic coated, for dog parks and athletic fields only)
	Outdoor storage area fencing requirements apply to equipment storage yards and similar areas visible from a street.		
Parking area: non-residential and 3+ household residential development	no more than 3.5 ft. (42 in.)	at least 75% along entire height in clear vision area	Wood frame wire Ornamental (metal, plastic) Picket, lattice (wood, plastic) Ranch (wood, plastic) Bollard and chain Masonry (stone, brick, decorative CMU, similar materials) Shrubby hedge
Retention and detention pond or basin	no more than 6 ft.	at least 50%, excluding columns	Ornamental (metal)
Development perimeter walls along SH 130, FM 685 and UP Rail Road	6 ft. to 12 ft.	may be solid	Masonry (stone, brick, split face CMU, similar materials) or Shrubby hedge

3.7.3. Required fences, walls, and hedges

The following fence, wall and hedge types are required. Minor deviations to the fence standards set forth in this section may be administratively approved by Development Services staff.

Required fence Area / purpose	Height	Fence transparency	Acceptable types/materials
Swimming pool	4 ft. - 6 ft.	at least 50%	Wood frame wire Ornamental (metal, plastic) Picket, lattice (wood, plastic) Chain link (but not at a public pool)
	Openings or gaps in the fence must be no more than 4 in. If the perimeter fencing on the lot meets these standards, an added fence surrounding the swimming pool is not required. Construction of fence must comply with ICC Building Code requirements, as adopted.		
Outdoor storage area (for industrial uses, required fencing applies to screen prominent	6 ft. - 8 ft.; may be taller if it screens tall objects.	no more than 25%; must be solid when next to or visible from residential use	Privacy (plastic) Masonry (stone, brick, decorative CMU, similar materials)

Required fence Area / purpose	Height	Fence transparency	Acceptable types/materials
views from US 79 and SH 130 rights-of-ways)	Should include the same, similar or compatible materials, finishes and detailing as the host structure, except for industrial uses in Development Area D. Masonry (stone, brick, decorative CMU, similar materials) is required when the storage area is visible from a residential use. Outdoor storage areas shall be fenced, to the extent practical and only to the extent that it is deemed functional and appropriate by Development Services staff. If the fencing described in this Section does not achieve the intended objective of this Section, this requirement shall be administratively waived by Development Services staff.		
Vehicle inventory area next to residential districts	6 ft. - 8 ft.	Must be solid	Masonry (stone, brick, decorative CMU, similar materials)
	Should include the same materials, finishes and detailing as the host structure.		
Residential development RV storage area	8 ft. - 10 ft.	Must be solid; gate may have transparency	Masonry (stone, brick, decorative CMU, similar materials)
	Must include the same materials, finishes and architectural detailing as the development perimeter wall; otherwise, must conform to development perimeter wall design standards.		
Dumpster and utility area	7 ft. - 8 ft.	Must be solid	Masonry (stone, brick, decorative CMU, similar materials)
	Must include the same, similar or compatible materials, finishes and detailing as the host structure, except for industrial uses in Development Area D. Gates must be visually and structurally solid; must be metal. Dumpsters and compactors cannot be unscreened, unless they are used for a construction or demolition project on the site, or on an industrial site outside prominent views from US 79 and SH 130 in Development Area D.		
Loading area wing wall, not required for industrial uses, except for prominent views from US 79 and SH 130, per Section 3.1.6.2 Landscape buffer yard for requirements in Development Area D	Up to the building parapet; height determined in site plan review	Must be solid	Masonry (stone, brick, decorative CMU, similar or compatible materials)
	Must include the same, similar or compatible materials, finishes and detailing as the host structure, except for industrial uses in Development Area D.		
Utility substation or facility	6 ft. - 12 ft., or sufficient to conceal the substation or height required by the utility provider.	Must be solid	Masonry (stone, brick, decorative CMU, similar or compatible materials)
Development perimeter wall	6 ft. min. 8 ft. max. 4ft. max.(or 6 ft. ht. max with 10% fence transparency) when adjacent to open space, except for industrial uses in Development Area D	Any	Ornamental (metal) Masonry (stone, brick, decorative CMU, similar or compatible materials) Ornamental metal or combination metal and wood must be used in areas adjacent to common open space to promote views. Precast concrete walls (h-post and single panel) may only be used to replace existing stockade fence-based perimeter walls, except for industrial uses in Development Area D.

Required fence Area / purpose	Height	Fence transparency	Acceptable types/materials
	Required for residential subdivisions with more than one double frontage or corner lot, where the adjacent street at the rear or side of the lots is a minor arterial or major arterial street. Walls must include masonry columns at least 18 in. x 18 in. at no more than 50 ft. intervals, and turning and end points of the wall. A development perimeter wall is not required for industrial uses in Development Area D		

Fencing may also be required under buffer yard requirements in Section 2.3.5.

3.7.4. Gated communities

Gated communities are prohibited.

3.8. Outdoor Lighting

3.8.1. General Standards

3.8.1.1. Display levels and light pollution

Lighting must be designed to minimize light pollution and spillage on adjacent properties and adjacent rights-of-ways. Dark sky lighting that prevents or minimizes uplighting is encouraged to the greatest extent practical.

Illumination at the property line in Development Areas A-C and the boundary line of Development Area D must be no more than 5 lux for non-cut-off lights, and no more than 15 lux for cut-off lights. Streetlights are exempted.

Illumination spillover onto adjacent residential used properties must be no more than 5 lux. Streetlights are excepted

Streetlights in public right-of-way shall be solar-powered wherever possible.

3.8.1.2. Shielding

Outdoor lighting must be shielded. Shielding is achieved when light rays are not emitted above the horizontal plane of a fixture. The cone of illumination must be at least 30° downward from the horizontal plane to the greatest extent practical.

3.8.1.3. Illumination of background and foreground spaces

Background spaces such as parking lots must be illuminated as unobtrusively as possible to meet the functional needs of circulation, security and safety.

Foreground spaces, such as building entrances and plaza seating areas, must use proximate lighting that defines the space without glare to the extent practical.

3.8.1.4. Confusion with warning devices

Lighting devices that may be confused with warning, emergency or traffic signals are prohibited.

3.8.2. Permitted on-site light sources

The following light sources are permitted:

- Incandescent. Fluorescent. Warm white and natural lamps must be used to reduce detrimental effects.
- Metal halide. Light must be filtered with a glass, acrylic or translucent enclosure of the light source.
- High-pressure sodium. Must be color corrected.
- Light-emitting diode. Warm white and natural lamps must be used to reduce detrimental effects.
- Glass tubes filled with neon, argon, or krypton. Limited decorative lighting only.

Types of light sources must be compatible throughout a commercial center lot, to the extent practical.

Street light source shall be consistent throughout each development within the PUD, to the extent practical and as permitted by the utility provider.

3.8.3. Prohibited lighting

The following light sources are prohibited:

- Laser source light.
- Strobe light.
- Flashing, blinking, or variably intense light, intentional or resulting from a defect.
- Search lights
- Unshielded exposed bulbs

Exceptions are:

- Traditional holiday lighting not used to draw attention to a sign.
- Flashing or blinking lights required by law.
- Beacon or searchlight, including temporary display. Beacons are permitted on structures where the Federal Aviation Administration requires them.

3.8.4. Light poles

3.8.4.1. Height

Maximum light pole heights are as follows: Streetlight light pole height shall be coordinated with the utility provider.

Parking areas: 20 ft.

Pedestrian areas and drive aisles: 16 ft.

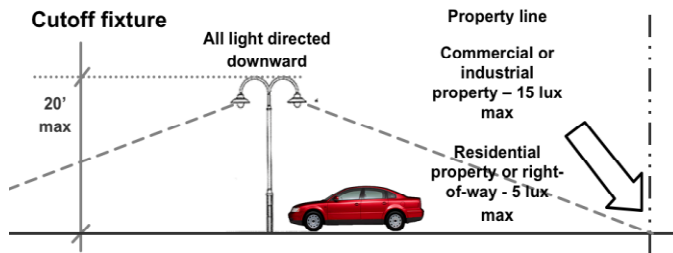
Sports fields and industrial uses in Development Area D: 50 ft.

Temporary lighting at construction sites: 50 ft.

Alley: 12 ft.

Street-local and collector: 16 ft.

Street-arterial: 24 ft.



3.8.4.2. Design

Light poles should have a base, middle and top. This requirement does not apply to industrial uses in Development Area D.

Light pole design must be consistent or compatible with the style and character of the building design on the site. This requirement does not apply to industrial uses in Development Area D.

Cobra head light poles are prohibited on pedestrian-oriented commercial streets, unless required by the utility provider. Cobra head street light poles may be used on arterial streets, and streets and private drives in vehicle-oriented commercial and industrial areas. Where used, cobra head street light poles must incorporate a supplemental non-cobra style light mounted at a 12 ft. - 14 ft. height to illuminate the sidewalk, to the extent practical and as permitted by the utility provider, except in industrial areas in Development Area D where this requirement is waived.

Bare metal poles are prohibited, except in industrial areas in Development Area D.

Elevated form bases greater than 4 in. above grade are prohibited, except in industrial areas in Development Area D.

Light poles must be placed in landscape areas wherever practical. Light poles must not obstruct sidewalks or bicycle paths.

The maximum lumen output for any light fixture serving industrial uses in Development Area D is 47,000 lumens, where their use is limited to meet functional needs of circulation, operations, security and safety.

3.8.5. Attached light features

3.8.5.1. Sconces

Sconces or gooseneck lighting fixtures may be used to illuminate areas near building walls. Sconces must direct light downward against the building wall and immediately adjacent areas.

Light fixture design must be compatible with the style and character of the host structure.



An example of contemporary gooseneck lighting.

3.8.5.2. Wall packs

Wall packs may only be used on industrial buildings to light security areas. They cannot be used to draw attention to the building or provide general building or site lighting, except for security or safety lighting on industrial sites. Wall packs must illuminate as unobtrusively as possible to meet the functional needs of circulation, security and safety

Wall packs must be fully shielded to direct the light downward.

Source output per wall pack must be no more than 1500 lumens, except for industrial uses for security, operations or safety purposes, where they are limited to 47,000 lumens.

Wall packs must be fully shielded or provided with sharp cut-off ability, to minimize uplight, spill-light and glare beyond the Development Area D boundary line.

3.8.5.3. Awnings

Awnings and canopy fascia cannot be internally illuminated.

3.8.6. Gas station canopies

3.8.6.1. Design

Lighting fixtures, including lenses, must be completely recessed into to the canopy ceiling if it is flat or no lower than 1 ft. above the lowest point of the canopy roof or fascia if it is sloped.

Source output per fixture must be no more than 3750 lumens.

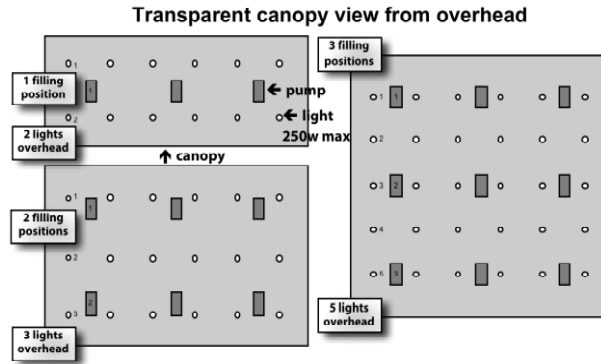
Canopy fascia cannot be illuminated, except logo signs permitted by sign requirements in Section 3.9.

3.8.6.2. Number

Canopies one pump deep may have up to two lighting fixtures per filling space.

Canopies two pumps deep may have up to three lighting fixtures per two filling spaces.

Canopies three pumps deep may have up to five lighting fixtures per three filling spaces.



3.8.7. Flood lights

Floodlights may be used only to light sports fields, outdoor recreation areas, construction sites and industrial uses only where necessary to illuminate as unobtrusively as possible to meet the functional needs of circulation, operations, security and safety. Source output per floodlights in Development Area D must be no more than 47,000 lumens.

Floodlights must be fully shielded or provided with sharp cut-off ability, to minimize uplight, spill-light and glare beyond the Development Area D boundary line.

3.8.8. Accent lighting

Bottom-mounted lights used to illuminate landscaping and water features, or provide visual accents, are permitted.

Pole mounted accent lighting greater than 1 ft. tall is prohibited.

Roof-mounted and rooftop accent lighting is prohibited except for industrial uses in Development Area D, where their use is limited to meet functional needs of circulation, operations, security and safety.

Banding of building plane changes (cornices, building corners, column edges, etc.) with neon or other illumination is prohibited.

3.8.9. Signs

Signs may be illuminated internally.

Ground mounted lights may illuminate a monument sign. Lighting should not spill over the edge of the sign wall face and must be shielded from oncoming traffic.

Exposed bulbs that outline a sign are prohibited.

Blinking, chasing, or other changes in illumination intensity, color, or direction, intentional or not, are prohibited. This includes electronic message centers.

Open faced neon channel letters are prohibited.

3.8.10. Alternative conformance

Development Services staff may administratively approve an alternative lighting plan. Alternative lighting plans must clearly identify and discuss modifications, proposed alternatives, and how the alternative plan will meet the intent of this section better than a plan conforming to this section. Development Services staff will consider whether the proposed alternative lighting design protects natural areas from light intrusion, enhances neighborhood continuity and connectivity, and shows innovative and creative design.

3.9. Signs

3.9.1. Permitted signs

3.9.1.1. Undeveloped parcels

The following signs are permitted on lots with agricultural uses, and vacant or undeveloped parcels:

Type		Number	Maximum sign face area	Maximum height	Minimum setback
Temporary: real estate	Freestanding (pole) or attached (wall)	1 per 1,000 ft. of street frontage	64 sq. ft. per sign	Freestanding: 10 ft. Attached: below roofline	Freestanding: 5 ft. from property lines
Temporary: Wayfinding	Freestanding (pole, monument or attached (wall)	50 ft. min. separation	32 sq. ft. per sign	Freestanding: 6 ft.	n/a
Temporary: property for sale or rent	Freestanding (pole) or attached (wall)	1 per 1,000 ft. of street frontage	64 sq. ft. per sign	Freestanding: 10 ft. Attached: below roofline	Freestanding: 5 ft. from property lines
Temporary displays	As permitted in Section 3.9				

3.9.1.2. Residential uses

The following signs are permitted on lots with residential uses:

Type		Number	Maximum sign face area	Maximum height	Minimum setback
Permanent: PUD identification	Freestanding (pole, monument or integrated into entry feature)	2 per entrance into the PUD and 1 along each PUD property frontage	128 sq. ft. per sign	12 ft.; 40 ft. ht if integrated into entry feature, sculpture, monument wall, fountain, etc.)	n/a
Permanent: development	Freestanding (pole, monument or attached (wall))	1 per each entrance into the development	32 sq. ft.	6 ft.	n/a
Permanent: Wayfinding	Freestanding (pole, monument or attached (wall))	50 ft. min. separation	32 sq. ft.	6 ft.	n/a
Temporary: property with construction	Freestanding (pole) or attached (wall)	1 per street frontage	4 sq. ft. per sign	Freestanding: 6 ft. Attached – below roofline	Freestanding: 5 ft. from property lines
Temporary: property for sale or rent	Freestanding (pole) or attached (wall)	1 per street frontage	4 sq. ft. per sign	Freestanding: 6 ft. attached: below roofline	Freestanding: 5 ft. from property lines
Temporary: property with model home	Freestanding (pole)	1 per house	16 sq. ft. per sign	4 ft.	5 ft. from property lines
Temporary: new residential development	Freestanding (pole) or attached (wall)	1 per each entrance into the development	32 sq. ft. per sign	Freestanding: 6 ft. Attached: below roofline	Freestanding: 5 ft. from property lines
	Freestanding (pole)	1 per 50 linear feet of frontage; up to 6 for the development	12 sq. ft. per sign	4 ft.	5 ft. from property lines
Temporary: Wayfinding	Freestanding (pole, monument or attached (wall))	50 ft. min. separation	32 sq. ft. per sign	6 ft.	n/a
Temporary displays	Only for multiple unit household dwelling developments, subject to Section 3.9				

3.9.1.3. Institutional and civic uses

The following signs are permitted on lots with institutional and civic uses.

Type		Number	Maximum sign face area	Maximum height	Minimum setback
Permanent	Freestanding (pole, monument)	1	32 sq. ft.	6 ft.	5 ft. from property lines
	Attached (awning, canopy, projecting, wall, window)	2 per wall	Building total = 0.5 sq. ft. per façade frontage ft.	Below roofline	n/a
Temporary: property with construction	Attached (wall) or freestanding (pole)	1 per street frontage	12 sq. ft. per sign	Freestanding: 6 ft. Attached: below roofline.	Freestanding: 5 ft. from property lines
Temporary: property for sale or rent	Attached (wall) or freestanding (pole)	1 per street frontage	12 sq. ft. per sign	Freestanding: 6 ft. Attached: below roofline.	Freestanding: 5 ft. from property lines
Temporary: Wayfinding	Freestanding (pole, monument or attached (wall))	50 ft. min. separation	32 sq. ft. per sign	Freestanding: 6 ft.	n/a
Temporary displays	Subject to Section 3.9				

3.9.1.4. Commercial, retail and industrial uses.

The following signs are permitted on lots with commercial, retail and industrial uses:

Type		Number	Maximum sign face area	Maximum height	Minimum setback
Permanent: PUD identification	Freestanding (monument, pole or integrated into project entry feature)	2 per entrance into the PUD and 1 along each PUD property frontage	128 sq. ft. per sign	12 ft.; 40 ft. if integrated into entry feature (wall, architectural or sculptural feature, fountain, etc.)	n/a
Permanent	Freestanding (monument): single use/building sites and outparcels	1, or 2 (1 per street frontage) if on corner lot	64 sq. ft. per sign	8 ft.	n/a 100 ft. from other freestanding signs on the site.
	Freestanding (monument): multi-tenant building/commercial or industrial center <100,000 sq. ft. GFA	1 per street frontage and 1 per 500 ft. of property frontage	96 sq. ft. per sign	12 ft.	n/a 100 ft. from other freestanding signs on the site.
	Freestanding (monument): multi-tenant building/retail commercial or industrial center ≥100,000 sq. ft. GFA	1 per street frontage and 1 per 1000 ft. of linear frontage	128 sq. ft. per sign	18 ft.	n/a 100 ft. from other freestanding signs on the site.
	Attached (awning, canopy, projecting, wall and window): single use/building sites	Any, up to maximum permitted area for the wall	Front/façade: 1.0 sq. ft. per linear wall frontage ft. Side and rear walls: 0.50 sq. ft. per linear wall frontage ft. 32 sq. ft. minimum signage allocation	Below roofline	n/a
	Attached (awning, canopy, projecting, wall and window): multi-tenant building/shopping center sites	Any, up to maximum permitted area for the tenant frontage of the wall where the signage will be placed	Same permitted area as single use/building sites, allocated by tenant frontage for an individual façade or wall. May be further restricted by master sign plan	Below roofline	n/a
	Attached (gas station canopy; in addition to freestanding signs)	1 on each side	no more than 32 sq. ft. per sign, (including logo)	n/a	n/a

Type		Number	Maximum sign face area	Maximum height	Minimum setback
	Attached (sculptural)	1 per building or tenant space	no more than 64 sq. ft. (height at tallest point x width at widest point)	at least 50% of sculpture height below roofline or parapet wall	n/a
Permanent: Wayfinding	Freestanding (pole, monument or attached (wall))	50 ft. min. separation	32 sq. ft.	6 ft.	n/a
Temporary: property with construction	Freestanding	2 per vehicle entrance	32 sq. ft. per sign	6 ft.	5 ft. from property lines
Temporary: Wayfinding	Freestanding (pole) or attached (wall)	50 ft. min. separation	48 sq. ft. per sign	Freestanding: 6 ft.	n/a
Temporary: property for sale or rent	Attached (wall) or freestanding (pole)	1 per street frontage	1 sq. ft. per 1,000 sq. ft per sign, 32 sq. ft. per sign minimum allocation, not to exceed 128 sq. ft. per sign.	Freestanding: 8 ft. Attached: below roofline.	Freestanding: 5 ft. from property lines
Temporary displays	Subject to provisions of Section 3.9				

3.9.1.5. Open space and recreational uses.

The following signs are permitted on common open space lots and lots with recreational uses.

Type		Number	Maximum sign face area	Maximum height	Minimum setback
Permanent	Attached (wall) or freestanding (monument, pole), within open space lot and recreational uses	1 per street frontage	32 sq. ft.	Freestanding: 6 ft. Attached: below roofline	Freestanding: 5 ft. from property lines
Permanent: District-oriented	Freestanding (pole) or attached (wall)	Unlimited; 50 ft. min. separation	32 sq. ft.	6ft.	n/a
Temporary: Wayfinding	Freestanding (pole) or attached (wall)	50 ft. min. separation	32 sq. ft.	6ft.	n/a
Temporary: property with construction	Freestanding (pole) or attached (wall)	1 per street frontage	32 sq. ft. per sign	Freestanding: 6 ft. Attached: below roofline	Freestanding: 5 ft. from property lines
Temporary displays	Allowed only for open space or recreational uses Subject to Section 3.9				

3.9.2. Exempted signs, not requiring a sign permit

These signs are permitted in all development areas, unless noted. A sign permit is not required for exempt signs provided the sign complies with the standards set forth in this Section 3.9:

Wayfinding signs

A-frame signs, up to 12 SF in area

Address numbers and family name identification on residences.

City-owned/operated signs. On and Off-site directional kiosk signs authorized by the City of Hutto.

Directional sign: one freestanding sign per curb cut in commercial, retail and industrial uses. Signs may be no more than 6 ft. tall and no more than 18 sq. ft. in area.

For sale, for rent and for lease signs on vehicles, boats, trailers and other personal property.

Garage sale signs: up to three signs, each no more than 4 sq. ft., may be displayed only while the garage sale is in progress. Garage sale signs must be placed outside of the right-of-way and public property. Garage sale signs may be placed within City of Hutto right-of-way (not County or State right-of-way) if written permission from an adjacent property owner is attached to said sign. Said garage sale sign must be removed before 5:00 PM on the last day

of the sale. This amendment supersedes Chapter 8, Article 8.05 of the City of Hutto Code of Ordinances.

Hippopotamus statues no more than 3 ft. tall painted with the name, logo and/or trademark colors of the business or sponsor displaying them.



Native hippopotamus statue

Historical markers, plaques, grave markers, cornerstones and commemorative tablets.

Works of fine art that in no way identify or advertise a product or business.

National, state, local and decorative non-commercial flags, each no more than 50 sq. ft. in area, flown for their intended purpose under generally accepted flag protocol, on a flagpole or building mounted staff no taller than the maximum permitted building height in the underlying zoning district, and not acting as a form of advertising.

Open house signs: up to three signs may be used, displayed outside the public right-of-way and public property. Open house signs may be placed within City of Hutto right-of-way (not County or State right-of-way) if written permission from an adjacent property owner is attached to said sign. Said open house sign shall be displayed only while the open house is in progress or for 16 hours in a one-week period, whichever is shorter. The sign must be removed immediately after the open house. Signs may be no more than 4 sq. ft. in area, and no more than 4 ft. tall.

Public Information Signs, provided such signs are removed no more than 3 days after event.

Public utility warning and underground utility identification signs.

Religious symbols (cross, Star of David, star and crescent, etc.). Signs where the shape of a religious symbol is an integral part of the sign design are not exempted.

Signs manufactured as a standard, integral part of a mass-produced product accessory to a commercial, public or semi-public use, including telephone booths, mail and newspaper boxes, vending machines, automated teller machines, gas pumps and vacuums.

Signs, notices, placards, certificates and official papers authorized or required by statute, government agency or court.

Signs for rest rooms, accepted credit cards, business organization membership (Chamber of Commerce, Better Business Bureau, etc.), meetings of civic groups, and business hours, displayed at a business.

Signs identifying zones in parking lots, no more than 6 sq. ft. in area.

Signs on concessions and rides at special events such as fairs and festivals.

Signs painted on vehicles and trailers that are operating and registered, used in everyday business activities, parked in areas appropriate for their use as vehicles normally used during business hours, and not being used only for attracting business.

Temporary decorations and displays that are clearly associated with a national, local, or religious holiday or celebration, provided there are no fire, traffic, or pedestrian hazards.

3.9.3. Prohibited signs

The following signs are prohibited in all areas of the PUD, unless noted.

Off-premise signs, except for directional kiosk signs.

Signs with changing light, color or motion effects, intentional or resulting from a defect. This prohibition includes, but is not limited to:

- Blinking, flashing, chasing, strobe and alternating color lights, integrated into a sign or not.
- Electronic message centers.
- Signs incorporating “eye catchers” and similar shiny devices designed to reflect light and create a glimmering or flashing effect.
- Signs with animated or rotating parts.
- Signs emitting flame, smoke, steam or other visual matter.

This prohibition does not apply to:

- Electronic changeable copy/message board/variable message signs whose message portion is enclosed with glass, plastic, or other durable material and who provide an auto-dimming feature based on natural ambient light conditions. Auto-dimming feature must not allow any changeable copy/message board to exceed a brightness of 7,000 NITs in daylight or 500 NITs for night use. Such signs also cannot be animated; messages must remain static for at least sixty seconds, and display no more than four colors any one time in a static pattern.
- Signs with flashing or chasing lights on concessions and rides at special events such as fairs and festivals.
- Holiday decorations and light strings displayed during November, December and January. Light strings cannot outline or highlight a sign.
- Rotating barber poles at a legitimate barber or beauty shop.
- Rudimentary time and temperature displays that are not potentially distracting to drivers.

- Warning signs and markers placed by, or authorized by and on behalf of government agencies.

Temporary signs placed in or over the public right-of-way or public property require a sign permit. Permanent signs are not permitted in the right-of-way. The city may remove signs installed without a sign permit that are located in the public right-of-way or on public property. Temporary signs placed in or over the public right-of-way or public property are permitted with an approved R.O.W. permit and City license agreement.

This prohibition does not apply to:

- Signs placed by government authorities.
- Banners placed on a light pole, utility pole, or over a street, as part of a special event of general civic interest.
- Kiosk signs.
- Wayfinding signs.
- Temporary garage sale and open house signs in compliance with Section 3.22.4 and this PUD.
- Signs placed on vehicles and trailers that are parked and used primarily as a sign.
- Signs and posters placed on trees, fences, light poles and utility poles, except parking lot zone signs on light poles.
- Banners, pennants, balloons, streamers, and other temporary signs, except on a temporary basis as permitted in Section 3.22.4.

Attached signs placed on a roof or above a parapet wall of a building. This prohibition does not apply to sculptural signs.

Attached domed, bullnose and bubble-style awning signs.

Freestanding signs placed where they might obscure a clear view of traffic on intersecting streets, and traffic warning and control signals and signs.

Signs that closely resemble or imitate official signs and traffic control devices.

Signs blocking doors, windows, vents, stairs and ramps.

Signs built and displayed without a sign permit, if a sign permit is required.

Signs built from materials usually used for temporary signs (cloth, thin plastic, corrugated plastic, etc.) displayed as permanent signs, except for no more than 30 days or less in place of a damaged, removed or permitted but unbuilt sign

Portable signs, including signs originally built as portable signs permanently mounted on a building or the ground.

Snipe, spam, and bandit signs.

Large objects such as motor vehicles, boats, aircraft, engine blocks, home appliances, heavy equipment, industrial machinery, and similar objects used as or included in signs.

Signs not expressly permitted in this section or elsewhere in this PUD.

3.9.4. Temporary signs and displays

3.9.4.1. Temporary displays

Temporary displays may include these items:

- Banners, no more than 32 sq. ft.
- Banners placed over the street to identify special events of general civic interest. The banners cannot be used for commercial advertising. Sponsor identification may be displayed on no more than 25% of the banner face area.
- Pennants, streamers, and small (no more than 12 in. diameter) balloons.
- Balloons and other inflatable objects no more than 12 ft. in height. Balloons and inflatable objects cannot be placed on top of a building. Inflatable objects cannot have flailing or animated elements.
- New development marketing flags.
- A business may have up to six temporary displays in a calendar year, with a time of no more than 30 days for each display.

3.9.4.2. Construction sign display time

Temporary signs on property under construction must be removed in 7 days after construction is complete.

3.9.4.3. Real estate sign display time

Temporary signs on property for sale or rent must be removed in 7 days after the lease or sale of the identified property.

3.9.4.4. Temporary development sign display time

Temporary signs within the PUD may be displayed as long as the sign is maintained in good repair and has a valid sign permit for up to 2 years, at which time a new permit application must be submitted.

Temporary development signs at rental communities may be displayed as long as the sign is maintained in good repair and has a valid sign permit for up to 2 years, at which time a new permit application must be submitted.

3.9.5. Substitution of non-commercial message

Noncommercial copy may be substituted for commercial copy on any permitted sign. If noncommercial copy is substituted, the resulting sign will continue to be treated as the original commercial sign under this code and will not be treated as an outdoor advertising display. Content of noncommercial copy on a sign otherwise permitted by this code may be changed without complying with provisions required for sign copy or design approval.

3.9.6. Sign design

3.9.6.1. Color

Colors for permanent on-site sign frames and supports must match, compliment or be compatible with the primary finish and colors of buildings on the site.

3.9.6.2. Illumination

Illumination must be shielded so there is no glare in the public right-of-way and adjacent properties, and directed so it does not point towards the sky.

Illumination must be steady and even over the entire sign face, to the greatest extent practical. The full number of lighting elements must be kept in working condition.

3.9.6.3. Materials

Internally lit channel letters and halo lit letters are preferred for attached signs. Domed, bullnose and bubble-style awning signs, and internally illuminated box signs, are prohibited as attached signs.

The sign base of permanent freestanding signs must match, compliment or be compatible with the dominant surface material of the main building on the site.

3.9.6.4. Attached sign placement

Attached signs cannot overlap features such as cornices, eaves, window and door frames, columns and other decorative elements, except with administrative approval of Development Services staff.

Signs must be placed at least 3 ft. from the vertical edge of a wall and other attached signs.

3.9.6.5. Attached sign height

Attached signs must be placed entirely below the lowest point of a building's parapet wall, except signs on water towers and smokestacks.

The lowest point of a projecting or awning sign must be at least 8 ft. above the sidewalk.

3.9.6.6. Window sign area

Window signs may cover no more than 25% of a window area.

Window signs are not considered in measuring the overall sign face area on a wall.

3.9.6.7. Free-standing sign placement

Freestanding signs cannot be placed where they obscure important architectural features such as entrances, display windows or decorative elements when seen from the public right-of-way.

Freestanding signs cannot be placed in or project over the public right-of-way, or create a visual obstruction in a vertical space between 3 ft. and 10 ft. above the curb in the clear vision area of a public street.

3.9.6.8. On-site free-standing sign landscaping

Landscaping must form a cluster or massing at the base of freestanding signs, in an area at least 25% of the sign height around the footprint, except with administrative approval of Development Services staff.

3.9.6.9. A-frame signs

A-frame signs must be secured in place, to the extent practical.

3.9.6.10. Sign master plans

A Sign Master Plan is not required for the PUD, provided signs comply with provisions of this Section 3.9. If a lot contains multiple businesses and uses, the applicant may submit a Sign Master Plan. The plan shall be submitted with a site development plan permit for a parcel or site. Sign type, color, scheme, size and illumination of the signs being submitted for approval must be coordinated and compatible with the architectural character on the site.

3.9.7. Sign permits

3.9.7.1. Sign permit required

Sign permits are required for the following sign types:

- New permanent signs, excluding window signs.
- New development signs.
- New real estate, construction and temporary development signs at least 12 sq. ft.
- Temporary displays.
- Expansion to the face area or height, or change in the dimensions of an existing sign
- Change in the location of an existing sign.
- Change in the logo, name or message displayed on an existing sign, except altering the copy on changeable copy faces.

3.9.7.2. Sign permit and specific use permit approval required

Specific use permit review and approval, and a sign permit, is required for a sculptural sign.

3.9.7.3. Sign permit not required

Sign permits are not required for the following sign types:

- Wayfinding signs
- Exempted signs
- Window signs

3.9.7.4. Revocation

Sign permits will be revoked if there is any violation of this code or misrepresentation of any information in the permit application.

3.9.7.5. Pending violations

Sign permits will not be issued for businesses or locations where existing signs violate this PUD, except to replace an illegal sign with a legal sign.

3.9.7.6. Expiration

Sign permits expire six months after permit issuance, if the signs are not built.

3.9.8. Sign maintenance

3.9.8.1. Building code conformance

Signs must be built and maintained in conformance to structural, electrical and safety standards of the most current International Building Code, as adopted by the City.

3.9.8.2. Condition

Signs must be kept clean and in good repair, visually and structurally. Braces, bolts, clips, fastenings and supporting frames must be securely affixed to the support structure or wall. Signs must be kept free of rust, rot, insect infestations, bird nests and other deterioration.

3.9.8.3. Blank signs

Sign faces that are unreadable, not maintained, or removed, leaving only the shell or support structure, must be replaced in 30 days or the sign must be removed. This is not an exception to the prohibition of nonconforming sign replacement.

3.9.8.4. Unsafe signs

Signs that are unsecured, unsafe or in danger of falling; or damaged, destroyed, taken down or removed for any purpose other than copy change, must be removed or repaired to conform to this PUD.

3.9.8.5. Removal

When sign removal is required, the entire sign, supporting structure and any exposed foundation must be removed.

Signs painted directly on an exposed masonry wall must be removed by a process that strips the entire sign from the wall, not by painting over the sign. Signs declared historic by the Historic Preservation Commission are exempt.

3.9.9. Non-conforming and abandoned signs

3.9.9.1. Non-conforming signs

Provisions for nonconforming and abandoned signs are in **Section 10.206 of the UDC**.

3.9.9.2. Abandoned signs

Signs are considered abandoned if they:

Advertise or identify an object, person, institution, business, product, service, event or location that no longer exists or is no longer relevant; or

Abandoned signs must be removed by the sign owner, property owner or the city at the owner's expense. Abandoned signs cannot be reused. Signs declared historic by the Historic Preservation Commission are exempt.

3.9.10 On-premise signs

All permanent and temporary signs located within the PUD shall be considered on-premise signs.

4. SUBDIVISION STANDARDS

4.1. Lot Division and Adjustment Processes

4.1.1. Amended plat

4.1.1.1. Applicability

The amended plat process may be used for the following in the PUD:

- Adjust or relocate the boundary or lot lines between one or more adjacent lots on an approved plat, where the number of lots will not increase.
- Join two or more adjacent lots on an approved plat, where the entire plat will not be vacated.
- Correct an error or omission on an approved plat.
- Show monuments set after death, disability, or retirement from practice of the engineer or surveyor charged with responsibilities for setting monuments.
- Show the proper location or character of monuments that have been changed in location, character, or shown incorrectly on an approved plat.

4.1.1.2. Criteria and process

The amended plat process and review criteria are described in **Section 10.203.2 of the UDC**. Submittal material requirements and internal review procedure is determined by Development Services staff, and will be consistently applied for all similar projects.

4.1.2. Major subdivision

4.1.2.1. Applicability

A major subdivision permits the division of a parcel into two or more lots and/or tracts. The major subdivision process may be used to subdivide legal lots, if the subdivision is not eligible for the short form subdivision process.

4.1.2.2. Criteria and process

The major subdivision process and review criteria are described in **Section 10.203.7 of the UDC**. Submittal material requirements and internal review procedure is determined by Development Services staff, and will be consistently applied for all similar projects.

4.1.2.3 Private drive as an acceptable alternative street type in Development Area D

A private drive that is open to public use is approved as an acceptable alternative street type instead of a public street dedicated to the City of Hutto in Development Area D. A private drive that meets design criteria acceptable to Development Services shall satisfy all City of Hutto subdivision requirements for a public street with regard to approval of a major subdivision.

4.1.2.4 Legal lots fronting on a private drive in Development Area D

Lots fronting on an approved private drive in Development Area D that meet the lot standards set forth in Section 3.1.2 shall satisfy the City of Hutto subdivision requirements for a legal lot.

4.1.3. Short form subdivision (short form final plat, minor subdivision)

4.1.3.1. Applicability

A short form subdivision provides for the timely review of proposed land division that does not discernibly impact surrounding properties, environmental resources, city character or public facilities. The short form subdivision process may be used for the following land divisions:

- Division of existing legal uses with separate utilities, except nonconforming billboards. This process cannot be used to divide accessory uses from principal uses or create an opportunity for more principal uses.
- Division of an unplatted lot into four lots or less, with no new streets, with the condition that further subdivision must be approved through the major subdivision process.
- Divisions of land for public utilities, open space, schools or other public uses.

4.1.3.2. Criteria and process

The short form subdivision process and review criteria are described in **Section 10.203.14 of the UDC**. Submittal material requirements and internal review procedure is determined by Development Services staff, and will be consistently applied for all similar projects.

4.1.4. Plat vacation

4.1.4.1. Applicability

Plat vacation provides for the vacation of an entire subdivision plat if development will not occur consistent with the approved plat.

4.1.4.2. Criteria and process

The plat vacation process and review criteria are described in **Section 10.203.11 of the UDC**. Submittal material requirements and internal review procedure is determined by Development Services staff, and will be consistently applied for all similar projects.

4.1.5. Right-of-way vacation

4.1.5.1. Applicability

Right-of-way vacation permits the vacation of rights-of-way and easements that are no longer needed. Subject to review criteria, City Council may grant a right-of-way or easement vacation for any right-of-way or easement of record where the city has jurisdiction. Right-of-way vacation results in a new lot configuration, and also requires an amended plat.

4.1.5.2. Criteria and process

The right-of-way vacation process and review criteria are described in **Section 10.203.13**. Submittal material requirements and internal review procedure is determined by Development Services staff, and will be consistently applied for all similar projects.

4.2. Plat Types

4.2.1. Preliminary plat

4.2.1.1. Purpose

A preliminary plat provides detailed graphic information and associated text showing property boundaries, easements, land use, streets, utilities, drainage, and other information required to evaluate proposed subdivisions of land. The preliminary plat includes the location of required by this article and other applicable city ordinances, codes and policies. Preliminary plats cannot be recorded or used as a plat of record.

4.2.1.2 Acceptance of private drive and legal lot for a preliminary plat in Development Area D

A private drive that is open to public use may substitute for a public street in Development Area D. A private drive that meets design criteria acceptable to Development Services shall satisfy all requirements for a public street with regard to approval of a Preliminary plat. Lots fronting on an approved private drive design that meet the lot standards of Section 3.1.2 shall satisfy the requirements for a legal lot in Development Area D.

4.2.1.2. Criteria and process

Information required for preliminary plat submittal is described in the **City of Hutto Development Administrative Guide Manual**.

4.2.2. Final plat

4.2.2.1. Purpose

A final plat provides detailed graphic information and associated text showing property boundaries, easements, streets, utilities, drainage, and other information required for the maintenance of public records of the subdivision of land. Final plats are recorded and used as a plat of record, subject to the regulations in this chapter.

4.2.2.2. Criteria and process

Information required for final plat submittal is described in the **City of Hutto Development Administrative Guide Manual**.

4.2.2.3 Acceptance of private drive and legal lot for a final plat in Development Area D

A private drive that is open to public use may substitute for a public street in Development Area D. A private drive that meets design criteria acceptable to Development Services shall satisfy all requirements for a public street with regard to approval of a final plat. Lots fronting on an approved private drive design that meet the lot standards of Section 3.1.2 shall satisfy the requirements for a legal lot in Development Area D.

4.3. General Provisions

4.3.1. Required improvements

4.3.1.1. Required features

The developer or applicant must make all of the following improvements:

- Dedicate right-of-way necessary to achieve the width required by applicable transportation-related plans for streets, or private drives in Development Area D, adjoining the property.
- Reserve, but not dedicate, right-of-way for controlled access highways.
- Pave and install curbs and gutters along streets, or private drives in Development Area D, adjoining the property. An 18-inch ribbon curb may be permitted instead of curb and gutter on private drives in Development Area D, if approved by Development Services.
- Install sidewalks and pedestrian pathways.
- Install street/private drive signs.
- Install street/private drive lighting.
- Install development perimeter walls, if walls are required.
- For residential development, provide open space and recreational facilities.
- Install all utilities underground, excluding transmission lines.
- Provide landscaping, drainage, fire protection required for the project.

4.3.1.2. Developer responsibilities

All improvements which the developer is required to make shall be made at the developer's expense without reimbursement by the City, except as provided otherwise in this PUD or related development agreement. The City may contract with a developer to construct public improvements relating to the development in accordance with **Chapter 212, Subchapter C of the Texas Local Government Code**, as amended.

4.3.2. Timing and inspection of improvements

Unless otherwise stated, a subdivider developer cannot begin construction activities in the PUD, including clearing and/or rough grading, before first obtaining all city approvals required by this chapter.

4.3.3. Phasing plan requirements

Projects to be developed in multiple phases must meet all the following requirements unless otherwise approved by the Development Services staff.

If requested in the original application, a major subdivision may be considered for approval for phased development.

Phasing plans must be included in the first submittal and are reviewed by Development Services staff and/or other city staff and evaluated as part of the overall development plan.

Each phase of a development needs to be "stand alone" for utilities, fire protection, streets and stormwater management. Phase lines must follow reasonable and logical boundaries, such as terminating at intersections or following topographical breaks.

Phases must be constructed in the approved manner to ensure orderly and planned development.

Phases must be planned to ensure the efficient construction of adjacent future phases (phases immediately next to the subject phase, sharing a common boundary line), and to ensure that phased development is contiguous.

Lot numbers shall not be duplicated in different phases of the same subdivision.

Each proposed phase must, at a minimum, include the transportation, utility, and other public/private infrastructure shown on the proposed phasing plans, so each phase is independent of later phases.

Right-of-way and/or easements for public infrastructure servicing the respective phase must be recorded with the first plat.

Water and sewer extension permit applications for each individual phase of the project are required after plan approval.

4.3.4. Construction plans submission

4.3.4.1. Submittal

Subdivision improvement construction plans shall be submitted for review and approval by the City Engineer for all development for which public improvements are required.

4.3.4.2. Developer must retain engineer

The developer must retain the services of an engineer registered in the state of Texas, whose seal shall be placed on the subdivision improvement construction plans in accordance with the Texas Engineering Practice Act. The engineer shall be responsible for the services described in City Standards. The services performed by the engineer shall be as designated in the latest edition of the "Manual of Professional Practice – General Engineering Services," published by the Texas Society of Professional Engineers, and shall include both design and inspection as defined in this code.

4.3.4.3. Submittal content

Except as provided in this code, after preliminary plat approval, subdivision improvement construction plans may be submitted to the City Engineer for approval. The subdivision improvement construction plans submittal shall include all of the information specified in the Development Administrative Guide.

4.3.4.4. State review

All subdivision improvement construction plans must comply with the Texas Accessibility Standards administered by the Texas Department of Licensing and Regulation (TDLR) and the Americans with Disabilities Act of 1990, as amended. The developer shall submit applicable portions of the subdivision improvement construction plans to TDLR for review. Upon the completion of construction, the developer shall request inspection of all pedestrian facilities by the TDLR and pay all necessary fees. The City will not accept the public improvements until the developer provides evidence that the plans have been reviewed and approved by TDLR and that payment of the required inspection fees has been made.

4.3.4.5. Expiration of approval subdivision improvement construction plan

The subdivision improvement construction plans will expire 2 years from the date of approval by the City Engineer if construction has not commenced. Even after construction has commenced, the approved subdivision improvement construction plans will expire 3 years from the date of approval. If approved subdivision improvement construction plans expire, the plans shall be resubmitted for review and approval to ensure compliance with the current design and construction standards.

4.3.4.6. Pre-construction conference

After the approval of the subdivision improvement construction plans, a pre-construction conference shall be required to commence construction of the public improvements. Said conference shall be held with the City Engineer and include the following persons: developer, developer's contractor, developer's engineer, and other parties as determined by the City Engineer.

4.3.5. Construction of public improvements

4.3.5.1. Requirement

All public improvements required by these regulations shall be installed and constructed by the developer, or his successors in title, within 3 years from the approval of the subdivision improvement construction plans. All improvements shall conform to the provisions of this PUD and approved plans.

4.3.5.2. Failure to complete improvements

Where public improvements are not completely installed and constructed within 3 years, the City may do the following:

- Where an additional fiscal surety was required, obtain the funds to complete the public improvements using a third party selected by the City; and/or
- Exercise any other rights available under the law.

4.3.5.3. Sidewalk construction

- Sidewalks for single-family and two-family lots

Except as provided in this PUD, a developer shall install sidewalks on the rear of double frontage lots, on the side of a corner lot, and where shown on the subdivision improvement construction plans.

- Sidewalks for single family attached, multifamily, and non-residential lots

A developer shall install sidewalks for single family attached, multifamily, and non-residential lots that abut a public street or private drive and where shown on the subdivision improvement construction plans. A subdivision shall not be accepted until

the sidewalk has been constructed in accordance with the regulations of this PUD and has been inspected and approved by the City Engineer.

- **Deferment of sidewalk construction**

Sidewalks shall be installed in accordance with this section except under the following circumstances, as determined by the City Engineer:

- Where the existing cross-section of street makes immediate construction of a sidewalk impractical;
- Where a non-residential subdivision abutting an existing street is isolated from any other sidewalk by a distance of twice the frontage of the subdivision; or
- Where construction or reconstruction of the road where a sidewalk is to be placed is imminent and the sidewalk would be destroyed if constructed.

The City may require a cash payment by the developer in lieu of construction of the sidewalk if the Planning and Zoning Commission determines that the sidewalk should not be built within the 3-year period of the construction plans. The cash payment shall equal the cost of constructing and installing the sidewalk at the time of acceptance of the public improvements. The developer shall pay the cash payment prior to the acceptance of the public improvements by the City.

- **State review**

All sidewalks must comply with the Texas Accessibility Standards administered by the Texas Department of Licensing and Regulation (TDLR) and/or with the Americans with Disabilities Act of 1990, as amended, whichever is more restrictive. The developer shall submit its sidewalk plans to TDLR for review and, upon completion of its construction, for inspection. The City will not accept public improvements until the developer provides evidence that the sidewalk plans have been reviewed and approved by TDLR. The developer is responsible for all fees associated with the State plan review and inspection, and must submit to the City evidence of payment of all required inspection fees.

4.3.5.4. Benchmarks

- *Designation*

A permanent benchmark shall be designated with each addition or subdivision. Benchmarks shall be located on public property in a location acceptable to the City Engineer. Benchmarks are considered public improvements and shall consist of a brass disk, approved by the City Engineer, set in a concrete structure of such mass and dimensions and constructed on an unyielding foundation that, in the opinion of the City Engineer, will ensure the integrity of the benchmark.

- *Installation*

Prior to the acceptance of the public improvements, benchmarks shall be installed by

the developer. The elevation, horizontal datum, and description of each benchmark installed shall be certified by a surveyor and submitted to the City Engineer. In the event that public improvements are not required, benchmarks shall still be installed by the developer and the certification and description provided to the City Engineer prior to plat recordation.

- *Modification*

The City Engineer may modify the benchmark requirement if he/she determines one of the following:

- The requirement would create needless redundancy of benchmarking because of an established public benchmark exists in the immediate vicinity, is readily accessible, and will not be removed or made inaccessible by construction associated with the addition or subdivision;
- The requirement creates undue hardship on the developer;
- There is no feasible opportunity to install a brass disk in a suitable structure. In this case, the City Engineer may approve a permanent benchmark established in conformance with generally accepted surveying and engineering practices; or lack of development within the subdivision or addition

4.3.6. Restrictions on certificate of occupancy

City staff cannot issue certificates of occupancy for development until staff certifies the developer or subdivider has installed all improvements in conformance to the requirements of this section and the approved final plat and construction drawings. All improvements must be functional and under the warranty period for maintenance.

4.3.7. Construction traffic and alternative routes

Construction traffic from the development of new subdivisions and/or site plans shall be required to use a reasonable alternative route until 75% of the total certificates of occupancy are issued in the new development boundary as identified with the associated subdivision/site plan. If no reasonable alternative route exists, existing public streets may be used.

4.3.8. Street signs

Street/private drive name signs conforming to city design standards must be placed at street/private drive intersections. The subdivider or developer must install the signs before city acceptance of required improvements. Street signs are included in improvements where fiscal surety may be submitted instead of completed improvements. The subdivider or developer is required to replace or repair street signs that are damaged during construction.

4.3.9. Street lights

The property owner or developer must install street lighting along proposed public and/or private streets, private drive in Development Area D and along existing streets or private drives adjoining the property. Development Services and Public works staffs approve street light location and design. Illumination must conform to lighting regulations in Section 3.22. The subdivider or developer is required to replace or repair lights that are damaged during construction.

4.4. Assurances for Improvement Completion

4.4.1. Improvements or surety instrument before final plat recording

On approval of a final plat by City Council, but before recording, the applicant must:

Construct all improvements as required by this chapter, and provide a surety instrument guaranteeing their maintenance as required in this code; or

Provide a surety instrument in accordance with this PUD guaranteeing construction of all improvements required by this article and in this PUD and other applicable regulations.

4.4.2. Completion of improvements

Before the final plat is recorded, the developer must:

Complete all improvements required by this article according to the approved construction plans and subject to the City Engineer's approval and the City's acceptance, except as otherwise provided.

Construct all sidewalks in common areas and at street/private drive corners as shown on the approved final plat and according to the City's regulations or the City's standard details and specifications. Sidewalks must be constructed and approved for each lot before a certificate of occupancy is issued.

4.4.3. Fiscal security

A developer must post fiscal security with the City prior to a request for recordation of the final plat if the public improvements have not been accepted by the City and provided that the subdivision improvement construction plans have been approved by the City Engineer.

4.4.3.1. Amount

The amount of fiscal security posted by the developer shall equal the estimated cost plus ten percent to complete the public improvements that have not been accepted. The developer's engineer must provide the City Engineer with a sealed opinion of the probable cost for his approval.

4.4.3.2. Types

- A developer may post as fiscal security:
- A performance bond; or
- A letter of credit, approved by the City Attorney.

4.4.3.3. Return of fiscal security

The City shall return the fiscal security to the developer when the City accepts the public improvements.

4.4.3.4. Expenditures of fiscal security

The City may draw on the fiscal security and pay the cost of completing the public improvements if it determines that the developer has breached the obligations secured by the fiscal security or the 3-year time period for the installation of the required public improvements has expired. The City shall refund the balance of the fiscal security, if any, to the developer. The developer shall be liable for the cost that exceeds the amount of fiscal security, if any.

4.4.4. Inspection and acceptance

4.4.4.1. Entry and inspection

The City Engineer and other City employees shall have the right to enter upon the construction site for the purpose of conducting inspections. The City Engineer shall conduct inspections of the public improvements during construction to ensure general conformity with plans and specifications as accepted. If the City Engineer finds, upon inspection, that any of the public improvements have not been constructed in accordance with City ordinances, then the developer shall be responsible for making the necessary changes to insure compliance.

Upon completion of the public improvements, the developer shall arrange with the City Engineer for a final inspection to determine that the public improvements have been installed in conformity with the approved subdivision improvement construction plans. The developer shall pay all necessary inspection fees prior to the acceptance of the public improvements by the City.

4.4.4.2. Acceptance of improvements

Request acceptance of improvements

Upon completion of the construction of the public improvements, the developer shall request that the City accept the improvements for maintenance. Concurrent with the request for acceptance of the public improvements for maintenance, the developer shall submit all information required for acceptance of improvements specified in the Development Administrative Guide.

4.4.5. Maintenance of improvements

The developer shall be responsible for the maintenance and repair of all public improvements for 2 years after acceptance of said public improvements by the City. Prior to acceptance of improvements by the City pursuant to Section 4.4.4.2, a 2-year maintenance guarantee, in favor of the City, shall be provided by the developer by means of a warranty bond, subject to approval of the City.

4.5. Construction Standards

4.5.1. General

Construction for streets and drainage must conform to the City of Hutto Standard Details and the City of Georgetown Construction Specifications and Standards.

Construction standards and specifications for electrical and gas utilities must be in conformance to the standards of the approved utility provider.

4.6. Lot Configuration

4.6.1. Lots

4.6.1.1. General standards

Size, shape, and location of lots must be established considering topographic conditions, contemplated uses, and the character of the surrounding area.

Lot sizes and building setback lines must conform to the minimum lot area, minimum lot width, and minimum yard standards required in the PUD.

Lots that front on more than one street other than corner lots, resulting in the need for a large development perimeter wall facility, should be minimal or avoided.

Side lot lines must be substantially at right angles or radial to street alignments.

4.6.1.2. Lot width

Lot width at the street right-of-way line at the end of a cul-de-sac or the outside of a sharp curve must be at least 20 ft., to accommodate driveways, drainage facilities and utilities.

4.6.1.3. Lot shape

Lots should be as rectangular as practicable. Sharp angles between lot lines should be avoided.

4.6.1.4. Lot numbering

Lots must be numbered consecutively in each block. Lot numbering may be cumulative throughout the subdivision if the numbering continues from block to block in a uniform manner approved on a preliminary plat.

Blocks must be numbered consecutively in the overall plat and/or sections of an overall plat as recorded.

4.6.2. Easements

Easements must be dedicated for dry and wet utilities, drainage ways, and access paths where necessary, and may be required across parts of lots (including side lines) if in the opinion of the city, they are needed.

Utility easements should be located where they will not prevent tree planting in tree lawns.

4.7. Parkland Dedication

4.7.1. Dedication procedure

4.7.1.1. Parkland Dedication

Parkland dedication requirements set forth in this Ordinance shall satisfy all parkland requirements of the City with respect to the PUD. A minimum of 26.9 acres of land within the Brushy Creek 100-year floodplain within the PUD, as generally depicted **Exhibit A, PUD Concept Plan**, shall be dedicated to the City as parkland.

With the consent of the City, parkland may be conveyed to a third party for later conveyance to the City of Hutto, provided no additional costs are incurred by the developer.

Except as provided herein, no parkland dedication, cash payment in lieu of parkland dedication or improvements in lieu of parkland dedication shall be required for the PUD. The area to be dedicated must be shown on the preliminary plat and final plat; and must be included in the dedication statement. Dedicated parkland must meet the requirements and guidelines of this section.

4.7.1.2. Parkland trail improvement

The developer shall be responsible improving the parkland with a 10 ft. wide concrete shared use trail that is consistent with the City of Hutto Parks, Recreation, Open Space and Trails Master Plan. The 10 ft. trail shall be located in the Brushy Creek 100-year floodplain and extend from the FM 685 ROW to the SH 130 ROW. The alignment of the trail shall be approved by the Parks and Recreation Director prior to construction. The trail improvements must be shown on a detailed exhibit accompanying the final plat of the parkland.

At the City's option, the trail may be constructed by the developer and conveyed to the City upon acceptance, or cash may be paid to the City in lieu of the trail construction. The cash amount will be based on a construction estimate of the trail. If constructed by the developer, the trail construction must be constructed and accepted at a date mutually agreed upon by both the developer and Parks and Recreation Director. Maintenance of the trail shall be the responsibility of the City of Hutto upon City acceptance.

4.7.1.3. Dedication required before plat recording

Land requirements must be met before the plat is recorded.

4.7.1.4. Dedication by warranty deed

Parkland must be dedicated to the city by general warranty deed, and acceptable evidence of clear title and payment of all taxes must be provided to the city.

4.7.1.5. Improvements by park site

The subdivider or developer is responsible for installation of public improvements next to the park site including, but not limited to, curb and gutters, streets, sidewalks, and storm drainage facilities made necessary by the development.

4.7.2. Nature of parkland

4.7.2.1. Access

Convenient pedestrian and vehicular access to park land must be provided. In areas of parkland not fronting a public street, access by frequent green links or public paths must be provided.

4.8. Pedestrian and Bicycle Facilities

4.8.1. Sidewalks

4.8.1.1. Location

Sidewalks must be installed on both sides of all public streets, except limited access highways and loop lanes.

Sidewalks must be placed inside the public right-of-way as close to the outer edge of the right-of-way as possible, to provide a tree lawn at least 5 ft. deep to the extent practical, except that sidewalks may be placed in an access easement on private property. Development Services staff may administratively approve exceptions to the tree lawn requirement and sidewalk location where conditions warrant, such as provision for accessible routes.

Sidewalks may meander to avoid trees, utility poles and boxes, and other obstacles; for aesthetics and to meet universal accessibility requirements.

4.8.1.2. Timing of sidewalk construction

The builder or developer of a site must build a sidewalk when the adjacent site is developed. When streets are built, the subdivider or developer must also build sidewalks along streets adjacent to amenity centers, open space, easement rights-of-way, and land dedicated for parks and other purposes.

Sidewalks located along collector and arterial streets must be built at when the thoroughfare is constructed.

All required sidewalks must be built before a certificate of occupancy is issued.

4.8.1.3. Connectivity

Sidewalks must connect to existing adjacent sidewalks, or be designed and placed to allow connection to future adjacent sidewalks. Required sidewalks serving non-residential lots must connect to parking in the lot and to primary building entrances. Required connections may include street crosswalks but may not span distances of at least 50 ft. without an improvement to protect pedestrians from vehicles.

Sidewalks must be installed to provide all residential areas with direct access to all neighborhood facilities, including schools, parks and playgrounds, places of worship and assembly, shopping centers, amenity centers, and public transit stops, wherever possible.

4.8.1.4. Pedestrian crossing

Pedestrian crossings must be made safer for pedestrians whenever possible by shortening crosswalk distance with curb extensions, reducing sidewalk curb radii, and eliminating free right-turn lanes, where practical. Signals allowing longer crossing times

in shopping districts, mid-block crossings in high-pedestrians use areas, corner neckdowns, textured pavement, and medians must be provided as appropriate.

Adequate signs and street markings must be provided for all crosswalks

4.8.1.5. Easements

Easements for sidewalk connections to adjacent required sidewalks not yet built are required. Easements for all accessways are required.

Easements must be established to provide public access for sidewalks, pedestrian paths/ trails / greenbelts, or bicycle trails identified in applicable city plans.

4.8.2. Bicycle paths and lanes

4.8.2.1. Location

Bicycle lanes must be incorporated in the design of arterial streets located within residential areas of the PUD, and wide outside lanes must be incorporated in the design of major collector streets. On local streets and residential collectors low traffic speeds and volumes allow bicyclists and motorists to safely share the street and bike lanes, therefore, are not required.

4.8.2.2. Construction standards

Design and construction of all bicycle facilities must meet or exceed standards in the "Guide for Development of Bicycle Facilities" published by the American Association of State Highway and Transportation Officials (AASHTO). Signing and pavement markings for such facilities must conform to the Manual on Uniform Traffic Control Devices (MUTCD).

4.8.3. Multi-use paths

While not encouraged to substitute for a good system of on-street facilities, multi-use paths may be used to enhance pedestrian and bicycle travel where the existing circulation system does not serve these patrons well or provide corridors free of obstacles. Paths must connect to the street and sidewalk system safely and conveniently, and must meet the following requirements and those in city design standards.

Path connections must be well signed with destination and directional signing.

Paths must be located in corridors that serve origin and destination points such as residential areas, schools, shopping centers, and parks.

Paths must be built in locations that are visible and easily accessible, for the personal safety of users.

Whenever possible, paths must be designed so motor vehicle crossings are removed or significantly minimized. Where crossings exist, they must be carefully designed to ensure the safety of the users. Where multi-use paths are proposed to run parallel with streets, they must be offset at least 6 ft. from the back of the curb.

Paths must be constructed of durable, low-maintenance materials, with sufficient width and clearance to allow users to walk or bike at reasonable speeds. Paths must be at least 8 ft. wide.

Where multiple uses are intended (e.g., shared pedestrian and bicycle traffic) the path should be 8 ft. wide whenever possible.

4.9. Street Classifications

4.9.1. Alley

An alley (residential or commercial) is a public street designed to provide access to the rear or side of a lot including garage access, solid waste access, fire access and utility easements.

- Alleys are required for all residential lots fronting on a Residential Lane
- Alleys are required in Non-Residential areas where it is necessary to provide for adequate access for service vehicles, off-street loading or unloading, access for emergency vehicles or similar reasons consistent with the intent of this PUD.
- Alleys may not access arterial streets.
- All alleys shall have at least two direct access points to public streets and are subject to block length criteria included in this PUD.

Alleys shall be dedicated to the public.

4.9.2. Green lane

A green lane has no road surface, but rather takes the form of a park or pedestrian plaza fronted by single household dwellings, two to four household dwellings, and/or townhouses or rowhouses.

- Green lanes cannot access arterial streets
- Facades and front porches (if any) of dwellings on lots fronting green lane must face the lane, not the alley

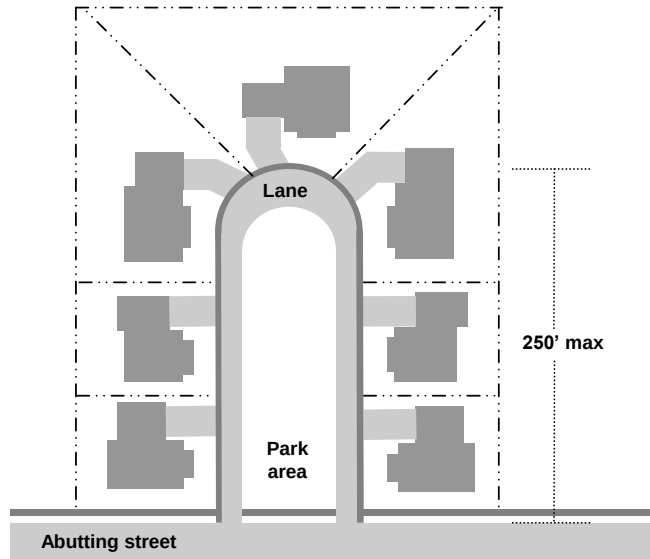
A homeowner association shall maintain the groundcover and vegetation of the green lane.

4.9.3. Loop lane

A loop lane is an alternate street design that offers a turnaround in place of a cul-de-sac. A loop lane provides open space instead of the expanse of asphalt paving found in a standard cul-de-sac.

- Loop lanes may not access arterial streets.
- The lane must be dedicated to the city.
- A homeowner association shall maintain the green space.
- A sidewalk is not required inside the interior green space.

Utilities and water detention may be located in the green space.



4.9.4. Residential lane

A residential lane serves up to 80 dwelling units is expected to carry less than 800 vehicles per day.

- On-street parking, where provided, shall be provided in additional bays.
- Continuous sidewalks and street trees at regular intervals are required on both sides of the residential lane

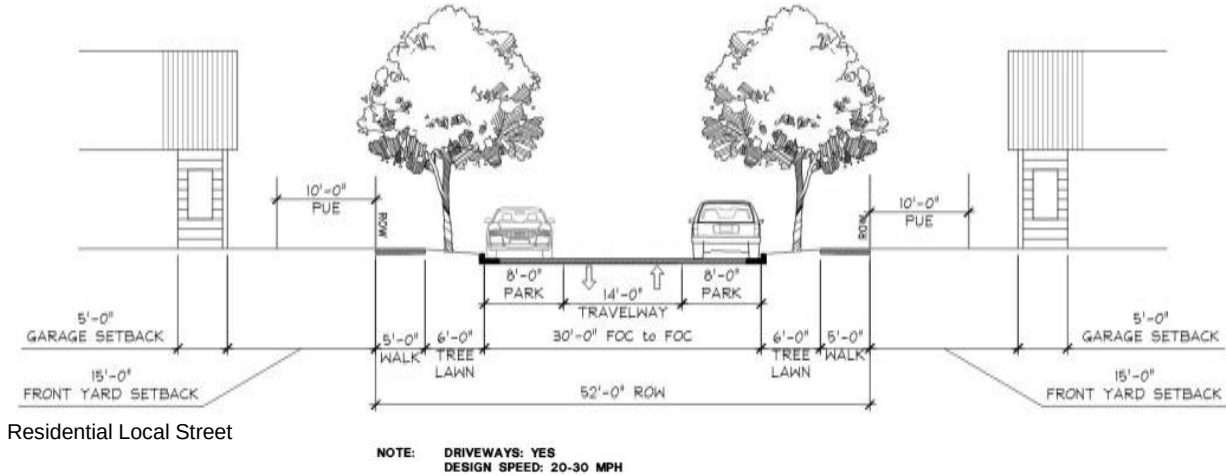


Street Trees in the tree lawns

4.9.5. Residential local street

A Residential Street generally serves up to 80 dwelling units and is expected to carry less than 800 vehicles per day.

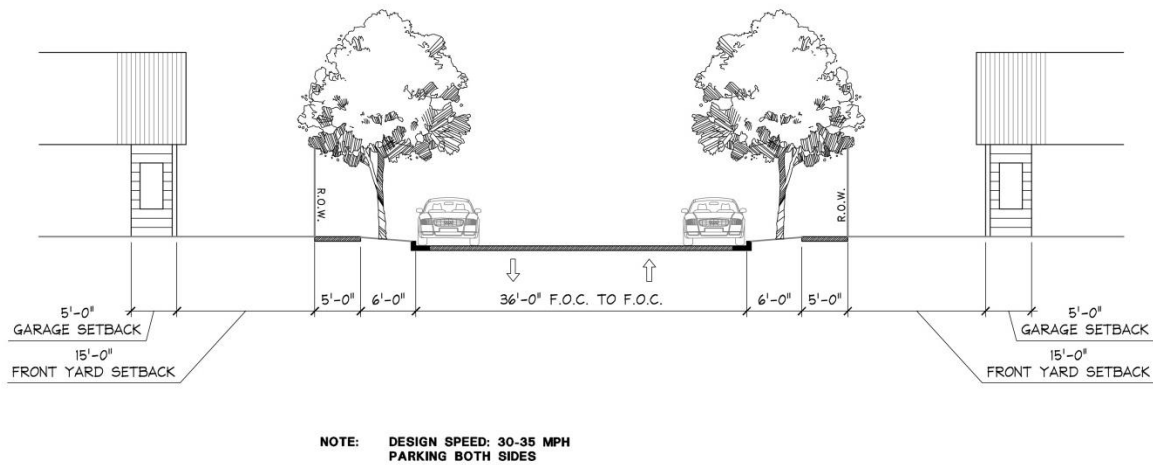
- Continuous sidewalks and street trees at regular intervals are required on both sides of a residential street
- Driveway access to residential units is permitted.
- Alleys are permitted in conjunction with Residential Streets, but are not required.
- On local streets, no driveway is permitted closer to a corner than 50 feet, except that if a lot is less than 50 ft. in width, then the driveway must be placed as close as possible to the property line opposite the street right of way line.



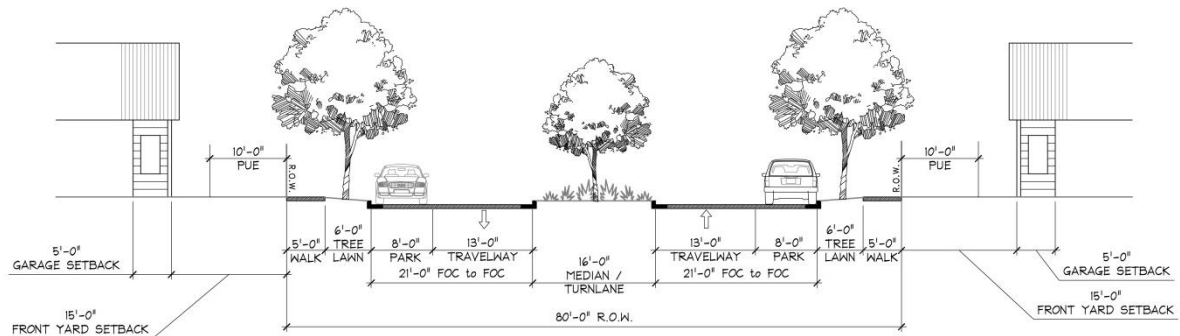
4.9.6. Residential collector

A Residential Collector and Divided Residential Collector is a street type that has an actual or anticipated traffic flow of 800 average daily trips (ADT) or greater.

- Continuous sidewalks and street trees at regular intervals are required on both sides of a residential collector.
- A Residential Collector may provide access to any type of residential unit.
- A Residential Collector shall provide two-through lanes for traffic
- A Residential Collector shall provide parking on both sides of the roadway.
- Driveway access to single-family or two-family dwelling units is permitted when spaced no less than 50 feet apart measured from center to center.
- On collector streets, no driveway is permitted closer to a corner than 100 feet.
- Planted medians are permitted on a Divided Residential Collector.



Residential Collector



Divided Residential Collector

4.9.7. Major collector street

A Major Collector is a street that has an actual or anticipated traffic flow of 2500 ADT or greater.

- A Major Collector is generally shown in the City's Comprehensive Plan, however; they may be required in other locations based on the size and density of development.
- A Major Collector shall provide access to all types of commercial and industrial uses.
- A Major Collector shall provide for two through lanes with parking on each side or four through lanes.
- No driveway access to single-family or two-family dwelling units is permitted.
- Medians may be allowed with approval of City Staff.
- Continuous sidewalks and street trees at regular intervals are required on both sides of a major collector street.

4.9.8. Minor arterial street

A Minor Arterial is a street whose main purpose is to serve as a major route through and between different areas of the City.

- A Minor Arterial is generally shown in the City's Comprehensive Plan, however; they may be required in other locations based on the size and density of development.
- Minor Arterials have two through lanes in each direction separated by a median.
- No parking is permitted.
- No driveway access to single-family or two-family dwelling units is permitted.
- Continuous sidewalks and street trees at regular intervals are required on both sides of a minor arterial street.

4.9.9. Major arterial street

A Major Arterial is a street, including Interstate Highway Service Roads, whose main purpose is to serve as a major route into, out of or across the City.

- These streets are generally shown in the City's Comprehensive Plan, however; they may be required in other locations based on size and density of development.
- Major Arterials have at least three lanes in each direction separated by a median.
- Interstate Highway Service Road standards are established by the Texas Department of Transportation and do not include a bicycle lane within the street Section.
- No parking is permitted.
- Continuous sidewalks and street trees at regular intervals are required on both sides of a major arterial street.

4.9.10. Private interior drive

Development within the PUD, including multifamily and single family uses, may be organized to include private interior drives which serve residents. Private interior drives, if any, shall be maintained by the Property Owners Association (POA) and shall comply with all City fire and emergency regulations. All private interior drives shall be a minimum pavement width of twenty (20) feet.

4.9.11 Private drive – Development Area D

A Private Drive is an alternative street type in the PUD whose main purpose is to serve permitted industrial and commercial uses in Development Area D.

- A private drive shall be 30 feet wide and open to the public.
- The design speed is 25 – 30 mph.
- An 18-inch ribbon curb may be permitted instead of curb and gutter, if approved by Development Services.
- Sidewalks, street lights and street signs shall be required for a private drive accessing lots in Development Area D.
- A minimum of two private drives shall provide ingress and egress for Development Area D.

- A gated emergency access may be provided at Spotted Fawn Drive at the western property boundary if required by Development Services.

4.9.11. Street classification standards

Standard	Alley	Green Lane	Loop Lane	Residential Lane	Residential Local	Residential Collector	Divided Residential Collector	Major Collector	Minor Arterial	Major Arterial
ADT (Avg Daily Traffic)	---	--	<150	< 800	< 800	> 800	>800	> 2500	> 12,500	> 24000
Min. ROW (Right of Way)	20	50	90	49	52	58	80	66	110	135
FOC – FOC (Face of curb to Face of curb)	--	--	20	24	30	36	2 @21	44	82	106
Length	--	< 250	< 250	#	#	#	#	#	#	#
Lanes	1	n/a	1	2	2	2	2	2-4	4	6
Lane Width	20	36-40	11-12	10-12	8-14 (includes parking)	10	10	10-12	12	12
Median Width	---	---	---	---	---	---**	16'	---**	24	24
Design Speed	---	---	15	20-25	20-25	25-30	25-30	30-35	35-45	35-45
Driveways	Yes	Alley	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Parking	No	#	Yes	Yes*	Both Sides	Both Sides	One Side, Each Way	Both Sides***	No	No
Tree Lawn	No	No	No	5', both	6', both	6', both	6', both	6', both	6', both	6', both
Sidewalks	No	4', both	4', both	4', both	5', both	5', both	5', both	5', both	5', both	5', both
Commercial Driveway Spacing for City / County Controlled Roadways and State System Highways										
Posted Speed (MPH)					Driveway Spacing (Feet)					
< 30					200					
35					250					
40					305					

45					360					
50					425					

Unless otherwise specified, all width dimensions are in feet and speeds are in mph.

Refer to standards defined elsewhere in this chapter

* On-street parking, where provided, shall be provided in additional bays

** Median allowed with approval of City Staff

*** 2 Lane Roadways Only

4.10. Street Design

4.10.1. Right-of-way width measurement

Right-of-way width is measured from front lot line to front lot line of opposite lots.

4.10.2. Geometry

4.10.2.1. Horizontal alignment

Maximum deflection in alignment permitted without the use of a curve shall be ten degrees.

4.10.2.2. Arterial street curves

Curves in arterial streets shall be designed in accordance with design speed standards found in AASHTO manual, with exceptions to this standard granted only by the Final Approval Authority.

4.10.2.3. Collector street curves

Curves in collector streets shall be designed in accordance with design speed standards found in AASHTO manual, with exceptions to this standard granted only by the Final Approval Authority.

4.10.2.4. Local street curves

Curves in local streets shall be designed in accordance with design speed standards found in AASHTO manual. The requirement for local streets exempts 90-degree or 'elbow' curves provided a radius of 50 ft is provided.

4.10.2.5. Reverse curves

Reverse curves shall be separated with a minimum tangent of 100 feet.

4.10.2.6. Vertical curves

Vertical curves shall be designed in accordance with AASHTO standards.

4.10.2.7. Cul de sacs and temporary turnarounds

- Cul-de-sac bulbs or turnarounds must have a paved radius of at least 50 ft. for single household and two-household use, and at least 60 ft. for other uses. A landscape island located in the center of the bulb is permitted.

- No more than 200 projected average daily trips (using ITE standards) shall be allowed for any cul-de-sac longer than 200 feet.
- Temporary turnarounds meeting the requirements outlined in the most recently adopted IFC shall be provided at the end of streets more than 100 feet long that will be extended in the future. The following note should be placed on the plat: "Crosshatched area is temporary easement for turn-around until street is extended (give direction) in a recorded plat." No temporary dead-end street in excess of 400 feet may be created unless no other practical alternative is available. A sign must be posted at the turnaround stating the street may be extended in the future.

4.10.2.8. Reserve strips

Reserve strips or "spite strips" at the end of streets are prohibited.

4.10.3. Intersections

4.10.3.1. Intersection angle

Streets must generally intersect at a 90° angle, except that variations of greater than 10° on collector and local streets and greater than 5° on major and minor arterials must be approved by the city engineer.

4.10.3.2. Radius at corners

Local and collector street corners must have a 10 ft. - 15 ft. radii; acute corners must have a 20 ft. - 25 ft. radii.

Arterial street corners must have a 20 ft. - 25 ft. radii.

Buildings, signs or parking is prohibited in the area between the corner curves and the chord connecting the ends of the curves except as approved by planning staff or the city engineer.

Street intersections with one or more residential collector level and higher classified streets must include 25 ft. right of way flares/cutbacks. The flare/cutback is measured along tangents from the point of intersection of the two right of way lines.

4.10.3.3. Center line tie with existing streets

New streets intersecting with or extending to meet existing streets must be tied to the existing street on centerline with dimensions and bearings to show relationship.

4.10.3.4. Partial or half streets

Partial or half streets are strongly discouraged. Partial or half streets may be provided only where the city finds a street should be located on a property line, where the proposed road has a center median.

4.10.4. Traffic calming

4.10.4.1. Horizontal deflection improvements

Traffic calming improvements that use horizontal deflection, including traffic circles, corner neckdowns, chicanes, tapers, landscape medians, are permitted. Horizontal deflection improvements may encroach into the required paved area for a street type described in this Ordinance, if reasonable access is not obstructed. The city engineer and Development Services staff must approve the design and implementation of horizontal deflection improvements.

4.10.4.2. Vertical deflection improvements

Traffic calming improvements that use vertical deflection, including speed bumps, speed humps, speed cushions, and speed tables, are strongly discouraged. The city engineer and Development Services staff must approve the design and use of vertical deflection improvements.

Speed tables, if used, should be integrated into pedestrian crossings at intersections and green links.

Speed humps and speed cushions, while strongly discouraged, are preferable to speed bumps.

4.11. Street Grid, Circulation, and Connectivity

4.11.1. General alignment

The precise alignment of thoroughfares included in the Plan may be varied to allow adjustments that increase the compatibility of the right-of-way with natural or manmade features such as steep slopes, waterways, wildlife habitats, neighborhoods, historic structures or existing roadways.

4.11.2. Street arrangement and internal connectivity

4.11.2.1. Conformity to plan

Width and location of streets must conform to the underlying concept plan and the transportation element of community, neighborhood and other applicable land use and development plans.

4.11.2.2. Topography

The street system must have a logical relationship to the natural topography of the ground.

4.11.2.3. Street Connectivity

The street network in a residential development must be strongly promoted, unless Development Services staff finds it impractical due to creek and drainageways, existing right-of-way, and/or natural features. If this requirement is administratively waived, 5 ft. wide pedestrian trails in at least 15 ft. green links must link cul-de-sacs and provide

through-block access where Development Services staff finds pedestrian connectivity is needed.

4.11.2.4. Collector street connectivity

All collector-designated streets shall connect on both ends to an existing or planned collector or higher-level street.



4.11.2.5. Blocks

4.11.2.5.1. Maximum block length

Residential local street block lengths shall be no more than 600 ft., excepting along SH 130, the Union Pacific railroad right-of-way, 100 year floodplain and streets crossing a transmission line easement. Block lengths shall be measured along the block face from intersecting curb to intersecting curb. Block lengths for Development Area D shall be determined at time of platting.

4.11.2.5.2. Block depth

Blocks should have sufficient width to allow two tiers of lots of appropriate depth. Alleys giving access to the rear of lots on a block is strongly encouraged.

4.11.2.5.3. Single-tier blocks and double-frontage lots

- Residential blocks with one tier of double frontage lots are strongly discouraged. Alternative block configurations not relying on single tier blocks or long stretches of double frontage lots to separate residential development from through traffic and arterials, or placement of higher density multiple household residential development along arterial streets, is encouraged.
- For residential double frontage lots, there must be an easement at least 10 ft. deep abutting a traffic arterial or other disadvantageous use, dedicated to the appropriate governmental entity, with no right of cross

access. There must also be at least a 10 ft. deep tract or easement on the other side of the property line abutting a traffic arterial or other disadvantageous use, for a development perimeter wall and landscaping buffer.

4.11.2.6. Mid-block green lengths

Except for perimeter block frontages along SH130, UP railroad and FM 685, green links at least 12 ft. wide including a sidewalk that is at least 5 ft. wide must be placed near the center and entirely across blocks that are greater than 800 ft. long, to give convenient pedestrian circulation through the development. Green links must be landscaped in conformance to landscaping standards for connecting walkways in this PUD, and maintained by the underlying homeowner association.

4.11.2.7. Circulation

- Each subdivision shall provide for the continuation of all arterial streets and highways as shown on the City's Comprehensive Plan. Arterial streets should be located on the perimeter of the residential neighborhood.
- Collector and local streets should be designed to provide access to each parcel of land within the residential neighborhood and within industrial areas. They should be planned so that future urban expansion will not require the conversion of minor streets to arterial routes.
- Collector streets should be designed to provide a direct route from other minor streets to the major street and expressway system and to provide access to public facilities within the neighborhood; however, collector streets should not be aligned in a manner that will encourage their use by through traffic.
- Collector-designated streets must connect on both ends to an existing or planned collector or higher-level street.

Permitted alternatives to cul-de-sacs include loop lanes and T-streets, and any similar alternative approved by the City Engineer.

4.11.2.8. Required subdivision access points

- To the extent practical, subdivisions with <100 residential units must provide vehicular access to two or more existing or planned public streets
- To the extent practical, subdivisions with 100 to 199 residential units must provide vehicular access to three or more existing or planned public streets.
- To the extent practical, one or more additional access points must be provided for each 100 lots exceeding 199 lots.
- Development Services staff may reduce the required number of access points due to topography, natural features, or the configuration of adjacent developments, or other constraints including SH130, Brushy Creek floodplain, and Union Pacific railroad.
- Access points must be shown on the plat and construction plans for the development. Construction of the street may be postponed to a later phase of development. The Planning and Zoning Commission may require the construction of any access point when the final plat is approved.

4.11.2.9. Relation to adjoining street systems

To provide connectivity to other neighborhoods existing streets in adjacent or adjoining areas shall be continued in the new development, in alignment therewith. Whenever connections to anticipated or proposed surrounding streets are required by this Section, the right-of-way shall be extended and the street developed to the property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. The permit-issuing authority may also require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency or service vehicles. Notwithstanding the other provisions of this subsection, no temporary dead-end street in excess of 400 feet may be created unless no other practical alternative is available.

- *Street jogs*
Offsets in street alignment are permitted, provided the distance between center lines is not less than 125 feet.
- *Large lot subdivision*
If the lots in the proposed subdivision are large enough to suggest re-subdivision in the future, or if part of the parent tract is not platted, consideration must be given to possible future street openings and access to future lots which could result from such re-subdivision.
- *Through traffic*
Local streets shall be designed so as to meet the local street connectivity requirements of Section 4.12.2.3.
- *Half streets*
No half streets shall be platted or constructed except for arterial streets.
- *Dead-end streets*
Dead-end streets shall be prohibited except short stubs to permit extension. Temporary turnarounds shall be required where the street stub exceeds one lot or 100 feet in length, whichever is greater. The developer shall provide a sign at the stub declaring that the particular street will connect with future development.
- *Topography*
The street system shall bear a logical relationship to the natural topography of the ground.
- *Private streets*
 - Private streets are prohibited.
 - All streets shall be constructed to City standards for public streets. Common access easements may be required.
- *Unpaved street rights-of-way*
The portion of the street right-of-way between a private lot line and the curb or pavement edge shall be designed and constructed to meet the requirements of the City's Construction Standards and Specifications for Roads, Streets, Structures and Utilities.

- Access to public streets from private property
 - No person shall cut a curb or gutter Section nor pave a street right-of-way without first obtaining a permit from the City, and complying with City Codes. Where no curb and gutter street construction is permitted, no person shall construct or pave the borrow ditch street Section without first obtaining a permit from the City and complying with City Code.

No temporary utility service will be provided to the building lot or site until a curb cut, street right-of-way permit has been issued and no permanent utility service will be provided until the work authorized by permit is satisfactorily completed and approved by the City.

4.11.2.10. Intersections

- Sight triangle

According to the following requirements, a sight triangle shall be established at all intersections.

 - On local streets the sight triangle shall be based on the back of the curb, on all other streets it shall be based on the right-of-way.
 - The sides of the sight triangle shall extend for 25 feet along the right-of-way/curb from the projected intersection of said right-of-way/curb. Where the right of-way/curb curves as the intersection is approached, the tangents at the points of beginning for the corner curve shall be projected to determine the origination of the sides of the sight triangle.
 - No construction, planting or grading shall be permitted to interfere with the sight triangle between the heights of three and seven feet as measured from the crowns of the adjacent streets.
- Angle of intersection

Except where existing conditions will not permit, all streets, major and minor, shall intersect at a 90 degree angle. Variations of more than ten degrees on minor streets and more than five degrees on major streets must first be approved by the City Engineer.
- Radius at corners
 - All local and collector street corners shall have 15 foot radii and shall meet required fire apparatus access, except acute corners which shall have a radius of 25 feet. Arterial streets shall have a minimum corner radius of 25 feet. No buildings, sign or parking shall be allowed in the area between the corner curves and the chord connecting the ends of the curves.
 - All street intersections containing one or more residential collector level and above streets shall include 25 foot right of way flares/cutbacks. The 25 foot flare/cutback will be measured along the tangents from the point of intersection of the 2 right of way lines.

- Center line tie with existing streets

Each new street intersecting with or extending to meet an existing street shall be tied to the existing street on center line with dimensions and bearings to show relationship.

4.12. Driveways and Easements

4.12.1. Easements

4.12.1.1. Utility easements

All easements must be dedicated to the City and their locations shall be clearly denoted on plat documents.

- Uniform and continuous easements shall be provided along lot lines for utility service. The City may approve a location other than along a lot line.
- Easements for water, sewer, and storm sewer lines shall be at least 20 feet in total width if between lots. 10-foot public utility easements should be included along all street rights-of-way.

Other utility easements (for other than water, sewer, and storm sewer lines) shall be a minimum of five feet in width when abutting the street lot lines and at least three feet in width when abutting interior lot lines.

4.12.1.2. Emergency access easements

Emergency access easements shall be defined by the local fire code as amended. Emergency access easements shall not be divided by lot lines.

4.12.2. Driveway spacing from intersections

4.12.2.1. No driveway is permitted closer to a corner than the driveway separation standard provided in Section 4.7.12.

4.12.2.2. Driveway spacing shall be measured from the edge of the street to the center of the driveway.

4.12.2.3. Any request to deviate from these standards may be submitted to the City Engineer.

4.12.3. Design requirements and standards

4.12.3.1. Additional access

The City Engineer may require more than one access point onto a collector or arterial street for a single parcel during Site Plan review provided that the number and location of access points onto local streets and the additional access points onto collector and arterial streets must be approved by the highway authority having jurisdiction over the roadway from which access is being taken.

4.12.3.2. Width of access

The width of access driveways shall be determined by the highway authority having jurisdiction over the roadway from which access is being taken. However, in no case shall an individual driveway width be greater than 35 feet. Where a highway authority has not

established driveway width requirements and standards, the standards and requirements of the Texas Department of Transportation shall apply.

4.12.3.3. Closure or relocation of existing access points

The City Engineer, in conjunction with the highway authority having jurisdiction over the roadway from which access is being taken, shall have the authority to require the closure or relocation of existing access points where multiple access points to the site are available.

4.12.3.4. Curb cuts at intersections

A curb cut for a corner parcel at the intersection of any streets shall be located the maximum practical distance from the center of the intersecting streets, without intrusion into any required buffer. The number and location of the curb cut must be approved by the highway authority having jurisdiction over the street from which access is being taken. Where a highway authority has not established curb cut requirements and standards, the standards and requirements used by the Texas Department of Transportation shall apply.

4.13. Road Adequacy Standards

4.13.1. Street naming

Proposed street names must appear on a preliminary plat. Street names become official with the city after the following takes place:

- The plat is recorded; and Williamson County 911 Addressing accepts the street name.

4.13.2. Traffic impact analysis, when required

The TIA shall conform to the requirements set forth in **Section 10.515.4 of the Hutto UDC**. A Traffic Impact Analysis shall be required with any application for a subdivision or plat approval, Site Plan approval, or other procedure for which the proposed development generates traffic in excess of 2,000 average daily trips, based upon the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. In the event that specific land uses for the development are not specified at the time of subdivision or plat application, the daily trip generation rate for the most intensive land use from the ITE Manual for the land use classification of the application shall be used to compute the estimated average daily trips.

4.13.3. Stormwater and drainage standards

Except as set forth in this Section 4.14.3, the stormwater and drainage standards established in **Section 10.701 of the UDC** shall apply to development of this PUD.

4.13.3.1. Stormwater drainage system

- Drainage channels and detention ponds that are to be maintained by the public shall be contained within drainage lots. Adequate room for access shall be provided for drainage channels and detention ponds. Ramps no steeper than 5 feet horizontal to 1 foot vertical shall be provided at appropriate locations to allow access to drainage channels and detention ponds. The minimum bottom width for any channel with vegetative side slopes shall be 8 feet, except that drainage channels associated with streets have no minimum width. If required, a 5-inch thick reinforced concrete trickle

channel shall be provided in all newly constructed channels and from detention pond inlets to outlets. The area adjacent to trickle channels shall slope at a minimum of 2 percent.

- Open drainage sections:
Minor collectors (draining less than 20 acres) shall be constructed using best practices for stormwater drainage to the greatest extent practical. Surface conveyance may be utilized if it can be established to the satisfaction of the City Engineer that it is physically feasible and preferred to storm sewers. Open ditches may be used, provided that such ditches are lined with permanent materials accepted by the City Engineer.

4.13.4. Grading

Grading of lots with existing slopes of 1 percent or greater will not be required, provided it is demonstrated to the satisfaction of the City Engineer that there are no existing or proposed features that will prevent the lots from adequately draining.

4.13.5. Water and wastewater standards

The water and wastewater standards established in **Section 10.801 of the UDC** shall apply to development of this PUD.

Attachment A – Use-specific Design Standards for Self-storage Facilities

2.3.3 Self-storage facilities

2.3.3.1 Architectural theme

Building design must conform to architectural design standards for commercial uses in Section 3.4, except that contemporary architectural design and massing, material use, articulation, color use and theming, as expressed in the enhanced architectural self-storage buildings set forth and graphically depicted in this section, are also permitted and encouraged.

Enhanced architectural self-storage buildings are defined as self-storage buildings that have a commercial appearance and character, two or more stories in height, where a minimum of 80 percent of the individual storage units are accessed from a common entry and comply with design standards set forth and depicted in this section.

Colors with a high intensity may not be used as a primary building color element but are permitted as accent areas on building facades and visible interiors as a part of an integrated design element.

Prefabricated and pre-engineered metal buildings are prohibited.

2.3.3.2 General architectural standards

Buildings must include design elements such as columns, ribs or pilasters, piers, quoins, and fenestration patterns to prevent a utilitarian, industrial, warehouse-like appearance, except that contemporary building massing, material use and design features included in enhanced architectural self-storage buildings as set forth and depicted in this section are permitted.

Maximum length of a building on the site perimeter is 60 ft, except enhanced architectural self-storage buildings as set forth and depicted in this section shall have a maximum length of 250 feet.

Unit doors must be screened or sited so they are not visible from the street or residential properties, except that unit doors located within interior corridors that are visible are permitted, provided that the unit doors are integrated into the overall building design using color, articulation, rhythm or other design elements.

Unit doors must be integrated into the overall architectural design theme of the building through design elements such as color, texture, rhythm and articulation.

2.3.3.3 Roof design

Buildings must include a roof pitch of at least 30°, with roofs incorporating a high quality surface such as architectural shingles, split seam metal or clay tile. Flat roofs are permitted, provided a parapet of at least 12 inches is incorporated into the building design.

2.3.3.4 Parking, circulation and stacking

Drive aisles must be at least 24 ft. wide. Drive aisles and unit access points must be surfaced in impervious or permeable pavement.

Units and drive aisles must be sited so a vehicle parked at a unit cannot trap another vehicle and prevent it from leaving the facility.

Parking spaces cannot be located in the street yard, except that parking for enhanced architectural self-storage buildings shall comply with commercial parking standards.

2.3.3.5 Landscaping

Landscaping must conform to landscaping standards in Section 3.5.

Landscaping and/or berming must screen storage buildings from an adjacent public right-of-way and adjacent residential buildings, except that landscaping for enhanced architectural self-storage buildings shall comply with commercial landscape standards.

Landscaping outside a perimeter fence visible from a public street must conform to landscape standards in this code. Inside a perimeter fence visible from a public street, at least 10% of the surface area must be a groomed permeable surface (grass, xeriscape ground cover, turf block), with at least 50% of that surface next to the perimeter fence.

One or more native tall trees for every ten units must be provided inside the perimeter fence, with trees placed inside the perimeter fence and at the ends of buildings runs. Shrubbery forming a dense cluster is required at the base of building walls at least 10 ft. long without doors. This requirement does not apply to enhanced architectural self-storage buildings.

2.3.3.6 Fencing and screening

Fencing must conform to fence and wall standards in Section 3.7.

Perimeter fencing, security fencing, and entry gates must be constructed of materials that are compatible with the design and materials used throughout the site. Acceptable fencing types include masonry (brick, stone, decorative CMU), decorative metal and wrought iron.

2.3.3.7 Outdoor lighting

Lighting must conform to lighting standards in Section 3.8.

Exterior lights at self-storage facilities located next to residential and lodging uses must be designed, installed and maintained to comply with Section 3.8.1.1 Display levels and light pollution, 3.8.1.2 Shielding and 3.8.1.3 Illumination of background and foreground spaces.

2.3.3.8 Signs

Signs must conform to sign standards in Section 3.9. Attached signs are permitted only on the main office, and are prohibited on storage unit buildings, except that signs on enhanced architectural self-storage buildings shall comply with commercial sign standards.

2.3.3.9 Examples of enhanced architectural self-storage buildings



Interior unit doors integrated into overall building design theme. Contemporary building façade materials. First floor articulation at office entry.



Contemporary use of traditional stone masonry façade treatment, architectural massing, window design and overhanging eaves. Overall building façade composition and varied articulation and building massing.



Well-articulated common entry, material use of metal and glass siding color use and rhythm of building massing. Overall building façade composition and varied articulation.



Overall building façade composition and varied articulation. Contemporary material use of articulated glass and metal. Use of high intensity color as accent and integrated into the overall façade composition. Interior unit doors integrated into overall building design theme.



Building with flat roof incorporating a parapet. First story articulated with metal eave overhang. Façade articulation.



First floor articulation at office entry. Contemporary material use of articulated glass and metal and rhythm of building massing.

Attachment B

Additional Permitted Industrial Uses and Design Standards for Development Area D

2.1.3 Industrial uses in Development Area D

2.1.3.1 General Intent

By their inherent character, industrial uses and their built environment must be utilitarian and functional. Additionally, the public infrequently visits industrial sites. Therefore, site development standards for industrial uses within Development Area D are less restrictive than permitted industrial uses located in Development Area C. These less restrictive standards include architectural, site and other development standards. Conversely, these standards set forth a high-quality standard for development within Hutto Crossing east of SH 130.

Public visibility of Development Area D from US 79, located north of the UP RR, is limited. Grades changes along the main lanes of SH 130 and its frontage road limit views to Development Area D. Adjacency to existing residential uses west of Development Area D are factored into the development standards for Development Area D. Building facades and site areas directly fronting along the northern boundary line of Development Area D fronting the UP RR and the northern end of the eastern boundary (SH 130) provide for standards that reflects positively on Hutto and its businesses.

2.1.3.2 Light industrial use

2.1.3.2.1 Intent

Light industrial uses provide for a wide variety of nuisance-free industrial uses and compatible related uses. The area, height, yard and other site requirements are designed to maintain long-term quality and economic vitality of development and uses that may accommodate the public.

2.1.3.2.2 Definition

Light industry use is composed of land and structures used primarily to provide space for light manufacturing, commercial enterprises involved in research and development, packaging, microbrewing facilities, warehousing, distribution and skilled mechanical trades. Light industrial uses also provide for a mix of office park, flex-space with limited retail and service uses that may also serve industrial development. Light industrial use includes custom manufacturing for on-site production of goods using hand tools, domestic mechanical equipment, kilns, and the incidental sale of those goods. This use includes examples such as candle-making shops and custom jewelry manufacturing. Examples of permitted uses also include equipment and event rentals, self-storage facilities, cabinet/carpenter shop, auto sales and repair, wrecker services, can recycle collection station, lumber yard and building materials, mobile vending base operations, machine shop, tree service and moving companies.

2.1.3.3 General industrial use

2.1.3.3.1 Intent

General industrial is composed of land and structures used primarily to accommodate fabrication, manufacturing and industrial uses. The general industrial district accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. This use is intended to provide for all types of industrial uses, with area, height and yard requirements designed to accommodate major industries and other uses whose operating characteristics require utilitarian sites and infrequented by the public.

2.1.3.3.2 Definition

Examples of permitted general industrial uses include manufacturing of many types, including abrasives, food and drug, motor and transit vehicles, recreational vehicles and watercraft, vehicle parts (excluding tires), trailers, modular and manufactured buildings, manufactured homes/oversized vehicles sales, sand and gravel storage and sales, auto & light truck auction, service and storage, bottling plants, and breweries.

2.1.3.4 Heavy industrial use

2.1.3.4.1 Intent

Heavy industrial use is composed of land and structures used primarily to provide for all types of industrial uses, with area, height and yard requirements designed to accommodate major industries and other uses that typically generate very high volumes of truck traffic and whose operating characteristics require very utilitarian and functional sites which very rarely accommodate the public.

2.1.3.4.2 Definition

Examples of heavy industrial use include use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or engaged in storage of, or manufacturing processes using flammable materials, or storage or manufacturing processes that may generate high volumes of truck traffic. Heavy industry uses also includes work processes involving solvents, recycling establishments, and transport terminals (truck and rail terminals, container storage). Permitted heavy industrial use include ready-mix facilities, concrete plants and asphalt plants.

Design standards for industrial uses in Development Area D:

2.1.3.5 Contemporary agricultural industrial building character for light industrial use and facilities

Contemporary agricultural industrial buildings are defined as buildings clad with architectural designed corrugated metal siding that embodies the character of Hutto's agricultural past as represented in the Coop redevelopment. This building character is

intended to both recall and reflect positively on Hutto. The architectural theme incorporates articulated glass and metal siding and windows. The use of corrugated metal siding as a primary material in a contemporary design that has an appealing appearance and character that is distinctive characteristic of Hutto.

More traditional materials of stone and concrete are primarily used as accent materials. Overhangs and rhythm of material use are other building characteristics indicative of contemporary agricultural industrial buildings. Pictorial examples are depicted below in this section. Façades and walls of these buildings are appropriate for light industrial uses facing US 79 and SH 130 in Development Area D.

2.1.3.5.1 Examples of contemporary agricultural industrial buildings



Hutto Crossing
April 16, 2013
PUD Amendment #3 March 18, 2019

2.1.3.6 Industrial Facilities Character

2.1.3.6.1 Standard light and general industrial exterior walls and facades

2.1.3.6.1.1 Wall and façade pattern

Façades and walls facing US 79 and must include a repeating pattern with an expression of architectural or structural bays through a change in plane, such as an offset, reveal, pilaster, projecting ribs, fenestration patterns, or piers; and any of the following elements:

- color change
- texture change
- material module change

Design elements must repeat at intervals of no more than 60 ft. Deviations up to 10% to the interval repetition may be administratively approved by Development Services staff.

These standards do not apply to contemporary agricultural industrial buildings or heavy industrial facilities.

2.1.3.6.1.2 Building design

All façades and walls facing US 79 must include consistent materials, or a rhythm of various materials and forms, designed in a unified, cohesive pattern. Inferior or lesser quality materials for facades and walls are otherwise permitted. This standard does not apply to heavy industrial facilities.

2.1.3.6.1.3 Garage doors

Bay doors facing US 79 must be screened using wing walls, landscape screening, berms, or other effective screening and site planning techniques, or otherwise sited so visibility is minimized.

2.1.3.6.1.4 Primary building entrances for light industrial buildings

Primary building entrances must be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico to provide shelter from the sun and inclement weather. This standard does not apply to general industrial facilities or heavy industrial facilities.

2.1.3.6.2 Building roofs

2.1.3.6.2.1 Planted green roofs

Planted green roofs, solar panels and rain collection tanks are encouraged.

2.1.3.6.3 Materials and color

2.1.3.6.3.1 Building colors

- Building colors must be low reflecting, muted and neutral or earth toned. Roof colors must be muted and compatible with the dominant building color. This standard does not apply to heavy industrial facilities.
- High intensity colors, metallic colors, fluorescent colors, single color schemes and groups of stripes are prohibited as the predominant building color or color scheme.
- Brighter colors, and black or grey, may be used on building trim and accents.
- An exception to the color standards may be administratively approved by Development Services staff if it can be demonstrated that the color selection meets the design intent of this Attachment A.

2.1.3.6.3.2 Building materials

Durable, high quality building materials must be used. Brick, stone, split-face CMU, corrugated metal, metal and glass, EIFS, detailed tilt-up concrete panels, and building-integrated photovoltaics (BIPV) are examples of appropriate building materials for light and general industrial buildings. This standard does not apply to heavy industrial facilities.

- T-1-11 and other plywood-based siding materials are prohibited.
- Prefabricated and pre-engineered metal buildings and panels are permitted for general industrial and heavy industrial facilities.

2.1.3.6.3.3 Material or color changes for light industrial buildings

- Material or color changes must occur only at a change of plane or reveal line. This standard does not apply to heavy industrial facilities.
- An exception to the location of material or color change standards may be administratively approved by Development Services staff if it can be demonstrated that the location meets the design intent of this Section.
- Piecemeal embellishment and frequent material changes are prohibited. This standard does not apply to heavy industrial facilities.



Appropriate standard light and general industrial building design



Appropriate standard light and general industrial building design



Appropriate standard light and general industrial building design



Appropriate standard light and general industrial building design

2.1.3.6.4 Mechanical equipment screening for industrial uses

Rooftop mechanical equipment must be hidden or screened from public view from US 79 and SH 130 to the greatest extent practical with architecturally integral elements at a height at least as high as the equipment to be screened. Makeshift equipment screens, such as wooden or plastic fences, are prohibited.

Ground mounted mechanical equipment must be hidden or screened with architecturally integral wing walls and/or landscaping to the greatest extent practical. This standard does not apply to general industrial or heavy industrial facilities.

Solar panels and rain collection tanks are exempt from mechanical equipment screening standards.

2.1.3.6.5 Utility equipment screening

Electrical meters, switch boxes, panels, conduit, and related utility equipment must be placed in the most inconspicuous location practical, if frequently seen by the general public. This standard does not apply to heavy industrial facilities.

Utility equipment must be painted or coated to match the color of the mounting surface to the greatest extent practical. This standard does not apply to heavy industrial facilities.

Utility equipment located in an area that may be prominently seen by the general public must be screened to the extent practical with landscape screening or with a wing wall architecturally integrated into the host building structure, per the requirements set forth in Section 3.1.6.2. This standard does not apply to heavy industrial facilities.

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 7B.

AGENDA DATE: April 18, 2019

PRESENTED BY: City Attorney

ITEM:

Consideration and possible action approving an ordinance directing the City Manager and City Attorney to exercise the right of eminent domain for the purposes of acquiring for public use approximately 209 acres of land, generally located near the intersection of US Highway 79 and CR 132.

**STRATEGIC GUIDE
POLICY:**

Infrastructure & Growth

ITEM BACKGROUND:

On November 6, 2018, City of Hutto voters passed three bond propositions for Roads and Drainage, Public Safety & Communications Facility, and Parks & Recreational Facilities.

The City has identified parcels needed for the purposes of road construction, park facilities, and public safety assets. This ordinance will authorize the City Manager and City Attorney to move forward with eminent domain proceedings.

BUDGETARY AND FINANCIAL SUMMARY:

A land price will be set through the eminent domain procedures.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not Applicable

CITY ATTORNEY REVIEW:

City Attorney has reviewed the attached ordinance.

STAFF RECOMMENDATION:

SUPPORTING MATERIAL:

1. [Ordinance](#)

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

ORDINANCE NO. O-_____

**AN ORDINANCE AUTHORIZING THE
CITY OF HUTTO, TEXAS TO ACQUIRE
CERTAIN PROPERTY.**

WHEREAS, the City of Hutto, Texas (“City”) is empowered by the Texas Legislature to exercise the right of eminent domain for the purposes of acquiring property for public use; and

WHEREAS, the City has determined that it should acquire certain property more particularly described on **Exhibits A-G** attached hereto (“Property”) for purposes of public safety, public transportation, public parks, public recreation and other public purposes; and

WHEREAS, the City has determined to direct the City Manager and City Attorney to take all appropriate action to acquire the Property:

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

1. Findings:
 - a. The City finds and determines that the Property is necessary for the public purposes of public safety, public transportation, public parks and public recreation as well as other public purposes.
 - b. There is a necessity for the City to proceed to acquire title to the Property.
2. The City Manager and the City Attorney are directed and authorized to take the following action:
 - a. Obtain an appraisal of the Property to determine a fair value on which to make a *bona fide* offer for the Property.
 - b. Make a *bona fide* initial offer for the Property.
 - c. Provide to the Property owner, as required by applicable law, all appraisal reports produced or acquired by the City.
 - d. Provide to the owner of the Property the Landowner’s Bill of Rights as provided by Texas Property Code Section 21.0112(a).
 - e. If the offer by the City is accepted by the owner of the Property, prepare and enter into a contract of sale to acquire the Property and acquire title to the Property in the name of the City.
 - f. If the owner does not agree to convey the Property to the City and the City Manager and City Attorney are unable to negotiate a satisfactory purchase of

the Property, the City shall prepare and file a final offer for the purchase of the Property.

- g. If the owner of the Property does not accept the City's final offer and the time for consideration of the acceptance as provided by law has expired, the City Manager and City Attorney are authorized to provide all applicable notices to the owner as required by law and file a petition in the County Court of Williamson County to acquire the Property by eminent domain.
- h. The City Manager and the City Attorney are authorized to take any and all other necessary action to acquire title to the Property for the City.

PASSED AND APPROVED by the City Council for the City of Hutto at a meeting at which a quorum was present on this the ____ day of _____, 2019.

THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

Attest:

Lisa L. Brown, City Secretary

EXHIBIT A

Legal Description

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

KNOW ALL MEN BY THESE PRESENTS:

4162

That we, ALEX MARTIN, JR, and wife, LOLA JEAN MARTIN, of Bexar County, Texas, for and in consideration of the sum of TWO THOUSAND AND NO/100 (\$2,000.00) DOLLARS and other good and valuable consideration to us cash in hand paid by JONAH WATER SUPPLY, the receipt of which is hereby acknowledged and confessed and for which no lien, either expressed or implied, is intended to be retained herein;

HAVE GRANTED, SOLD AND CONVEYED and by these presents DO GRANT, SELL AND CONVEY unto the said JONAH WATER SUPPLY, of Williamson County, Texas, all of the following described property located in Williamson County, Texas, and further described as follows, to-wit:

BEING 0.3247 acres of the J.B. Beall Survey, Abstract No. 97 in Williamson County, Texas, being part of a tract of 90.34 acres conveyed by Paul Nelson to John Basland of record in Vol. 285, Page 73, Deed Records, Williamson County, Texas.

BEGINNING at an iron pin in the South line of the 90.34 acre tract, N 79° 33' W 495.05 feet from the S.E. corner of same.

THENCE N 79° 33' W 260.56 feet with the North line of a gravelled County road and the South line of the 90.34 acre tract to an iron pin at the intersection of said line with the S.E. line of a paved county road, 60.0 feet wide.

THENCE N. 65° 41' E 124.75 feet to an iron pin in the S.E. line of the paved county road, 1.35 feet northerly of a telephone pole.

THENCE N 54° 52' E 59.99 feet to set an iron pin in the line of the road.

THENCE S 35° 04' 30" E 162.65 feet to the POINT OF BEGINNING.

No mineral rights are conveyed hereby, it being specifically understood that the Sellers retain all of the mineral rights under the property conveyed.

In consideration for this sale, the Jonah Water Supply Corporation agrees and covenants to install a water meter on the 46.69 acre tract owned by Seller or the 25.17 acre tract immediately West of and adjacent to said 46.69 acre tract, which said 25.17 acre tract also bounds upon the gravel road on the South side of said tract, at no charge to Seller. The location of said water meter is to be determined by the Seller. The installation of the meter shall be completed within 30 days after notice is given by Seller to install said water meter.

Purchaser will construct a cyclone fence between 6 feet and 8 feet high on the east boundary line of said .3247 acre tract, said fence will extend north to the old Hutto-Taylor road and south to a county road. Said fence will be built prior to the time that any building materials are placed on said property, and prior to any construction on the said .3247 acre tract. Ingress and egress to said .3247 of an acre tract shall be from the west side of said tract on the old Taylor-Hutto road. In no event shall Purchaser place a gate which will open into property owned by Seller.

All permanent structures on said property are to be of concrete block construction.

In the event that water leakage from Purchaser's .3247 acre tract causes damages to Seller's or his agent's crops adjacent to said land and Purchaser will reimburse Seller or his agent for their losses. Damages to said crops will be liquidated in that if any damages occur to said crops, Seller or his agent shall be paid damages amounting to the net profit which would accrue on 4,000 lbs. per acre of milo, or one (1) bale per acre of cotton. Net profit is described as the net gain to Seller or his agent after operating expenses are paid. Net profit shall be determined by the current market value of cotton and/or milo and deducting the current operating expenses at the time of the water damage.

DAMAGE to crops shall always be measured in multiple of one (1) acre.

Purchaser agrees that no electric poles or guy wires will be erected within two (2) feet of Seller's property line.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said JONAH WATER SUPPLY, their heirs and assigns, forever, and we do hereby bind ourselves, our heirs, executors and administrators, to WARRANT AND FOREVER DEFEND, all and singular the said premises unto the said JONAH WATER SUPPLY, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS OUR HANDS this the 5th day of June, 1975.

Alex Martin, Jr.
ALEX MARTIN, JR.

Lola Jean Martin
LOLA JEAN MARTIN

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

BEFORE ME, the undersigned authority on this day personally appeared ALEX MARTIN, JR. known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER my hand and seal of office this 5th day of June, 1975.

[Signature]
Notary Public in and for
Williamson County, Texas

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

BEFORE ME, the undersigned authority, on this day personally appeared LOLA JEAN MARTIN, wife of ALEX MARTIN, JR., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER my hand and seal of office this 5 day of June, 1975,



James L. Parker
Notary Public in and for
Williamson County, Texas

THE STATE OF TEXAS }
County of Williamson }

I, Dick Cervenka, Clerk of the County Court of said County, do hereby certify that the foregoing instrument in writing with its certificate of authentication, was filed for record in my office on the 2nd day of July, A. D. 1975, at 5:00 o'clock P.M., and duly recorded this the 3rd day of July, A. D. 1975, at 9:00 o'clock A.M. in the _____

BOOK _____

Page _____ of said County, in Vol. 612 pp. 53

WITNESS MY HAND and seal of the County Court of said County, at office in Georgetown, Texas, the date last above written.

By *Kathy Davis* Deputy

DICK CERVENKA, CLERK
County Court, Williamson County, Texas

EXHIBIT B

Legal Description

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED

THE STATE OF TEXAS §

§

KNOW ALL BY THESE PRESENTS: THAT

COUNTY OF WILLIAMSON §

§

JIMMY WALLIN AND KATHERINE WALLIN, HUSBAND AND WIFE
("Grantor"), whose mailing address is

5640 W. Amity Rd.
Salado, TX. 76571-9426

for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration to Grantor in hand paid by UNITED CAB, LLC, a Texas limited liability company ("Grantee"), whose mailing address is

18416 Dry Brook Loop
Pflugerville TX. 76660

the receipt and sufficiency of which consideration is hereby acknowledged and confessed, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee, the following real property, together with all improvements thereon (the "Property"):

Being 6.060 acres (263,983 square feet) of land, out of the O.R. FRAME SURVEY, ABSTRACT NO. 798, and the PATRICK O. DAUGHERTY (also sometimes called O'Daugherty) SURVEY, ABSTRACT NO. 184, Williamson County, Texas; subject tract being all of the property conveyed and described as "Tract 2" in Deeds recorded in Volume 524, Page 157 and Volume 799, Page 941 of the Deed Records, Williamson County, Texas; and excluding that portion conveyed to Williamson County, Texas, in Deed recorded in Document No. 2004018777, Official Public Records, Williamson County, Texas. Subject remaining 6.060 acres, to be insured herein, being that property more particularly described in EXHIBIT "A" attached hereto and made a part hereof for all purposes.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in any way belonging to have and to hold unto Grantee, and Grantee's heirs, successors and assigns, forever; and Grantor does hereby bind itself and its heirs and successors to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, Grantee's heirs, successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, provided, however, that this conveyance is made by Grantor and accepted by Grantee subject to (i) the liens securing payment of ad valorem taxes for the current and all subsequent years and (ii) easements, liens, reservations, covenants, conditions, and restrictions of record in Williamson County, Texas, or visible or apparent on the ground to the extent the foregoing affect the Property. By acceptance of this deed, Grantee assumes and agrees to perform all of the obligations of Grantor under said easements, reservations, covenants, conditions and restrictions, and agrees to pay and indemnifies and

agrees to hold Grantor harmless from and against all ad valorem taxes relating to the Property, for the current and all subsequent years.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED AS OF AND EFFECTIVE the 27 day of June, 2017.

GRANTOR:

Jimmy Wallin
JIMMY WALLIN

Katherine Wallin
KATHERINE WALLIN

ACKNOWLEDGEMENT

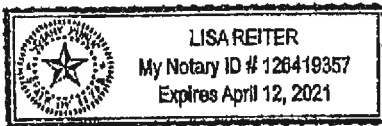
STATE OF TEXAS

COUNTY OF Williamson

§
§
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Before me, a Notary Public, on the 27 day of June, 2017, personally appeared JIMMY WALLIN AND KATHERINE WALLIN, who acknowledged that they did sign the foregoing instrument, and acknowledged to me that they executed the same for the uses and purposes and consideration therein expressed.

Lisa Reiter
Notary Public, State of Texas



PREPARED IN THE OFFICE OF:

THE HAY LEGAL GROUP PLLC
611 W. 5th Street, Suite 300
Austin, Texas 78701

STATE OF TEXAS}
COUNTY OF WILLIAMSON}

JUNE 21, 2017

BEING A 6.060 ACRE (263,983 SQUARE FOOT) TRACT OF LAND OUT OF THE O.R. FRAME SURVEY, ABSTRACT NO. 798 AND THE PATRICK O. DAUGHERTY (SOMETIMES CALLED O'DAUGHERTY) SURVEY, ABSTRACT NO. 184, LOCATED IN WILLIAMSON COUNTY, TEXAS, BEING THAT 5.12 ACRES - SECOND TRACT CONVEYED IN A WARRANTY DEED WITH VENDOR'S LIEN FROM STANLEY AHLGREN, ET AL TO RUDOLPH WALLIN AND JIMMY WALLIN, FILED JANUARY 28, 1970 AS RECORDED IN VOLUME 524, PAGE 157 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND 1/2 UNDIVIDED INTEREST CONVEYED IN A WARRANTY DEED FROM RUDOLPH WALLIN, ET UX TO JIMMY WALLIN, ET UX, FILED JUNE 25, 1980 AS RECORDED IN VOLUME 799, PAGE 941 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAVE AND EXCEPT THAT 0.2131 ACRE TRACT OF LAND CONVEYED IN A SPECIAL WARRANTY DEED FROM JIMMY WALLIN, ET UX TO WILLIAMSON COUNTY, TEXAS, FILED MARCH 10, 2004 AS RECORDED IN DOCUMENT NO. 2004018777 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 6.060 ACRE TRACT BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING, at a cotton spindle set for the South corner of the herein described tract, said cotton spindle being the South corner of said 5.12 acre tract, and being at the intersection of the North line of County Road 136 and the East line of County Road 132 from which a 1/2 inch diameter iron rod found for the Northwest corner of Lot 5 of the Covert - 79 Subdivision as recorded in Cabinet S, Slide 189 of the Plat Records of Williamson County bears South 07°21'16" West, a distance of 72.24 feet;

THENCE, North 07°21'16" East, with the West line of the said 5.12 acre tract and the East line of said County Road 132, a distance of 734.88 feet (deed call 735.00 feet) to a 1/2 inch diameter iron rod found for the North corner of the herein described tract, said iron rod being the North corner of said 5.12 acre tract and in the South line of the Old Taylor - Round Rock County Road (not in use);

THENCE, South 82°53'39" East, with the South line of the said road and the North line of said 5.12 acre tract, a distance of 686.84 feet (deed call 690.78 feet) to a 1/2 inch iron rod with an aluminum cap found for the East corner of the herein described tract, said iron rod being the Northwest corner of a said 0.2131 acre;

THENCE, with the West line of said 0.2131 acre tract along a non-tangent curve to the right having a radius of 955.00 feet, a central angle of 08°08'56", an arc length of 135.82 feet, a tangent of 68.03 feet, and with a chord that bears South 48°13'51" West, a distance of 135.71 feet to a 5/8 inch diameter iron rod with a yellow plastic cap stamped "CIVILCORP" set for the point of terminus of said curve;

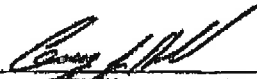
THENCE, South 52°18'20" West, continuing with the West line of said 0.2131 acre tract, a distance of 59.57 feet to a 5/8 inch diameter iron rod with a yellow plastic cap stamped "CIVILCORP" set for an interior corner of the herein described tract, said iron rod being the West corner of said 0.2131 acre tract;

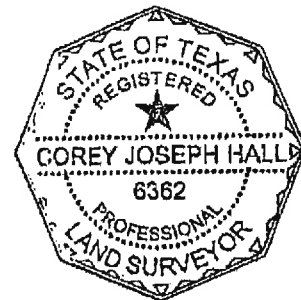
THENCE, South 37°41'40" East, with the South line of said 0.2131 acre tract, a distance of 23.83 feet to a 1/2 inch diameter iron rod found for an exterior corner of the herein described tract, said iron rod being the South corner of said 0.2131 acre tract in the North line of County Road 136 and the South line of said 5.12 acre tract;

THENCE, South 52°10'57" West, with the North line of County Road 136 and the South line of said 5.12 acre tract, a distance of 812.51 feet (deed call 818.80 feet) to the **POINT OF BEGINNING**, CONTAINING within these metes and bounds 6.060 acres (263,983 square feet) of land, more or less.

A survey drawing of even date herewith accompanies this legal description. All bearings and distances shown herein are based on the Texas Coordinate System, Central Zone (4203) NAD83.

The foregoing Field Notes Description is based on an actual survey made under my supervision on June 21, 2017, and is true and correct to the best of my knowledge and belief.


Corey Joseph Hall Registered Professional Land Surveyor No. 6362
TBPLS Firm No. 10194152



**ELECTRONICALLY RECORDED
OFFICIAL PUBLIC RECORDS**

2017058933

Pages: 5 Fee: \$33.00
06/28/2017 03:20 PM



Nancy E. Rister

Nancy E. Rister, County Clerk
Williamson County, Texas

EXHIBIT C

Legal Description

Georgetown Title Company, Inc.

CF# 180073862 - W

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

General Warranty Deed

Date: November 14, 2018

Grantor: SHARON K. FRITZ A/K/A SHARON KAY FRITZ, a single person;
CHRISTOPHER H. FRITZ A/K/A CHRISTOPHER HENRY FRITZ, as my sole
and separate property;
DAVID FRITZ, as my sole and separate property; and
BETHANY L. GRISSOM, as my sole and separate property

Grantor's Mailing Address:

SHARON K. FRITZ A/K/A SHARON KAY FRITZ:
2600 C.R. 132, Hutto, Texas 78634

CHRISTOPHER H. FRITZ A/K/A CHRISTOPHER HENRY FRITZ:
316 Brushy Creek Trail, Hutto, Texas 78634

DAVID FRITZ:
1909 Manada Trail, Leander, Texas 78641

BETHANY L. GRISSOM:
3301 C.R. 404, Taylor, Texas 76574

Grantee: M. MOORE FAMILY FARMS, LLC, a Texas limited liability company

Grantee's Mailing Address: 5000 Plaza on the Lake, Suite 180, Austin, Texas 78746-1087

Consideration:

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property ("Property" to include all property and property rights described in subsections A, B, C, D, E, F and G below):

- A. Land: The land situated in the County of Williamson, Texas and described on the attached Exhibits "A", "B" and "C", together with all rights, privileges, and

appurtenances, pertaining thereto, including but not limited to: water rights, claims, permits, strips and gores, easements and cooperative or association memberships (collectively the Land").

- B. **Mineral Interests:** All of the oil, gas and other minerals, as owned by Grantor, in, on, under and that may be produced from the Land, together with all and singular the rights of ingress and egress at all times for the purpose of drilling, exploring, operating and developing the interests hereby conveyed for oil, gas and other minerals, and storing, handling, transporting and marketing the same therefrom. The interests conveyed in this paragraph include, without limitation, all mineral interests, royalty interests, non-participating interests, reversionary interests, overriding royalty interests, working interests, leasehold interests, beneficial interests, payments out of production or similar interests in the Land.
- C. **Water Rights:** All of Grantor's rights of any nature to the water, in, on, under and that may be produced from the Land (the "Water"), including, without limitation, (a) the water of every river, stream, spring, lake, storm water, flood water, and rain water of every river, stream, spring, canyon, ravine, depression and watershed in or on the Land (the "Surface Water"), together with all rights to impound, divert or use the Surface Water, and (b) the water percolating beneath the surface of the Land in any subsurface water-bearing reservoir beneath the Land (the "Groundwater"), together with all rights to capture, withdraw, or use the Groundwater. The interests conveyed in this paragraph include, without limitation, all permits, certificates of adjudication, certified filings, or applications for permits associated with, related to, or authorizing the use of Water in, on, or under the Land, together with all claims or rights to apply for and obtain permits, certificates, or authorization to appropriate and use the Water, including, without limitations, claims or rights based on historical use of Water on or from the Land. The interests conveyed in this paragraph include, but are not limited to, all Water related facilities and improvements in, on, or under the Land, including, without limitation, all wells, pumps, motors, meters, tanks, pipes, irrigation equipment, and Water storage and distribution facilities.
- D. **"Improvements":**
- (1) **FARM and RANCH IMPROVEMENTS:** The following permanently installed and built-in items, if any: windmills, tanks, barns, pens, fences, gates, sheds, outbuildings, and corrals.
 - (2) **RESIDENTIAL IMPROVEMENTS:** The house, garage, and all other fixtures and improvements attached to the above-described Land, including without limitation, the following permanently installed and built-in items, if any:

all equipment and appliances, valances, screens, shutters, awnings, wall-to-wall carpeting, mirrors, ceiling fans, attic fans, mail boxes, television antennas and satellite dish system and equipment, mounts and brackets for television and speakers, heating and air-conditioning units, security and fire detection equipment, wiring, plumbing and lighting fixtures, chandeliers, water softener system, kitchen equipment, garage door openers, cleaning equipment, shrubbery, landscaping, outdoor cooking equipment, and all other property owned by Grantor and attached to the above described Land.

- E. **FARM AND RANCH ACCESSORIES:** The following described related accessories on the Land: portable buildings, hunting blinds, game feeders, livestock feeders and troughs, submersible pumps, pressure tanks, corrals, gates, and chutes, if any.
- F. **RESIDENTIAL ACCESSORIES:** The following described related accessories, if any, on the Land: window air conditioning units, stove, fireplace screens, curtains and rods, blinds, window shades, draperies and rods, door keys, mailbox keys, above ground pool, swimming pool equipment and maintenance accessories, artificial fireplace logs, and controls for: (i) satellite dish systems, (ii) garages, (iii) entry gates, and (iv) other improvements and accessories
- G. All (100%) of Grantors wind rights and solar rights pertaining to the Land.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty: All matters shown on Exhibit "D" attached hereto and incorporated herein (collectively the "Permitted Exceptions").

Grantor, for the Consideration, and subject to the Exceptions to Conveyance and Warranty and Permitted Exceptions, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and hold it to Grantee, Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

GRANTEE IS TAKING THE PROPERTY IN AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS OF AN "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES, EXCEPT FOR THE WARRANTY OF TITLE AND THOSE CONTAINED IN THE PURCHASE CONTRACT, THIS DEED, AND THE OTHER CLOSING

DOCUMENTS. GRANTEE HAS NOT RELIED ON ANY INFORMATION OTHER THAN GRANTEE'S INSPECTION.

When the context requires, singular nouns and pronouns include the plural.

This document may be executed in multiple counterparts, each of which is deemed to be and shall be construed as an original, and all of which shall constitute and be construed as a single document, but in making proof of this document, it shall not be necessary to produce or account for more than one such counterpart.

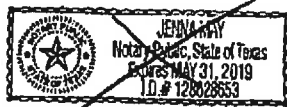
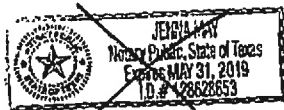
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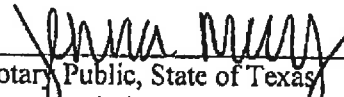

SHARON K. FRITZ A/K/A SHARON KAY FRITZ

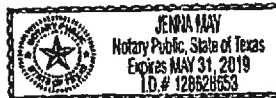
STATE OF TEXAS)

COUNTY OF Williamson)

This instrument was acknowledged before me on November 14, 2018, by SHARON K. FRITZ A/K/A SHARON KAY FRITZ.




Notary Public, State of Texas
My commission expires: 5/31/19



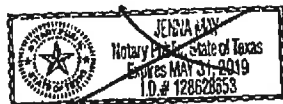


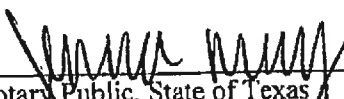
CHRISTOPHER H. FRITZ A/K/A CHRISTOPHER HENRY FRITZ

STATE OF TEXAS)

COUNTY OF Williamson)

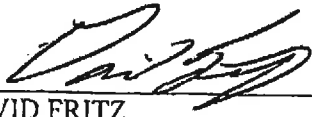
This instrument was acknowledged before me on November 14, 2018, by
CHRISTOPHER H. FRITZ A/K/A CHRISTOPHER HENRY FRITZ.





Notary Public, State of Texas
My commission expires: 5/31/19





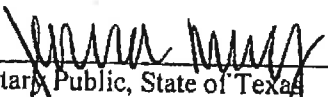
DAVID FRITZ

STATE OF TEXAS)

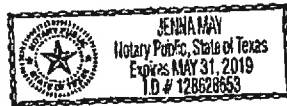
COUNTY OF Williamson)

This instrument was acknowledged before me on November 14, 2018, by
DAVID FRITZ.





Notary Public, State of Texas
My commission expires: 5/31/19 

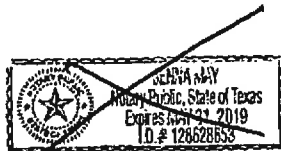



BETHANY L. GRISSOM

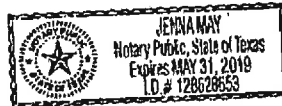
STATE OF TEXAS)

COUNTY OF WILLIAMSON)

This instrument was acknowledged before me on NOVEMBER 14, 2018, by
BETHANY L. GRISSOM.




Notary Public, State of Texas
My commission expires: 5/31/19



ACCEPTED AND APPROVED BY GRANTEE:

M. MOORE FAMILY FARMS, LLC, a Texas
limited liability company

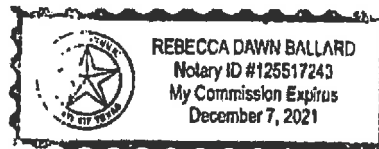
By: Catherine Toran
CATHERINE TORAN, Manager

STATE OF TEXAS)

COUNTY OF Travis)

This instrument was acknowledged before me on November 14, 2018, by
CATHERINE TORAN, Manager of M. MOORE FAMILY FARMS, LLC, a Texas limited
liability company, on behalf of said limited liability company.

Rebecca D. Ballard
Notary Public, State of Texas
My commission expires: 12.7.2021



RETURN TO/FILED BY:
WESTERN TITLE OF BANDERA, INC.
P.O. Box 1207
Bandera, TX 78003

18258

EXHIBIT "A"

BEING 63.15 ACRES OF LAND OUT OF THE J.B. BEALLE SURVEY, ABSTRACT NUMBER 97 IN WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN JONATHAN EDWARD FRITZ AND SHARON K. FRITZ 89.08 ACRE TRACT RECORDED IN VOLUME 2198, PAGE 515, OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SAVE AN EXCEPT THAT CERTAIN 19.99 ACRES TRACT OF LAND RECORDED IN DOCUMENT NUMBER 9849321, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, AND SAVE AND EXCEPT THAT CERTAIN 0.32 ACRES TRACT OF LAND RECORDED IN VOLUME 612, PAGE 53, DEED RECORDS, WILLIAMSON COUNTY, TEXAS, SAID 63.15 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod found in the northerly right-of-way line of Mager Lane, in the southerly line of said 89.08 acre tract, same being the southeast corner of said 19.99 acre tract and the southwest corner hereof;

THENCE North 07 degrees 37 minutes 05 seconds East along said 19.99 acre tract easterly line, through said 89.09 acre tract, 1528.85 feet to an iron rod found in the southerly line of that certain Christopher Henry Fritz 106.84 acre tract as recorded in Document Number 2017012204, Official Public Records, said county, same being the northeasterly corner of said 19.99 acre tract and the northwest corner hereof;

THENCE South 82 degrees 45 minutes 50 seconds East along said 106.84 acre tract southerly line and said 89.08 acre tract northerly line, 2010.54 feet to an iron rod found in the westerly right-of-way line of County Road 132, at the southeast corner of said 106.84 acre tract same being the northeast corner of said 89.09 acre tract and the northeast corner hereof;

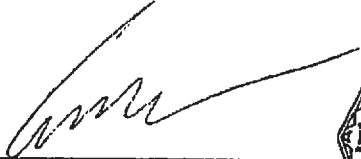
THENCE South 07 degrees 37 minutes 05 minutes West, along said easterly right-of-way line and said 89.08 acre tract easterly line, 709.16 feet to an iron rod set in said line, being in the northerly line of County Road 136 having a 60' wide right-of-way, for an angle corner in the easterly line hereof;

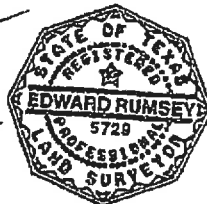
THENCE along said County Road 136 northerly line, through said 89.08 acre tract, the following 3 calls,

1. South 51 degrees 29 minutes 58 seconds West, 280.72 feet to an iron rod set,
2. South 51 degrees 33 minutes 10 seconds West, 713.52 feet to an iron rod set,
3. South 62 degrees 55 minutes 43 seconds West, 208.18 feet to an iron rod set at the intersection of said Mager Lane and said County Road 136 northerly line, same being in the southerly line of said 89.08 acre tract, for the southeast corner hereof

THENCE North 82 degrees 18 minutes 17 seconds West, along said Mager Lane and said 89.08 acre tract southerly line, 1,149.66 feet to the POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT) ONLY.


Edward Rumsey
TX R.P.L.S. NO. 5729
Job No. A0806718



08/22/2018
DATE

EXHIBIT "B"

Tract II

BEING 22.24 ACRES OF LAND OUT OF THE J.B. BEALLE SURVEY, ABSTRACT NUMBER 97 IN WILLIAMSON COUNTY, TEXAS, SAME BEING ALL OF THAT CERTAIN JONATHAN EDWARD FRITZ AND SHARON K. FRITZ 106.84 ACRE TRACT RECORDED IN VOLUME 784, PAGE 684, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAVE AND EXCEPT THAT CERTAIN 4.6387 ACRE TRACT OF LAND (LIMMER LOOP) AS RECORDED IN DOCUMENT NUMBER 2004013916, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, AND THE NORTHERLY 75.21 ACRES OF LAND, SAID 22.24 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod found in westerly right-of-way line of County Road 132, at the northeast corner of that certain Christopher Henry Frits 89.08 acre tract as recorded in Document Number 2017012204, Official Public Records, said county, same being the southeast corner of said 106.84 acre tract and the southeast corner hereof;

THENCE North 82 degrees 45 minutes 50 seconds West, along said 89.08 acre tract northerly line and said 106.84 acre tract southerly line, 2010.54 feet to an iron rod found at the northeast corner of that certain 19.99 acre tract as recorded in Document Number 9849321, Official Public Records, said county, same being the northeast corner of Clark's Crossing, Section Three, a subdivision recorded in Cabinet Q, Slide 103, Plat Records, said County;

THENCE North 82 degrees 57 minutes 43 seconds West, along said 19.99 acre tract northerly line and said 106.84 acre tract southerly line, 202.85 feet to an iron rod found at the southeast corner of Carol Meadows, a subdivision recorded in Cabinet W, Slide 300, Plat Records, said county, same being the southwest corner of said 106.84 acre tract and the southeast corner hereof;

THENCE North 07 degrees 50 minutes 45 seconds East, along said Carol Meadows subdivision easterly line and said 106.84 acre tract westerly line, 508.97 feet to a point for the southwest corner of said 4.6387 acre tract, same being the northwest corner hereof;

THENCE along said 4.6387 acre tract southerly line, through said 106.84 acre tract the following five courses:

1. South 85 degrees 08 minutes 39 seconds East, 55.20 feet to a point at the beginning of a curve to the right having a radius of 1955.00 feet;
2. South 81 degrees 49 minutes 22 seconds East, along said curve to the right, 251.16 feet to a point
3. South 77 degrees 58 minutes 57 seconds East, 1860.53 feet to an iron rod found;
4. South 34 degrees 57 minutes 03 seconds East, 73.54 feet to an iron rod found in said County Road 132 westerly right-of-way lines, same being the southeast corner of said 4.6387 acre tract and the northeast corner hereof;

THENCE South 07 degrees 34 minutes 26 seconds West, along said westerly right-of-way line and said 106.84 acre tract easterly line, 296.84 feet to the POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT) ONLY.

Edward Rumsey
TX R.P.L.S. NO. 5729
Job No. A0807218



08/22/2018
DATE

Tract III:

Exhibit 'C'

BEING 75.21 ACRES OF LAND OUT OF THE J.B. BEALLE SURVEY, ABSTRACT NUMBER 97 IN WILLIAMSON COUNTY, TEXAS, SAME BEING ALL OF THAT CERTAIN JONATHAN EDWARD FRITZ AND SHARON K. FRITZ 106.84 ACRE TRACT RECORDED IN VOLUME 784, PAGE 684, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAVE AND EXCEPT THAT CERTAIN 4.6387 ACRE TRACT OF LAND (LIMMER LOOP) AS RECORDED IN DOCUMENT NUMBER 2004013916, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, AND SAVE AND EXCEPT THE SOUTHERLY 22.24 ACRE TRACT OF LAND, SAID 75.21 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod found in westerly right-of-way line of County Road 132, at the southeast corner of that certain D. L. Greinert 83.25 acre tract, as recorded in Volume 861, Page 643, Deed Records, of Williamson County, Texas, same being the northeast corner of said 106.84 acre tract and the northeast corner hereof;

THENCE South 07 degrees 38 minutes 14 seconds West, along said westerly right-of-way line and said 106.84 acre tract easterly line, 1623.66 to an iron rod found at the northeast corner of said 4.6387 acre tract same being the southwest corner hereof;

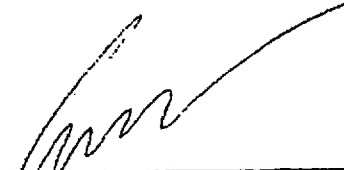
THENCE along said 4.6387 acre tract (Limmer Loop) northerly line through 106.84 acre tract the following 4 courses:

1. South 54 degrees 24 minutes 34 seconds West, 67.69 feet to an iron rod found;
2. North 77 degrees 58 minutes 57 seconds West, 1853.76 feet to an iron rod found at the beginning of a curve to the left having a radius of 2045.00 feet;
3. North 81 degrees 41 minutes 07 seconds West, along said curve to the left, 263.10 feet to an iron rod found;
4. North 85 degrees 08 minutes 39 seconds West, 50.29 feet to an iron rod found in the southeast corner of that certain Hutto Development, LLC., 34.486 acre tract, as recorded in Document Number 2016001293, Official Public Records, said county, same being the northeast corner of said 4.6387 acre tract and the southwest corner hereof;

THENCE along said 37.486 acre tract easterly line and said 106.84 acre tract westerly line, North 07 degrees 57 minutes 26 second East, passing at 124.02 feet an iron rod found for a total distance of 1520.35 feet an iron rod found in the southerly line of said 83.325 acre tract, same-being the northwest corner of said 106.84 acre tract and the northwest corner hereof;

THENCE South 82 degrees 33 minutes 23 seconds East, along said 83.325 acre tract southerly line and said 106.84 acre tract northerly line, 2202.50 feet to POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT) ONLY.


Edward Rumsey
TX R.P.L.S. NO. 5729
Job No. A0806918



08/22/2018
DATE

EXHIBIT "D"
(PERMITTED EXCEPTIONS)

- a. Shortages in area.
- b. Ad valorem taxes on the Property for the calendar year 2019, and subsequent years, and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership, the payment of which Grantee assumes.
- c. An electric and telephone transmission and distribution line easement granted to Texas Power & Light, recorded in Volume 237, Page 274, Deed Records of Williamson County, Texas, and being further affected by Easement Modification Agreement, recorded under Document No. 2007081405, Official Public Records of Williamson County, Texas. (as to Tract I).
- d. A Permanent Easement Agreement granted to Enterprise Crude Pipeline, LLC, for the purpose of a pipeline, recorded under Document No. 2016104708, Official Public Records of Williamson County, Texas. (as to Tracts II and III).
- e. A drainage easement granted to Williamson County, Texas, recorded under Document No. 2005015155, Official Public Records of Williamson County, Texas. (as to Tracts II and III).
- f. An electrical transmission line easement granted to LCRA Transmission Services Corporation, recorded under Document No. 2010047888, Official Public Records of Williamson County, Texas. (as to Tracts II and III).
- g. The rights of Brushy Creek Water Control and Improvement District No. 1B to levy taxes and issue bonds.
- h. Any unrecorded easement either public or private, which exists or may later be claimed as existing for construction, maintenance, repair and/or replacement of the overhead electric lines and power poles crossing the land reflected on survey plats dated August 22, 2018, by Edward Rumsey, RPLS No 5729, of Allstar Land Surveying.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2018102917

DEED Fee: \$69.00
11/20/2018 03:06 PM LMUELLER



Nancy E. Rister
Nancy E. Rister, County Clerk
Williamson County, Texas

CH Georgetown Title Company, Inc.

EXHIBIT D

Legal Description



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

DATE: March ~~26~~, 2013

GRANTOR: Clifford W. Albert, joined pro forma herein by his wife, Sharon E. Albert as this is his sole and separate nonhomestead property

GRANTOR'S MAILING ADDRESS:

550 Blue Hole Road
Beebe, White County, Arkansas 72012

GRANTEE: Clifford W. Albert and Sharon E. Albert, Trustees, or their successors in trust, under the Clifford W. and Sharon E. Albert Living Trust dated March 21, 2011, and any amendments thereto

GRANTEE'S MAILING ADDRESS:

550 Blue Hole Road
Beebe, White County, Arkansas 72012

CONSIDERATION:

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

PROPERTY (including any improvements):

All of my undivided right, title, and interest in and to the following:

FIRST TRACT: All that certain tract or parcel of land, lying and being situated in the County of Williamson and State of Texas, a part of the Patrick O'Dougherty Survey, and containing 88.5 acres of land, and being the same land that was conveyed to W. C. Wuthrich by George Bruus and wife, Mine Bruus by deed dated January 1, 1988, and recorded in Volume 127, Page 448-9, Deed Records of Williamson County, Texas **SAVE AND EXCEPT** a 2.00 acre tract of land situated in the Patrick O'Daugherty Survey, Abstract No. 184 in Williamson County, Texas, and being the same property more particularly described in a Deed from Walter Albert, et al to William Ernest Albert, et ux dated September 21, 1978 and recorded in Volume 732, Page 355, Official Records of Williamson County, Texas and **SAVE AND EXCEPT** a 0.343 acre tract of land, more or less, situated in the Patrick O'Daugherty Survey, Abstract No. 184, Williamson County, Texas and being more particularly described by Deed from William E. Albert, et al to Williamson County, Texas dated August 8, 2006 and recorded as Document Number 2006069304 of the Official Records of Williamson County, Texas and **SAVE AND EXCEPT** a 3.8104 acre tract of land situated in the Patrick O'Daugherty Survey, Abstract No. 184 and the Edward Ryan Survey Covert No. 79 and the E. W. Frame Survey, Abstract No. 798, Williamson County, Texas, and being more particularly described by Deed from William E. Albert, et al to Williamson County, Texas dated November 6, 2003 and recorded as Document Number 2003112454 of the Official Records of Williamson County, Texas.

SECOND TRACT: All that certain tract or parcel of land lying and being situated in the County of Williamson and State of Texas, a part of the Patrick O'Dougherty Survey, and containing 61.5 acres of land and being the same land that was conveyed to W. C. Wuthrich

by A. A. Eulenfeld by Deed dated May 8, 1945, and recorded in Volume 329, Page 82, of the Deed Records of Williamson County, Texas.

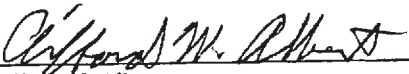
Being the same property described in a Deed from Hertha Albert Zieschang to William E. Albert, et al dated October 7, 1987 and recorded in Volume 1609, Page 63, Official Records of Williamson County, Texas.

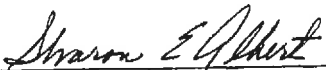
RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

All validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for the current year, which Grantee assumes and agrees to pay, but not subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantor assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.


Clifford W. Albert

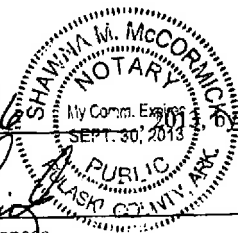

Sharon E. Albert

This instrument was prepared based on information furnished by the parties, and no independent title search has been made.

STATE OF ARKANSAS §
 §
COUNTY OF WHITE §

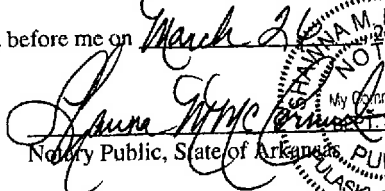
This instrument was acknowledged before me on March 26, 2013
Clifford W. Albert.

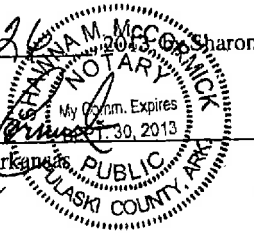

Notary Public, State of Arkansas



STATE OF ARKANSAS §
 §
COUNTY OF WHITE §

This instrument was acknowledged before me on March 26, 2013 by Sharon E. Albert.


Notary Public, State of Arkansas



PREPARED IN THE OFFICE OF:

Michelle Lehmkuhl
200 Josie Lane
P. O. Box 1586
Rockdale, Texas 76567
Tel: (512) 446-9529
Fax: (512) 446-9528

AFTER RECORDING RETURN TO:

①
E Michelle Lehmkuhl
P. O. Box 1586
Rockdale, Texas 76567

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2013029401

Nancy E. Rister

04/02/2013 03:39 PM

VOELKEL \$24.00

NANCY E. RISTER, COUNTY CLERK
WILLIAMSON COUNTY, TEXAS

EXHIBIT E

Legal Description



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

QUITCLAIM

Date:

February 7, 2017

Grantor: YVONNE MARIE FRITZ, a single person

Grantor's Mailing Address:

111 Blanco Dr.
Hutto, Williamson County, Texas 78634

Grantee: CHRISTOPHER HENRY FRITZ, a single person

Grantee's Mailing Address:

2980 CR 404
Taylor, Williamson County, Texas 76574

Consideration: The division of property in Cause No. 15-0552-F425, rendered in the 425th Judicial District Court of Williamson County, Texas, styled "In the Matter of the Marriage of Yvonne Marie Fritz and Christopher Henry Fritz, and other good and valuable consideration paid by Grantee.

Property:

All that certain undivided interest in the following properties inherited by Grantee pursuant to the terms of the Last Will and Testament of Jonathan E. Fritz, deceased, Cause No. 15-0520-CP4, County Court at Law No. 4 of Williamson County, Texas:

- (1) All that certain 50.5 Acre tract or parcel of land lying and being situated in Williamson County, Texas, a part of the T. B. Lee and J. J. Stubblefield Surveys, being out of and a part of a certain tract of 100 acres of land, more or less, which was heretofore conveyed as "First Tract" to Henry Ray Fritz by Walter A. Fritz, et al, by Deed dated July 9, 1955, and recorded in Volume 407, Page 49 of the Deed Records of Williamson County, Texas; and being the same property described in a Deed of Gift dated November 13, 1978, executed by Henry Ray Fritz and wife, Leona Decker Fritz, to Jonathan E. Fritz, duly recorded in Volume 737, Page 18, Deed Records of Williamson County, Texas.

- (2) An undivided one-third (1/3) interest in those three (3) certain tracts or parcels of land more particularly described as follows:

TRACT ONE: All that certain tract or parcel of land lying and being situated in the County of Williamson and State of Texas, and described by metes and bounds as follows, to-wit:

Being all of the G. W. Tyler Survey of 96-3/4 acres, Patent No. 345, Vol. 17, dated Jany. 31, 1899, and 63-1/4 acres, of the Jacob Eberly League and described as follows:

BEGINNING at the N W corner of the said G. W. Tyler Survey, same being the N W corner of H T & B RR Co., fractional section No. 2;

THENCE, S 80 E 694-1/2 vrs. to corner;

THENCE, S 10 W 756 vrs. crossing North line of Eberly League, in all 1302 vrs. to a stake for corner;

THENCE N 80 W at 654 vrs. crossing West line of Eberly League, in all 694-1/2 vrs. to the S W corner of this tract, a cottonwood brs. N 10 W 635 vrs;

THENCE N 10 E 1302 vrs. to the place of beginning and containing 160 acres of land;

SAVE AND EXCEPT a small strip off of the extreme north end which has heretofore been conveyed to Williamson County to widen the road running along the north end of said 160 acre tract.

Said property being the same property described in Deed dated September 11, 1946, executed by Gus Moehnke, et al, recorded Volume 340, Page 109, Deed Records, Williamson County, Texas; and being the same property described in the following three (3) Deeds: Partition Deed dated January 22, 1958, executed by Walter A. Fritz and wife, Winifred Fritz, recorded in Volume 421, Page 696, Deed Records, Williamson County, Texas; Partition Deed dated January 27, 1958, executed by Henry Ray Fritz and wife, Leona Fritz, recorded in Volume 421, Page 698, Deed Records, Williamson County, Texas; and Deed dated February 2, 1958, executed by Walter A. Fritz and wife, Winifred Fritz, recorded in Volume 422, Page 3, Deed Records, Williamson County, Texas.

TRACT TWO: BEING 79.49 acres of the H. T. and B. Railroad Survey, Abstract No. 315, in Williamson County, Texas; part of the tract called 88.16

acres as described in a deed from Victoria Radford to Alf Weidenbaum, et ux, recorded in Volume 402, Page 368, Deed Records of Williamson County, Texas. Surveyed on the ground in June of 1996 by William F. Forest, Jr., Registered Professional Land Surveyor No. 1847.

BEGINNING at an iron pin found on the East side of a steel post, at the Northeast corner of said 88.16 acre tract;

THENCE with the East line of the said 88.16 acre tract, S 10 deg. 00 min. W 2005.99 feet to a ½ inch iron pin found North of a gravel road;

THENCE along the North side of the gravel road, N. 79 deg. 43 min. 15 sec. W. 1909.03 feet to a ½ inch iron pin found. A concrete monument found on the South side of the gravel driveway stands S 12 deg. 27 min. 30 sec. W 19.22 feet.

THENCE with the East line of County Road 401, N 10 deg. 00 min. E 1522.62 feet to a ½ inch galvanized iron pipe found North of a waterway.

THENCE along the North side of the waterway, with the South line of the Russell Ripple property described in Vol. 1745, Pg. 154, finding ½ inch iron pins as follows:

S 81 deg. 07 min. 10 sec. E 441.25 feet;
N 80 deg. 03 min. 50 sec. E 137.45 feet; and crossing the waterway and continuing with the Ripple property line;
S 84 deg. 10 min. 25 sec. E 223.95 feet.

THENCE along an existing fence, with the East line of the Russell Ripple tract, N 13 deg. 36 min. 10 sec. E 408.72 feet to a ½ inch iron pin found at a fence corner.

THENCE with the North line of the 88.16 acre tract, S 79 deg. 42 min. 15 sec. E 1089.58 feet to the POINT OF BEGINNING; and being the same property described in Deed dated July 16, 1996, from Dr. James W. Walker, Jr., to Henry Ray Fritz and wife, Leona Fritz, recorded under Document No. 9638305, Official Records, Williamson County, Texas.

TRACT THREE: All that certain property situated, lying and being out of the George Green Survey in McLennan County, Texas, as follows:

BEGINNING at an iron rod set at fence corner at the Southeast corner of the former W. W. Smith 60 acre tract, in the West line of the S. C. Fisk, Jr., Tract

for the Northeast corner of this tract;

THENCE S 61-44 W. along fence, and with projection thereof, 1588.4 feet to a point in the center of Middle Bosque River, from which point a large tree at end of fence on Northerly bank of river bears N 61-44 E 85.0 feet for the Northwest corner of this tract;

THENCE down and along the center of river, S 75-44 E 401.5 feet; N 86-15 E 438.5 feet and S 54-46 E 76.8 feet to a point in river, at the Northwest corner of the former J. H. Cole 5 acre tract, for the Southwest corner of this tract;

THENCE N 61-59 E at 564.5 feet pass the Northeast corner of said Cole 5 acre tract, and continuing a total distance of 871.2 feet to an iron rod at corner post, at a Southwest corner of said Fisk tract, for the Southeast corner of this tract;

THENCE N 29-34 W with fence, and West line of Fisk tract, 525.7 feet to the place of beginning; and being the same land conveyed to L. D. Coffman and wife, Amalee Coffman, by deed dated January 28, 1955, now of record in Volume 762, Page 582, Deed Records of McLennan County, Texas to which record reference is here made for further description, and which tract of land was referred to in said deed as containing 17 acres of land, more or less; and being the same property described in Deed from L. D. Coffman and wife, Amalee Coffman to Henry R. Fritz and wife, Leona Fritz, dated August 9, 1976, recorded in Volume 1230, Page 662, Deed Records of McLennan County, Texas.

- (3) All that certain 89.08 acres of land out of the J. B. Bealle Survey No. 97 in Williamson County, Texas; consisting of both tracts described in a Quitclaim Deed from Lola Jean Martin to Jack L. Martin and recorded in Volume 1617, Page 929 of the Deed Records of Williamson County, Texas and being the same property described in a Special Warranty Deed with Third Party Vendor's Lien dated September 14, 1992, from Federal Deposit Insurance Corporation in its Corporate Capacity in the liquidation of First National Bank of Georgetown, Georgetown, Texas, to Jonathan Edward Fritz and wife, Sharon K. Fritz, duly recorded in Volume 2198, Page 515, Official Records of Williamson County, Texas.

SAVE AND EXCEPT THE FOLLOWING TRACT OF LAND:

Being 19.99 acres of land situated in the Josias B. Bealle Survey, Abstract No. 97, Williamson County, Texas, said land being a portion of that certain tract of land called 89.08 acres, as conveyed by Deed to Jonathan Edward Fritz and wife, Sharon K. Fritz, as recorded in Volume 2198, Page 515 of the Official Records of

Williamson County, Texas, and being more particularly described in Warranty Deed dated August 25, 1998 from Jonathan Edward Fritz and wife, Sharon K. Fritz to Attala Holdings, Ltd., duly recorded under Document No. 9849321, Official Records, Williamson County, Texas.

- (4) All that certain tract or parcel of land, lying and being situated in Williamson County, Texas, a part of the J. B. Beall Survey, Abstract No. 97, more particularly described in a Warranty Deed with Vendor's Lien dated January 28, 1980, from Elmer H. Zeplin, et AL to Jonathan E. Fritz and wife, Sharon Kay Fritz, duly recorded in Volume 784, Page 684, Deed Records, Williamson County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at the Northeast corner of a tract of 156.84 acres of land conveyed to E. S. Johnson by F. A. Cheatham and wife, by Deed dated December 23, 1910 and recorded in Volume 143, Page 138 of the Deed Records of Williamson County, Texas; said beginning corner being on the West margin of the Taylor and Hutto Public Road;

THENCE South 10° West 759.2 varas with the West line of said road to a stake for the Southeast corner hereof;

THENCE North 80° West 796.95 varas to the Southeast corner of a tract of 50 acres of land heretofore conveyed to C. G. Ahlberg for the Southwest corner hereof;

THENCE North 10° East along the East line of said 50 acre tract, 759.2 varas to the Northeast corner of said 50 acre tract for the Northwest corner hereof;

THENCE South 80° East 792.92 varas to the Place of Beginning and containing 106.84 acres of land and being the same tract of land heretofore conveyed to Elmer H. Zeplin, et al, by Ella Zeplin by Deed dated February 13, 1965 and recorded in Volume 475, Page 284 of the Deed Records of Williamson County, Texas, to which said deed and records, reference is here made for all pertinent purposes.

SAVE AND EXCEPT THE FOLLOWING TRACT OF LAND:

Being a 4.6387 acre tract or parcel of land situated in the JOSIAS B. BEALLE SURVEY, Abstract No. 97, Williamson County, Texas, being a portion of that 106.84 acre tract conveyed to Jonathan E. Fritz and wife, Sharon Kay Fritz by Deed recorded in Volume 784, Page 684, of the Williamson County Records. Said 4.6387 acre tract being more particularly described in a Special Warranty Deed Hutto Bypass Right of Way, dated

February 19, 2004, from Jonathan E. Fritz and wife, Sharon Kay Fritz to Williamson County, Texas, duly recorded under Document No. 2004013916, Official Records of Williamson County, Texas.

- (5) Being 149.15 acres, more or less, in the H. T. & B. R. R. Co. Survey No. 7 and being the same tract of land as described in Deed dated February 5, 1981 from H. L. Anderson et ux to Jonathan E. Fritz et ux, recorded in Volume 830, Page 705, Deed Records of Williamson County, Texas, SAVE AND EXCEPT, 0.85 acre as described in Deed dated April 4, 1950 from Henry Louis Anderson et ux to Sam Stone, County Judge of Williamson County, Texas, recorded in Volume 361, Page 175, Deed Records of Williamson County, Texas, and being more fully described by metes and bounds as follows, to-wit:

BEGINNING at the Southwest corner of the said H.T. & B. R. R. Co. Survey No. 7, a stone mound;

THENCE South 80° East, with the South line of said Survey, 822- $\frac{1}{8}$ varas to a stake;

THENCE North 10° East, 566- $\frac{1}{2}$ varas to a stake;

THENCE North 80° West, 57 varas to a stake;

THENCE North 10° East, 14- $\frac{2}{5}$ varas to a stake;

THENCE South 80° East 57 varas to a stake;

THENCE North 10° East, 450 varas to a stake;

THENCE North 80° West, 822- $\frac{1}{8}$ varas to a stake in the West line of the said H.T. & B. R. R. Co. Survey No. 7;

THENCE South 10° West, with the West line of said survey, 1030.9 varas to the PLACE OF BEGINNING, and being the same lands that were conveyed to H. L. Anderson by H. P. Hooper et ux by Deed dated November 5, 1948 and recorded in Volume 351 on Page 444 of the Deed Records of Williamson County, Texas, such Deed and the record thereof being here referred to and made a part hereof for all pertinent purposes.

There is EXCLUDED AND EXCEPTED from the hereinabove metes and bounds description and not hereby conveyed all that certain tract or parcel of land containing 0.85 acre of land, more or less, out of H.T. & B. R. R. Co. Survey No. 7 that was conveyed to Sam V. Stone, County Judge of Williamson County, Texas, by Deed dated April 4, 1950 and recorded in Volume 361 on Page 175 of the Deed Records

of Williamson County, Texas, such Deed and the record thereof being here referred to and made a part hereof for all pertinent purposes.

SAVE AND EXCEPT THE FOLLOWING TRACT OF LAND:

Being 2.000 Acre tract or parcel of land out of the H. T. & B. R. R. Co. Survey, No. 7, Abstract No. 315, Williamson County, Texas, out of a called 149.15 Acres conveyed in a Warranty Deed from H. L. Anderson, et ux to Jonathan E. Fritz, et ux, dated March 26, 1981, and recorded in Volume 830, Page 705, of the Deed Records, Williamson County, Texas, and more particularly described by metes and bounds in Warranty Deed with Vendor's Lien dated February 5, 2015 from Jonathan E. Fritz and wife, Sharon K. Fritz, to Bethany Fritz Grissom and husband, Russell Lane Grissom, duly recorded under Document No. 2015010250, Official Records of Williamson County, Texas.

- (6) All that certain tract or parcel of land lying and being situated in Williamson County, Texas, a part of the T. B. Lee and J. J. Stubblefield Surveys, being out of and a part of a certain tract of 100 acres of land, more or less, conveyed as "First Tract" to Henry Ray Fritz by Walter A. Fritz, et al, by Deed dated July 9, 1955, and recorded in Volume 407, Page 49 of the Deed Records of Williamson County, Texas; and also being out of and a part of a certain tract of 50.5 acres conveyed by Henry Ray Fritz, et ux, to Virginia Louise Crunk, by Deed dated November 13, 1978, and recorded in Volume 737, Page 15 of the Deed Records of Williamson County, Texas; the tract of land herein conveyed being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at the Southeast corner of said above referenced 100 acre "First Tract", the same being also the Southeast corner of said Virginia Louise Crunk 50.5 acre tract in the Deed at 737/15, Williamson County, Texas Deed Records for the Southeast corner hereof;

THENCE North 10 East with the East line of said 100 acre "First Tract" and with the East line of said Virginia Louise Crunk 50.5 acre tract, 1727 feet to the Northeast corner of said 50.5 acre tract, for the Northeast corner hereof, same being also the Southeast corner of a tract now owned by Jonathan E. Fritz as described in a Deed recorded in Volume 737, Page 18, of the Deed Records of Williamson County, Texas;

THENCE South 80 West with the North line of said Virginia Louise Crunk 50.5 acre tract and with the South line of said Jonathan E. Fritz 50.5 acre tract, 825 feet to a stake in said line for the Northwest corner hereof;

THENCE South 10 West 1494 feet to a stake in the South line of said 100 acre "First Tract" and in the South line of said Virginia Louise Crunk 50.5

acre tract, for the Southwest corner hereof;

THENCE South 80 East with the South line of the above referenced 100 acre "First Tract" and with the South line of said Virginia Louise Crunk 50.5 acre tract, approximately 857 feet to the Place of Beginning and containing 30 acres of land, more or less; and being the same property described in a Deed of Exchange dated November 30, 1978 from Virginia Louise Crunk, et vir to Jonathan Edward Fritz, duly recorded in Volume 739, Page 614, Deed Records, Williamson County, Texas.

For the Consideration, Grantor quitclaims to Grantee all of Grantor's right, title, and interest in and to the Property, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Neither Grantor nor Grantor's heirs, successors, or assigns will have, claim, or demand any right or title to the Property or any part of it.

When the context requires, singular nouns and pronouns include the plural.

Yvonne Marie Fritz
YVONNE MARIE FRITZ

STATE OF TEXAS *

COUNTY OF WILLIAMSON *

This instrument was acknowledged before me on the 7th day of February, 2017 by YVONNE MARIE FRITZ.



Jennifer S. Goodenow
Notary Public, State of Texas

① AFTER RECORDING RETURN TO:
J. PATRICK QUINN
P.O. BOX 1228
TAYLOR, TEXAS 76574

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2017012204

DEED Fee: \$49.00
02/08/2017 01:01 PM Lmueller



Nancy E. Rister
Nancy E. Rister, County Clerk
Williamson County, Texas

EXHIBIT F

Legal Description



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORD: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

EXECUTOR'S DEED

Date: May 12, 2015

Grantor: REBECCA LYNN TEICHELMAN BORGNE, as Independent Executrix of the Estate of Madeline Decker Teichelman, Deceased, under Cause No. 14-0873-CP4, County Court At Law #4, Williamson County, Texas

Grantor's Mailing Address (including county):

3450 CR 417
Taylor, Williamson County, Texas 76574

Grantee: (1) REBECCA LYNN TEICHELMAN BORGNE
(2) ROXANA RUTH TEICHELMAN
(3) TIMOTHY DON TEICHELMAN

Grantee's Mailing Address:

- (1) 3450 CR 417
Taylor, Williamson County, Texas 76574
- (2) 2201 Jason St.
Taylor, Williamson County, Texas 76574
- (3) P. O. Box 777
Hutto, Williamson County, Texas 76574

Consideration: For TEN AND 00/100 DOLLARS (\$10.00), the distribution of the Estate of Madeline Decker Teichelman, and other good and valuable consideration.

Property (including any improvements):

A. An undivided one-half (½) interest in all those certain tracts of land, a part of the WILLIAM GATLIN SURVEY, originally a part of a certain tract of 113.7 acres of land described in a deed recorded in Vol 145, Page 544 of the Deed Records of Williamson County, Texas, and described as follows, to-wit:

FIRST TRACT: BEGINNING at the N E corner of said 113.7 acre tract, for the N.E. corner hereof; THENCE S 10 W., with the E line of said 1137 acre tract, 406.8 varas

to stake on the North ROW line of the I & G N R R for the S. E. Corner hereof; THENCE with said ROW line, S 79-1/2 W, 602.28 varas, a stake on the West line of said 113.7 acre tract for the S.W. corner hereof; THENCE N 10° 10' E, 612.72 varas to the N.W. corner of said 113.7 acre tract; THENCE S 80 E, 562.32 varas to the Place of Beginning and containing 50.79 acres of land.

SECOND TRACT: BEGINNING at the S.E. corner of 113.7 acres tract; THENCE N 10 E, 745.1 varas, a stake on the South ROW line of I & G N R R; THENCE S 79-1/2 W, with said ROW line, 225.22 varas, a stake for the N.W. corner hereof; THENCE S 10 W, passing a residence at the East Yard Fence, 664.02 varas, a stake on the S line of said 113.7 acre tract; THENCE S 80 E, 211 varas to the Place of Beginning and containing 26.33 acres of land.

THIRD TRACT: BEGINNING at an iron pipe in the ground in the North line of a County Road, said place of beginning begin the S.W. corner of "SECOND TRACT" above; THENCE N 80 W, with the North line of said Road, 353.7 varas to the S.W. corner of said 113.7 acre tract, a cedar post for the S.W. corner hereof; THENCE N 10 E, with the West line of said 113.7 acre tract, 531.36 varas to the point of intersection of the said West line of said 113.7 acre tract with the South ROW line of said I & G N R R, for the N.W. corner hereof; THENCE N 79° 30' E with the S ROW line of said I & G N R R, 375.98 varas to an iron pipe for the N.E. corner hereof, same being the N.W. corner of "SECOND TRACT" above; THENCE S 10 W with the West line of "SECOND TRACT" above, 664.02 varas to the Place of Beginning and containing 36.58 acres of land.

SAVE AND EXCEPT a tract of about 4.69 acres of land heretofore conveyed out of FIRST TRACT, above, to The State of Texas for highway purposes; said FIRST & SECOND TRACTS, above, being the same two tracts of land heretofore conveyed to Fritz Teichelman by P.N. McCutcheon, Administrator by deed dated March 18th 1931 and recorded in Vol. 257, Page 320 of the Deed Records of Williamson County, Texas; and THIRD TRACT, above, being the same tract described in three separate deeds to Fritz Teichelman, recorded in Vol 296, Page 470, Vol 296, Page 472, and Vol 406, Page 99 of the Deed Records of Williamson County, Texas, to all of which said deeds and records, reference is here made for all pertinent purposes; and being the same property described in Deed of Gift dated March 16, 1973, executed by Fritz Teichelman and wife, Minnie Teichelman to Edwin C. Teichelman and wife, Madeline D. Teichelman, recorded in Volume 565, Page 75, Deed Records, Williamson County, Texas;

SAVE AND EXCEPT THE FOLLOWING TRACT OF LAND:

All of that certain 3.351 acre tract of land, more or less, being out of the William Gatlin Survey, Abstract No. 271, Williamson County, Texas; said tract being more particularly described by metes and bounds in Exhibit "A" attached hereto and made

a part hereof for all purposes; and said tract being the same property described in Special Warranty Deed dated April 13, 2011, executed by Madeline Decker Teichelman, Individually, and Rebecca Lynn Teichelman Borgne, as Trustee of the Edwin Carl Teichelman Testamentary Trust to the State of Texas, acting by and through the Texas Transportation Commission, duly recorded under Document No. 2011024630, Official Records of Williamson County, Texas.

B. An undivided one-half ($\frac{1}{2}$) interest in all that certain tract of parcel of land situated in Williamson County, Texas, being a part of the P. O'Daugherty and the J. J. Stubblefield Surveys and more particularly described as follows:

BEGINNING at the S. E. Corner of the 500 acre tract conveyed to John C. Penn by D.A. Frame, by deed dated January 1, 1907;

THENCE South 80 deg. West with the South line of said 500 acre tract to a stake in the said South line, being the Southeast corner of a 200 acre tract conveyed by John C. Penn to George Bruus;

THENCE North 10 deg. West, 1276 $\frac{1}{2}$ vrs. being the N. W. corner of this tract and the N. E. Corner of the said Bruus 200 acre tract;

THENCE North 80 deg. East, 155 $\frac{1}{2}$ vrs. to a stake for corner of the most Northerly East line of said 500 acre tract;

THENCE South 19 deg. East with said line to a corner of said 500 acre tract, 106 vrs., a place of iron pipe for corner;

THENCE North 71 deg. East, 314 vrs., to another corner of said 500 acres;

THENCE South 10 deg. East, 1219 vrs. to the place of beginning, containing 104 44/100 acres of land, SAVE AND EXCEPT a strip of land 3 vrs. in width out of the West side this tract, extending through the entire length of same, from North to South, which is reserved for a roadway, and being the same property described in a deed from C.E. Rydell and wife, Hulda Rydell, to Hugo Rydell, dated December 2, 1947, recorded in Vol. 347, page 102, Deed Records of Williamson County, Texas, and being the same land conveyed by Carl Hugo Rydell and wife to T.P. Spurlock, et ux, by deed; and being the same property described in Deed dated January 5, 1960, executed by T. P. Spurlock and wife, Evelyn Spurlock to Edwin Teichelman and wife, Madeline Teichelman, recorded in Volume 435, Page 496, Deed Records, Williamson County, Texas;

SAVE AND EXCEPT THE FOLLOWING ONE (1) ACRE TRACT, more particularly described as follows:

That certain tract of land situated in the J. J. Stubblefield Survey, Abstract 562, located in Williamson County, Texas; subject tract being part of a called 104.44 acre tract of land, conveyed in a Warranty Deed from T. P. Spurlock, et ux, to Edwin Teichelman dated January 5, 1960 and recorded in Volume 435, Page 496, Deed Records of Williamson County, Texas and more particularly described by metes and bounds in Exhibit "B" attached hereto for all purposes.

SAVE AND EXCEPT THE FOLLOWING TWO TRACTS OF LAND:

All that certain 1.988 acre tract of land, more or less, being out of the J. J. Stubblefield Survey, Abstract No. 567, Williamson County, Texas; said tract begin more particularly described by metes and bounds in Exhibit "C" attached hereto and made a part hereof for all purposes;

AND

All of that certain 0.567 acre tract of land, more or less, being out of the J. J. Liendo Stubblefield Survey, Abstract No. 567, Williamson County, Texas; said tract being more particularly described by metes and bounds in Exhibit "D" attached hereto and made a part hereof for all purposes.

Both of the above tracts being the same property described in a Special Warranty Deed dated April 13, 2011, executed by Madeline Decker Teichelman, Individually, and Rebecca Lynn Teichelman Borgne, as Trustee of the Edwin Carl Teichelman Testamentary Trust to the State of Texas, acting by and through the Texas Transportation Commission, duly recorded under Document No. 2011024628, Official Records, Williamson County, Texas.

C. That certain one (1) acre tract of land situated in the J. J. Stubblefield Survey, Abstract 562, located in Williamson County, Texas; subject tract being part of a called 104.44 acre tract of land, conveyed in a Warranty Deed from T. P. Spurlock, et ux, to Edwin Teichelman dated January 5, 1960 and recorded in Volume 435, Page 496, Deed Records of Williamson County, Texas and more particularly described by metes and bounds in Exhibit "B" attached hereto for all purposes;

SAVE AND EXCEPT THE FOLLOWING TRACT OF LAND:

All of that certain 0.353 acre tract of land, more or less, being out of the J. J. Stubblefield Survey, Abstract No. 562, Williamson County, Texas; said tract being more particularly described by metes and bounds in Exhibit "E" attached hereto for all purposes; and being the same property described in a Special Warranty Deed dated March 13, 2011, executed by Madeline Teichelman, a/k/a Madeline Decker Teichelman, Individually, to the State of Texas, acting by and through the Texas

Transportation Commission, duly recorded under Document No. 2011024626, Official Records, Williamson County, Texas.

D. All that certain tract or parcel of land, lying and being situated in Williamson County, Texas, a part of the Patrick O'Daugherty Survey, and being more particularly described by metes and bounds as follows:

FIRST TRACT

BEGINNING at the Northwest corner of a tract of 200 acres of land conveyed by said John C. Penn to George Bruus by deed dated January 1st, 1908 and recorded in Volume 127, page 442, Deed Records of Williamson County, Texas;

THENCE North 9 deg. 35' West with the West line of the tract of 500 acres, which was conveyed to said Penn by D. A. Frame, 1105 vrs. to the NW corner of said 500 acre tract;

THENCE North 80 deg. East with a North line of said 500 acres, 540 vrs. to a corner of same for NE corner thereof;

THENCE South 10 deg. East with the West line of a tract of 92.79 acres conveyed by said Penn to P. Jensen, at 400 vrs. cross a ravine at 1106 vrs. a stake on the North line of said George Bruss tract, for the SW corner of said P. Jensen tract;

THENCE South 80 deg. West 548.1 vrs. to the place of beginning and containing 106.53 acres of land, and being the same land conveyed to F.H. Schmidt by WM. F. Fleischer, et ux by deed dated December 16, 1947 and recorded in Vol. 345 page 403 Deed Records of Williamson County, Texas.

Also all of our right, title and interest in and to a strip of land, 16 feet in width, off of the South side of said P. Jensen 92.79 acres of land, extending from the SE corner of the above mentioned tract, South 80 East with the South line of said P. Jensen tract to 16 feet East of the NE corner of the said George Bruss tract, is hereby granted to the said Edwin Teichelman and Madeline Teichelman, their heirs and assigns, of the above described tract of land, are further expressly granted the right to use the road extending from the NE corner of said George Bruus 200 acres to the SE corner of same between said 200 acres and the said C.E. Rydell 104 acre tract.

SECOND TRACT

Being all of our rights, title and interest in and to that certain tract of land conveyed by C. E. Rydell and wife, Hulda Rydell, to Wm. F. Fleischer and Hugo Randig, by deed dated April 11th, 1924, of recorded in Volume 215, page 297, Deed Records of Williamson County, Texas, and described as follows:

BEGINNING at the SW corner of said 104.44 acres, same being the SE corner of the George Bruus tract;

THENCE North 10 West with the West line of said 104.44 acres 1276-1/2 vrs. to the SW corner of same, for the NW corner hereof;

THENCE North 80 East with the North line of said tract, 4 feet for NE corner hereof;

THENCE South 10 East, parallel with and distant 4 feet from the West line of said 104.44 acre tract, 1276-1/2 vrs. to a stake in the South line of said tract, for SE corner hereof;

THENCE South 80 West with said South line, 4 feet to the place of beginning, containing about 325/1000 acres of land, said tract to be used by Grantee, his heirs and assigns for road and passway purposes; and being the same property described in Deed dated April 16, 1953, executed by F. H. Schmidt and wife, Rosa Schmidt, to Edwin Teichelman and Madeline Teichelman, recorded in Volume 388, Page 78, Deed Records, Williamson County, Texas.

Reservations from and Exceptions to Conveyance and Warranty:

This deed is subject to all easements, restrictions, conditions, covenants, and other instruments of record.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, Executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, Executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, Executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

Grantee assumes all ad valorem taxes due on the property for the current year.


REBECCA LYNN TEICHELMAN
BORGNE, as Independent Executrix of the
Estate of Madeline Decker Teichelman,
Deceased

STATE OF TEXAS §

COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on the 12th day of May, 2015, by REBECCA LYNN TEICHELMAN BORGNE, as Independent Executrix of the Estate of Madeline Decker Teichelman, Deceased, in the capacity herein stated.



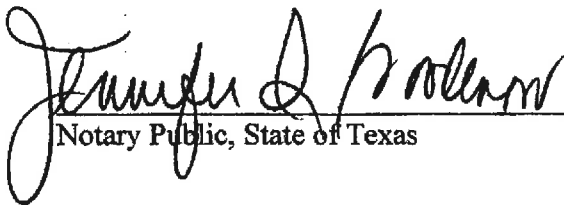

Notary Public, State of Texas

EXHIBIT A

County: Williamson
Parcel No.: 27
Highway: US 79
Limits: US 79 from East of Hutto City Limit to CR-402
CSJ:

PROPERTY DESCRIPTION FOR PARCEL 27

DESCRIPTION OF A 3.351 ACRE (145,952 SQUARE FOOT), TRACT OF LAND SITUATED IN THE WILLIAM GATLIN SURVEY ABSTRACT NO. 271, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 43.365 ACRE TRACT OF LAND CONVEYED TO MADELINE DECKER TEICHELMAN BY CAUSE NO. 03-0043-CP1 OF THE PROBATE RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 43.365 ACRE TRACT BEING THE REMAINDER OF THAT CALLED 50.79 ACRE TRACT DESCRIBED BY INSTRUMENT RECORDED IN VOLUME 566, PAGE 75, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 3.351 ACRE (145,952 SQUARE FOOT), TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at an iron pipe found 1494.68 feet left of proposed U.S. 79 baseline station 567+78.96, being in the southerly right-of-way line of C.R. 136 (right-of-way width varies), being the northeast corner of the remainder of that called 136.79 acre tract of land conveyed to Don L. Weiss and Gladys O. Weiss by instrument recorded in Doc. No. 9651974 of the Official Records of Williamson County, Texas, same being the most northwesterly corner of said 43.365 acre tract,

THENCE with the common boundary line of said 43.365 acre tract and the remainder of said 136.79 acre tract, S 07°55'54" W passing at a distance of 1474.94 feet, a set Texas Department of Transportation (TXDOT) monument, 114.05 feet left of proposed U.S. 79 baseline station 562+59.74, and continuing for a total distance of 1,480.28 feet to a Type II TXDOT monument in the proposed northerly right-of-way line of U.S. 79 (120 foot right-of-way width), being 109.05 feet left of proposed U.S. 79 baseline station 562+57.86, for the most northwesterly corner of the herein described tract and the POINT OF BEGINNING hereof,

1. THENCE departing the easterly boundary line of said remainder of 136.79 acre tract, with the proposed northerly right-of-way line of U.S. 79, through the interior of said 43.365 acre tract, N 77°19'11" E for a distance of 1,619.25 feet to a Type II TXDOT monument set, being 109.07 feet left of proposed U.S. 79 baseline station 578+77.11, for an angle point hereof;
2. THENCE continuing with the proposed northerly right-of-way line of U.S. 79, through the interior of said 43.365 acre tract, N 47°28'51" E for a distance of 65.09 feet to a Type II TXDOT monument set, being 141.45 feet left of proposed U.S. 79 baseline station 579+33.57, for a point in the westerly right-of-way line of C.R. 132 (right-of-way width varies), same being the easterly boundary line of said 43.365 acre tract, and the most northeasterly corner of the herein described tract, and from which an iron rod found in southerly right-of-way line of C.R. 136, being the most northeasterly corner of said 43.365 acre tract, being the bears N 07°33'25" E, a distance of 868.84 feet;
3. THENCE, with the westerly right-of-way line of said C.R. 132, same being the easterly boundary line of said 43.365 acre tract, S 07°33'25" W for a distance of 32.05 feet to a TXDOT Type I concrete monument found, being an angle point hereof;

4. THENCE continuing with the northerly right-of-way line of said U.S. 79, same being the easterly boundary line of said 43.365 acre tract, S 42°26'34" W for a distance of 161.44 feet to a calculated point, being the in southerly boundary line of said 43.365 acre tract, and the most southeasterly corner of the herein described tract, from which a found TXDOT Type I monument bears S 12°40'49" W a distance of 0.70 feet;
5. THENCE with the existing northerly right-of-way line of U.S. 79, same being the southerly boundary line of said 43.365 acre tract, S 77°19'11" W for a distance of 1566.04 feet to a calculated point, being the most southeasterly corner of said remainder of 136.79 acre tract, same being the most southwesterly corner of the herein described tract, from which an iron rod found bears S 07°55'54" W a distance of 0.35 feet;
6. THENCE departing the existing northerly right-of-way line of U.S. 79, with the easterly boundary line of the remainder of said 136.79 acre tract, same being the westerly boundary line of said 43.365 acre tract; N 07°55'54" E for a distance of 96.16 feet to the POINT OF BEGINNING and containing 3.351 acres (145,952 square feet) of land, more or less.

This property description is accompanied by a separate parcel plat.

All bearings recited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

That I, M. Stephen Truesdale, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.

M. Stephen Truesdale

1 DEC 06

M. Stephen Truesdale
Registered Professional Land Surveyor No. 4933
Licensed State Land Surveyor
Inland Geodetics, LP
1504 Chisholm Trail Rd., Ste. 101
Round Rock, TX. 78681

Date

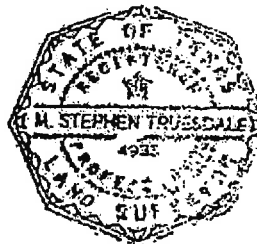


EXHIBIT "B"

STATE OF TEXAS
COUNTY OF WILLIAMSON

September 7, 2005

1.000 ACRE

These notes describe that certain tract of land situated in J.J. Stubblefield Survey Abstract 562, located in Williamson County, Texas; subject tract being part of a called 104.44 Acres of land, conveyed in a Warranty Deed from, T.P. Spurlock, et ux, to Edwin Tiechelman, dated 01-05-1960 and recorded in Volume 435, Page 496, of the Deed Records of Williamson County, Texas, (DRWC); being surveyed on the ground under the direct supervision of Bruce Lane Bryan, Registered Professional Land Surveyor No. 4249, on 7-8-05, subject tract being more fully described as follows:

Commencing at a 5/8" iron rod found in the North Right-Of-Way line of US Hwy 79 for the Southeast corner of a called 140.44 acres; also being the Southwest corner of a called 145.59 acre tract of land conveyed in a Deed with Vendors Lien from, Martha Sorensen, to Dan Krueger, et ux, dated 06-28-1965 and recorded in Volume 479, Page 343, of the Deed Records of Williamson County, Texas, (DRWC);

Thence South 80°00'00" West, (Basis of Bearings) along the North Right-Of-Way line of US Hwy 79 and south line of the said 104.44 acre tract, a distance of 259.07 feet to a 1/2" iron rod set (capped) for the Point of Beginning;

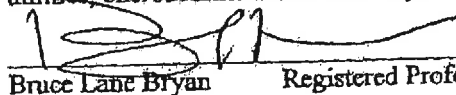
Thence North 10°40'04" West, a distance of 269.35 feet, to a 1/2" iron rod set (capped) for the Northeast corner of the subject tract;

Thence South 79°37'38" West, a distance of 162.05 feet, to a 1/2" iron rod set (capped) for the Northwest corner of the subject tract;

Thence South 10°40'04" East, a distance of 268.30 feet, to a 1/2" iron rod set (capped) in the North Right-Of-Way line of US Hwy 79 for the Southwest corner of the subject tract, from which a 1/2" iron rod found bears South 80°00'00" West, a distance of 916.45 feet for the Southwest corner of the said 104.44 acre tract;

Thence North 80°00'00" East, with the North Right-Of-Way line of US Hwy 79 a distance of 162.06 feet to the POINT OF BEGINNING containing according to the dimensions herein stated an area of 43,560 Sq. Ft. or 1.000 Acre of land.

Surveyor's Note: Attention is invited to accompanying plat for location of improvements, visible utilities, encroachments and roadways.


Bruce Lane Bryan

Registered Professional Land Surveyor No. 4249

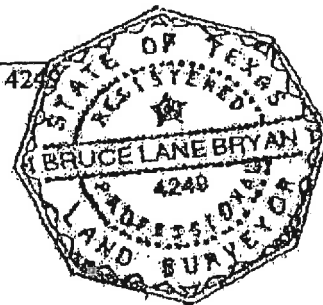


EXHIBIT "C"

County: Williamson
Parcel No.: 38 Part 1
Highway: US 79
Limits: US 79 from East of Hutto City Limit to CR 402
CSJ:

PROPERTY DESCRIPTION FOR PARCEL 38 PART 1

DESCRIPTION OF A 1.988 ACRE (86,609 SQUARE FOOT) TRACT OF LAND SITUATED IN THE J. J. STUBBLEFIELD SURVEY ABSTRACT NO. 567, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 101.62 ACRE TRACT OF LAND CONVEYED TO REBECCA LYNN TEICHELMAN BORGNE, TRUSTEE OF THE EDWIN CARL TEICHELMAN TESTAMENTARY TRUST BY CAUSE NO. 03-0043-CP1, FILED IN COUNTY COURT AT LAW NO. 1 IN WILLIAMSON COUNTY, TEXAS, AND AS EVIDENCED BY INSTRUMENT RECORDED IN DOCUMENT NO. 2008049418 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 101.62 ACRE TRACT BEING THE REMAINDER OF THAT CALLED 104.44 ACRE TRACT OF LAND DESCRIBED IN VOLUME 435, PAGE 196 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 1.988 ACRE (86,609 SQUARE FOOT) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a found 1/2" Iron rod with plastic cap at an interior ell corner in the southerly boundary line of said 101.62 acre tract, same being the northwesterly corner of that called 1 acre tract of land conveyed to Madeline Decker Teichelman as Independent Executrix of the Estate of Edwin Carl Teichelman by Cause No. 03-0043-CP1 in County Court No. 1, in Williamson County, Texas and Rebecca Lynn Teichelman, Trustee of the Edwin Carl Teichelman Testamentary Trust, and as described by said instrument recorded in Document No. 2008049418 of the Official Public Records of Williamson County, Texas, 288.14 feet left of proposed U.S. 79 baseline station 685+97.20;

THENCE, with said common boundary line, S 13°20'56" E for a distance of 173.97 feet to a set 1/2" Iron rod with TXDOT aluminum cap in the proposed northerly right-of-way line of U.S. 79, 114.19 feet left of proposed U.S. 79 baseline station 685+99.24, being the northeasterly corner and POINT OF BEGINNING of the herein described tract;

1. THENCE, departing said proposed northerly right-of-way line of U.S. 79, continuing with said common boundary line, S 13°20'56" E for a distance of 95.01 feet to a calculated point in the existing northerly right-of-way line of U.S. 79 (120 foot right-of-way width), being an exterior ell corner in the southerly boundary line of said 101.62 acre tract and the southwesterly corner of said 1 acre tract, and being the southeasterly corner of the herein described tract, from which a found 1/2" Iron rod with plastic cap bears N 13°20'56" W, a distance of 0.72 feet;
2. THENCE, departing said common boundary line, with the southerly boundary line of said 101.62 acre tract, same being the existing northerly right-of-way line of U.S. 79, S 77°19'11" W for a distance of 912.41 feet to a calculated point, being the southwesterly corner of said 101.62 acre tract and the southeasterly corner of that called 120.019 acre tract of land conveyed to Larry W. Leachner by instrument recorded in Document No. 9842444 of the Official Records of Williamson County, Texas, and being the southwesterly corner of the herein described tract, from which a found 80d nail bears N 12°28'52" W, a distance of 0.32 feet;

3. **THENCE**, departing said existing northerly right-of-way line of U.S. 79, with the common boundary line of said 128.019 acre tract and said 101.62 acre tract, N 12°26'52" W for a distance of 98.00 feet to a set Type II TXDOT monument in the proposed northerly right-of-way line of U.S. 79, 114.18 feet left of proposed U.S. 79 baseline station 676+88.32, being the northwesterly corner of the herein described tract, from which a found iron rod in the southerly boundary line of that called 79.222 acre tract of land conveyed to the Carssow Family Partnership, Ltd., by instrument recorded in Document No. 8738895 of the Official Records of Williamson County, Texas, being the northwesterly corner of said 101.62 acre tract and the northeasterly corner of said 128.019 acre tract, bears N 12°26'52" W, a distance of 5381.80 feet;
4. **THENCE** departing said common boundary line, through the interior of said 101.62 acre tract, with the proposed northerly right-of-way line of U.S. 79, N 77°19'11" E, passing at a distance of 311.68 feet, a set Type II TXDOT monument, 114.18 feet left of proposed U.S. 79 baseline station 680+00.00, and continuing for a total distance of 910.91 feet to the **POINT OF BEGINNING** and containing 1.888 acres (86,808 square feet) of land, more or less.

This property description is accompanied by a separate parcel plat.

All bearings recited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

That I, M. Stephen Truesdale, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.

M. Stephen Truesdale

13 DEC 07

Date

M. Stephen Truesdale
Registered Professional Land Surveyor No. 4933
Licensed State Land Surveyor
Inland Geodetics, LP
1504 Chisholm Trail Rd., Ste. 101
Round Rock, TX. 78681



79par38pt1.doc

EXHIBIT "D"

County: Williamson
Parcel No.: 38 Part 2
Highway: US 79
Limits: US 79 from East of Hutto City Limit to CR 402
CSJ:

PROPERTY DESCRIPTION FOR PARCEL 38 PART 2

DESCRIPTION OF A 0.587 ACRE (24,891 SQUARE FOOT) TRACT OF LAND SITUATED IN THE J. J. STUBBLEFIELD SURVEY ABSTRACT NO. 587, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 101.62 ACRE TRACT OF LAND CONVEYED TO REBECCA LYNN TEICHELMAN BORGNE, TRUSTEE OF THE EDWIN CARL TEICHELMAN TESTAMENTARY TRUST BY CAUSE NO. 03-0043-CP1, FILED IN COUNTY COURT AT LAW NO. 1 IN WILLIAMSON COUNTY, TEXAS, AND AS EVIDENCED BY INSTRUMENT RECORDED IN DOCUMENT NO. 2008049418 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 101.62 ACRE TRACT BEING THE REMAINDER OF THAT CALLED 104.44 ACRE TRACT OF LAND DESCRIBED IN VOLUME 436, PAGE 496 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 0.587 ACRE (24,891 SQUARE FOOT) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a set iron rod stamped ref/witness in the common boundary line of said 101.62 acre tract and that 135.209 acre remainder of that called 145.59 acre tract described in Volume 479, Page 343 of the Deed records of Williamson County, Texas, and conveyed to Trona T. Blaha, formerly known as Trona T. Krueger, Daniel Dwayne Krueger, also known as Daniel D. Krueger, and Trella Latrelle Krueger Aary, formerly known as Trella Latrelle Krueger, by Cause No. 14,882 filed in County Court of Law No. 2 in Williamson County, Texas, and as evidenced by instrument recorded in Volume 301, Page 308 of the Deed Records of Williamson County, Texas, 184.19 feet left of proposed U.S. 79 baseline station 690+22.29;

THENCE, with said common boundary line, S 12°21'22" E for a distance of 60.00 feet to a set TXDOT Type II monument in the proposed northerly right-of-way of U.S. 79; 114.19 feet left of proposed U.S. 79 baseline station 690+22.01, being the northeasterly corner and POINT OF BEGINNING of the herein described tract;

1. THENCE, departing said proposed northerly right-of-way line of U.S. 79, continuing with said common boundary, S 12°21'22" E, passing a found iron rod at a distance of 94.46 feet, and continuing for a total distance of 95.00 feet to a calculated point in the existing northerly right-of-way line of U.S. 79 (120 foot right-of-way width), being the southeasterly corner of said 101.62 acre tract and the southwesterly corner of said 135.209 acre tract; and being the southeasterly corner of the herein described tract;

2. THENCE, departing said common boundary line, with the southerly boundary line of said 101.62 acre tract, same being the existing northerly right-of-way line of U.S. 79, S 77°19'41" W for a distance of 258.08 feet to a calculated point, being an exterior ell corner in the southerly boundary line of said 101.62 acre tract and the southeasterly corner of that called 1 acre tract conveyed to Madeline Decker Telchelman, as Independent Executrix of the Estate of Edwin Carl Telchelman and Rebecca Lynn Telchelman Borgne, as Trustee of the Edwin Carl Telchelman Testamentary Trust, by said Cause No. 03-0043-CP1, also being that called 1 acre Save and Except tract described in said Document No. 2006049418, and being the southwesterly corner of the herein described tract;
3. THENCE, departing said existing northerly right-of-way line of U.S. 79, with the common boundary line of said 101.62 acre tract and said 1 acre tract, N 13°20'58" W, passing at a distance of 0.74 feet, a found 1/2" iron rod with plastic cap, and continuing for a total distance of 95.01 feet to a set 1/2" iron rod with TXDOT aluminum cap in the proposed northerly right-of-way line of U.S. 79, 114.18 feet left of proposed U.S. 79 baseline station 687+64.29, being the northwesterly corner of the herein described tract;
4. THENCE departing said common boundary line, through the interior of said 101.62 acre tract, with the proposed northerly right-of-way line of U.S. 79, N 77°19'11" E, for a distance of 260.72 feet to the POINT OF BEGINNING and containing 0.567 acres (24,591 square feet) of land, more or less.

This property description is accompanied by a separate parcel plat.

All bearings recited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

That I, M. Stephen Truesdale, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.

M. Stephen Truesdale

13 DEC '07
Date

M. Stephen Truesdale
Registered Professional Land Surveyor No. 4933
Licensed State Land Surveyor
Inland Geodetics, LP
1504 Chilsholm Trail Rd., Ste. 101
Round Rock, TX. 78681



EXHIBIT "E"

County: Williamson
 Parcel No.: 49
 Highway: US 79
 Limits: US 79 from East of Hutto City Limit to CR 402
 CSJ:

PROPERTY DESCRIPTION FOR PARCEL 49

DESCRIPTION OF A 0.353 ACRE (15,396 SQUARE FOOT) TRACT OF LAND SITUATED IN THE J. J. STUBBLEFIELD SURVEY ABSTRACT NO. 582, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 1 ACRE TRACT OF LAND CONVEYED TO MADELINE DECKER TEICHELMAN AS INDEPENDENT EXECUTRIX OF THE ESTATE OF CARL EDWIN TEICHELMAN AND REBECCA LYNN TEICHELMAN BORGNE AS TRUSTEE OF THE CARL EDWIN TEICHELMAN TESTAMENTARY TRUST BY CAUSE NO. 03-0043-CP1, FILED IN COUNTY COURT AT LAW NO. 1 IN WILLIAMSON COUNTY, TEXAS, SAID 1 ACRE TRACT BEING THAT SAME 1 ACRE SAVE AND EXCEPT TRACT DESCRIBED IN DOCUMENT NO. 2006049418 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 104.44 ACRE TRACT OF LAND CONVEYED TO EDWIN TEICHELMAN BY INSTRUMENT RECORDED IN VOLUME 435, PAGE 496 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 0.353 ACRE (15,396 SQUARE FOOT) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING FOR REFERENCE at a found 1/2" iron rod with plastic cap at an interior ell corner in the southerly boundary line of that called 101.62 acre tract of land conveyed to Rebecca Lynn Teichelman Borgne, Trustee of the Edwin Carl Teichelman Testamentary Trust by said Cause No. 03-0043-CP1 filed in County Court at Law No. 1 in Williamson County, Texas, being the remainder of said 104.44 acre tract, of land described in Volume 435, Page 496 of the Deed Records of Williamson County, Texas, 288.14 feet left of proposed U.S. 79 baseline station 685+97.20, being the northwesterly corner of said 1 acre tract;

THENCE, with the common boundary line of said 1 acre tract and said 101.62 acre tract, S 13°20'56" E for a distance of 173.97 feet to a set 1/2" iron rod with TXDOT aluminum cap in the proposed northerly right-of-way line of U.S. 79, 114.19 feet left of proposed U.S. 79 baseline station 685+99.23, being the northwesterly corner and POINT OF BEGINNING of the herein described tract;

1. THENCE, departing said common boundary line, through the interior of said 1 acre tract, with said proposed northerly right-of-way line of U.S. 79, N 77°19'11" E for a distance of 162.06 feet to a set 1/2" iron rod with TXDOT aluminum cap in a common boundary line of said 1 acre tract and said 101.62 acre tract, 114.19 feet left of proposed U.S. 79 baseline station 687+61.29, being the northeasterly corner of the herein described tract;
2. THENCE, departing said proposed northerly right-of-way line of U.S. 79, with said common boundary line, S 13°20'56" E for a distance of 95.01 feet to a calculated point in the existing northerly right-of-way line of U.S. 79 (120 foot right-of-way width), being the southeasterly corner of said 1 acre tract and a exterior ell corner in the southerly boundary line of said 101.62 acre tract, and being the southeasterly corner of the herein described tract, from which a found 1/2" iron rod with plastic cap bears N 13°20'56" W, a distance of 0.74 feet;

3. THENCE, departing said common boundary line, with the southerly boundary line of said 1 acre tract, same being said existing northerly right-of-way line of U.S. 79, S 77°19'11" W for a distance of 162.06 feet to a calculated point, being the southwesterly corner of said 1 acre tract and an exterior ell corner in the southerly boundary line of said 101.82 acre tract, and being the southwesterly corner of the herein described tract, from which a found 1/2" iron rod with plastic cap bears N 13°20'56" W, a distance of 0.72 feet;
4. THENCE, departing said existing northerly right-of-way line of U.S., with said common boundary line, N 13°20'56" W for a distance of 85.01 feet to the POINT OF BEGINNING, containing 0.353 acres (15,396 square feet) of land, more or less.

This property description is accompanied by a separate parcel plat.

All bearings recited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

I, M. Stephen Truesdale, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.

M. Stephen Truesdale

13 DEC '07

Date

M. Stephen Truesdale
Registered Professional Land Surveyor No. 4933
Licensed State Land Surveyor
Inland Geodetics, LP
1504 Chisholm Trail Rd., Ste. 101
Round Rock, TX. 78681

79per49.doc



2
E
AFTER RECORDING RETURN TO:
J. PATRICK QUINN
P.O. BOX 1228
TAYLOR, TEXAS 76574

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2015039011

Nancy E. Rister

Nancy E. Rister, County Clerk
Williamson County, Texas

May 13, 2015 12:11 PM

FEE: \$81.00 BARRICK



EXHIBIT E

Legal Description



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORD: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

EXECUTOR'S DEED

Date: May 12, 2015

Grantor: REBECCA LYNN TEICHELMAN BORGNE, as Independent Executrix of the Estate of Madeline Decker Teichelman, Deceased, under Cause No. 14-0873-CP4, County Court At Law #4, Williamson County, Texas

Grantor's Mailing Address (including county):

3450 CR 417
Taylor, Williamson County, Texas 76574

Grantee: (1) REBECCA LYNN TEICHELMAN BORGNE
(2) ROXANA RUTH TEICHELMAN
(3) TIMOTHY DON TEICHELMAN

Grantee's Mailing Address:

(1) 3450 CR 417
Taylor, Williamson County, Texas 76574

(2) 2201 Jason St.
Taylor, Williamson County, Texas 76574

(3) P. O. Box 777
Hutto, Williamson County, Texas 76574

Consideration: For TEN AND 00/100 DOLLARS (\$10.00), the distribution of the Estate of Madeline Decker Teichelman, and other good and valuable consideration.

Property (including any improvements):

A. An undivided one-half (1/2) interest in all those certain tracts of land, a part of the WILLIAM GATLIN SURVEY, originally a part of a certain tract of 113.7 acres of land described in a deed recorded in Vol 145, Page 544 of the Deed Records of Williamson County, Texas, and described as follows, to-wit:

FIRST TRACT: BEGINNING at the N E corner of said 113.7 acre tract, for the N.E. corner hereof; THENCE S 10 W., with the E line of said 1137 acre tract, 406.8 varas

to stake on the North ROW line of the I & G N R R for the S. E. Corner hereof; THENCE with said ROW line, S 79-1/2 W, 602.28 varas, a stake on the West line of said 113.7 acre tract for the S.W. corner hereof; THENCE N 10° 10' E, 612.72 varas to the N.W. corner of said 113.7 acre tract; THENCE S 80 E, 562.32 varas to the Place of Beginning and containing 50.79 acres of land.

SECOND TRACT: BEGINNING at the S.E. corner of 113.7 acres tract; THENCE N 10 E, 745.1 varas, a stake on the South ROW line of I & G N R R; THENCE S 79-1/2 W, with said ROW line, 225.22 varas, a stake for the N.W. corner hereof; THENCE S 10 W, passing a residence at the East Yard Fence, 664.02 varas, a stake on the S line of said 113.7 acre tract; THENCE S 80 E, 211 varas to the Place of Beginning and containing 26.33 acres of land.

THIRD TRACT: BEGINNING at an iron pipe in the ground in the North line of a County Road, said place of beginning begin the S.W. corner of "SECOND TRACT" above; THENCE N 80 W, with the North line of said Road, 353.7 varas to the S.W. corner of said 113.7 acre tract, a cedar post for the S.W. corner hereof; THENCE N 10 E, with the West line of said 113.7 acre tract, 531.36 varas to the point of intersection of the said West line of said 113.7 acre tract with the South ROW line of said I & G N R R, for the N.W. corner hereof; THENCE N 79° 30' E with the S ROW line of said I & G N R R, 375.98 varas to an iron pipe for the N.E. corner hereof, same being the N.W. corner of "SECOND TRACT" above; THENCE S 10 W with the West line of "SECOND TRACT" above, 664.02 varas to the Place of Beginning and containing 36.58 acres of land.

SAVE AND EXCEPT a tract of about 4.69 acres of land heretofore conveyed out of FIRST TRACT, above, to The State of Texas for highway purposes; said FIRST & SECOND TRACTS, above, being the same two tracts of land heretofore conveyed to Fritz Teichelman by P.N. McCutcheon, Administrator by deed dated March 18th 1931 and recorded in Vol. 257, Page 320 of the Deed Records of Williamson County, Texas; and THIRD TRACT, above, being the same tract described in three separate deeds to Fritz Teichelman, recorded in Vol 296, Page 470, Vol 296, Page 472, and Vol 406, Page 99 of the Deed Records of Williamson County, Texas, to all of which said deeds and records, reference is here made for all pertinent purposes; and being the same property described in Deed of Gift dated March 16, 1973, executed by Fritz Teichelman and wife, Minnie Teichelman to Edwin C. Teichelman and wife, Madeline D. Teichelman, recorded in Volume 565, Page 75, Deed Records, Williamson County, Texas;

SAVE AND EXCEPT THE FOLLOWING TRACT OF LAND:

All of that certain 3.351 acre tract of land, more or less, being out of the William Gatlin Survey, Abstract No. 271, Williamson County, Texas; said tract being more particularly described by metes and bounds in Exhibit "A" attached hereto and made

a part hereof for all purposes; and said tract being the same property described in Special Warranty Deed dated April 13, 2011, executed by Madeline Decker Teichelman, Individually, and Rebecca Lynn Teichelman Borgne, as Trustee of the Edwin Carl Teichelman Testamentary Trust to the State of Texas, acting by and through the Texas Transportation Commission, duly recorded under Document No. 2011024630, Official Records of Williamson County, Texas.

B. An undivided one-half ($\frac{1}{2}$) interest in all that certain tract of parcel of land situated in Williamson County, Texas, being a part of the P. O'Daugherty and the J. J. Stubblefield Surveys and more particularly described as follows:

BEGINNING at the S. E. Corner of the 500 acre tract conveyed to John C. Penn by D.A. Frame, by deed dated January 1, 1907;

THENCE South 80 deg. West with the South line of said 500 acre tract to a stake in the said South line, being the Southeast corner of a 200 acre tract conveyed by John C. Penn to George Bruus;

THENCE North 10 deg. West, 1276 $\frac{1}{2}$ vrs. being the N. W. corner of this tract and the N. E. Corner of the said Bruus 200 acre tract;

THENCE North 80 deg. East, 155 $\frac{1}{2}$ vrs. to a stake for corner of the most Northerly East line of said 500 acre tract;

THENCE South 19 deg. East with said line to a corner of said 500 acre tract, 106 vrs., a place of iron pipe for corner;

THENCE North 71 deg. East, 314 vrs., to another corner of said 500 acres;

THENCE South 10 deg. East, 1219 vrs. to the place of beginning, containing 104 44/100 acres of land, SAVE AND EXCEPT a strip of land 3 vrs. in width out of the West side this tract, extending through the entire length of same, from North to South, which is reserved for a roadway, and being the same property described in a deed from C.E. Rydell and wife, Hulda Rydell, to Hugo Rydell, dated December 2, 1947, recorded in Vol. 347, page 102, Deed Records of Williamson County, Texas, and being the same land conveyed by Carl Hugo Rydell and wife to T.P. Spurlock, et ux, by deed; and being the same property described in Deed dated January 5, 1960, executed by T. P. Spurlock and wife, Evelyn Spurlock to Edwin Teichelman and wife, Madeline Teichelman, recorded in Volume 435, Page 496, Deed Records, Williamson County, Texas;

SAVE AND EXCEPT THE FOLLOWING ONE (1) ACRE TRACT, more particularly described as follows:

That certain tract of land situated in the J. J. Stubblefield Survey, Abstract 562, located in Williamson County, Texas; subject tract being part of a called 104.44 acre tract of land, conveyed in a Warranty Deed from T. P. Spurlock, et ux, to Edwin Teichelman dated January 5, 1960 and recorded in Volume 435, Page 496, Deed Records of Williamson County, Texas and more particularly described by metes and bounds in Exhibit "B" attached hereto for all purposes.

SAVE AND EXCEPT THE FOLLOWING TWO TRACTS OF LAND:

All that certain 1.988 acre tract of land, more or less, being out of the J. J. Stubblefield Survey, Abstract No. 567, Williamson County, Texas; said tract begin more particularly described by metes and bounds in Exhibit "C" attached hereto and made a part hereof for all purposes;

AND

All of that certain 0.567 acre tract of land, more or less, being out of the J. J. Liendo Stubblefield Survey, Abstract No. 567, Williamson County, Texas; said tract being more particularly described by metes and bounds in Exhibit "D" attached hereto and made a part hereof for all purposes.

Both of the above tracts being the same property described in a Special Warranty Deed dated April 13, 2011, executed by Madeline Decker Teichelman, Individually, and Rebecca Lynn Teichelman Borgne, as Trustee of the Edwin Carl Teichelman Testamentary Trust to the State of Texas, acting by and through the Texas Transportation Commission, duly recorded under Document No. 2011024628, Official Records, Williamson County, Texas.

C. That certain one (1) acre tract of land situated in the J. J. Stubblefield Survey, Abstract 562, located in Williamson County, Texas; subject tract being part of a called 104.44 acre tract of land, conveyed in a Warranty Deed from T. P. Spurlock, et ux, to Edwin Teichelman dated January 5, 1960 and recorded in Volume 435, Page 496, Deed Records of Williamson County, Texas and more particularly described by metes and bounds in Exhibit "B" attached hereto for all purposes;

SAVE AND EXCEPT THE FOLLOWING TRACT OF LAND:

All of that certain 0.353 acre tract of land, more or less, being out of the J. J. Stubblefield Survey, Abstract No. 562, Williamson County, Texas; said tract being more particularly described by metes and bounds in Exhibit "E" attached hereto for all purposes; and being the same property described in a Special Warranty Deed dated March 13, 2011, executed by Madeline Teichelman, a/k/a Madeline Decker Teichelman, Individually, to the State of Texas, acting by and through the Texas

Transportation Commission, duly recorded under Document No. 2011024626, Official Records, Williamson County, Texas.

D. All that certain tract or parcel of land, lying and being situated in Williamson County, Texas, a part of the Patrick O'Daugherty Survey, and being more particularly described by metes and bounds as follows:

FIRST TRACT

BEGINNING at the Northwest corner of a tract of 200 acres of land conveyed by said John C. Penn to George Bruus by deed dated January 1st, 1908 and recorded in Volume 127, page 442, Deed Records of Williamson County, Texas;

THENCE North 9 deg. 35' West with the West line of the tract of 500 acres, which was conveyed to said Penn by D. A. Frame, 1105 vrs. to the NW corner of said 500 acre tract;

THENCE North 80 deg. East with a North line of said 500 acres, 540 vrs. to a corner of same for NE corner thereof;

THENCE South 10 deg. East with the West line of a tract of 92.79 acres conveyed by said Penn to P. Jensen, at 400 vrs. cross a ravine at 1106 vrs. a stake on the North line of said George Bruss tract, for the SW corner of said P. Jensen tract;

THENCE South 80 deg. West 548.1 vrs. to the place of beginning and containing 106.53 acres of land, and being the same land conveyed to F.H. Schmidt by WM. F. Fleischer, et ux by deed dated December 16, 1947 and recorded in Vol. 345 page 403 Deed Records of Williamson County, Texas.

Also all of our right, title and interest in and to a strip of land, 16 feet in width, off of the South side of said P. Jensen 92.79 acres of land, extending from the SE corner of the above mentioned tract, South 80 East with the South line of said P. Jensen tract to 16 feet East of the NE corner of the said George Bruss tract, is hereby granted to the said Edwin Teichelman and Madeline Teichelman, their heirs and assigns, of the above described tract of land, are further expressly granted the right to use the road extending from the NE corner of said George Bruus 200 acres to the SE corner of same between said 200 acres and the said C.E. Rydell 104 acre tract.

SECOND TRACT

Being all of our rights, title and interest in and to that certain tract of land conveyed by C. E. Rydell and wife, Hulda Rydell, to Wm. F. Fleischer and Hugo Randig, by deed dated April 11th, 1924, of recorded in Volume 215, page 297, Deed Records of Williamson County, Texas, and described as follows:

BEGINNING at the SW corner of said 104.44 acres, same being the SE corner of the George Bruus tract;

THENCE North 10 West with the West line of said 104.44 acres 1276-1/2 vrs. to the SW corner of same, for the NW corner hereof;

THENCE North 80 East with the North line of said tract, 4 feet for NE corner hereof;

THENCE South 10 East, parallel with and distant 4 feet from the West line of said 104.44 acre tract, 1276-1/2 vrs. to a stake in the South line of said tract, for SE corner hereof;

THENCE South 80 West with said South line, 4 feet to the place of beginning, containing about 325/1000 acres of land, said tract to be used by Grantee, his heirs and assigns for road and passway purposes; and being the same property described in Deed dated April 16, 1953, executed by F. H. Schmidt and wife, Rosa Schmidt, to Edwin Teichelman and Madeline Teichelman, recorded in Volume 388, Page 78, Deed Records, Williamson County, Texas.

Reservations from and Exceptions to Conveyance and Warranty:

This deed is subject to all easements, restrictions, conditions, covenants, and other instruments of record.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, Executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, Executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, Executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

Grantee assumes all ad valorem taxes due on the property for the current year.


REBECCA LYNN TEICHELMAN
BORGNE, as Independent Executrix of the
Estate of Madeline Decker Teichelman,
Deceased

STATE OF TEXAS §

COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on the 12th day of May, 2015, by REBECCA LYNN TEICHELMAN BORGNE, as Independent Executrix of the Estate of Madeline Decker Teichelman, Deceased, in the capacity herein stated.



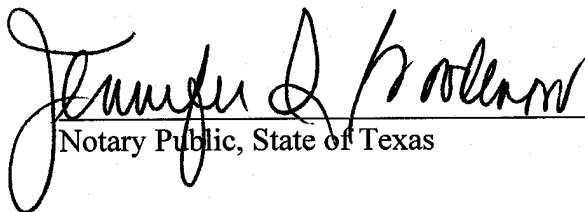

Notary Public, State of Texas

EXHIBIT A

County: Williamson
 Parcel No.: 27
 Highway: US 79
 Limits: US 79 from East of Hutto City Limit to CR 402
 CSJ:

PROPERTY DESCRIPTION FOR PARCEL 27

DESCRIPTION OF A 3.351 ACRE (145,952 SQUARE FOOT), TRACT OF LAND SITUATED IN THE WILLIAM GATLIN SURVEY ABSTRACT NO. 271, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 43.365 ACRE TRACT OF LAND CONVEYED TO MADELINE DECKER TEICHELMAN BY CAUSE NO. 03-0043-CP1 OF THE PROBATE RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 43.365 ACRE TRACT BEING THE REMAINDER OF THAT CALLED 50.79 ACRE TRACT DESCRIBED BY INSTRUMENT RECORDED IN VOLUME 565, PAGE 75, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 3.351 ACRE (145,952 SQUARE FOOT), TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at an iron pipe found 1494.58 feet left of proposed U.S. 79 baseline station 567+78.96, being in the southerly right-of-way line of C.R. 136 (right-of-way width varies), being the northeast corner of the remainder of that called 136.79 acre tract of land conveyed to Don L. Weiss and Gladys O. Weiss by instrument recorded in Doc. No. 9651974 of the Official Records of Williamson County, Texas, same being the most northwesterly corner of said 43.365 acre tract,

THENCE with the common boundary line of said 43.365 acre tract and the remainder of said 136.79 acre tract, S 07°55'54" W passing at a distance of 1474.94 feet, a set Texas Department of Transportation (TXDOT) monument, 114.05 feet left of proposed U.S. 79 baseline station 562+59.74, and continuing for a total distance of 1,480.28 feet to a Type II TXDOT monument in the proposed northerly right-of-way line of U.S. 79 (120 foot right-of-way width), being 109.05 feet left of proposed U.S. 79 baseline station 562+57.86, for the most northwesterly corner of the herein described tract and the POINT OF BEGINNING hereof,

1. THENCE departing the easterly boundary line of said remainder of 136.79 acre tract, with the proposed northerly right-of-way line of U.S. 79, through the interior of said 43.365 acre tract, N 77°19'11" E for a distance of 1,619.25 feet to a Type II TXDOT monument set, being 109.07 feet left of proposed U.S. 79 baseline station 578+77.11, for an angle point hereof;
2. THENCE continuing with the proposed northerly right-of-way line of U.S. 79, through the interior of said 43.365 acre tract, N 47°28'51" E for a distance of 65.09 feet to a Type II TXDOT monument set, being 141.45 feet left of proposed U.S. 79 baseline station 579+33.57, for a point in the westerly right-of-way line of C.R. 132 (right-of-way width varies), same being the easterly boundary line of said 43.365 acre tract, and the most northeasterly corner of the herein described tract, and from which an iron rod found in southerly right-of-way line of C.R. 136, being the most northeasterly corner of said 43.365 acre tract, being the bears N 07°33'25" E, a distance of 868.84 feet;
3. THENCE, with the westerly right-of-way line of said C.R. 132, same being the easterly boundary line of said 43.365 acre tract, S 07°33'25" W for a distance of 32.05 feet to a TXDOT Type I concrete monument found, being an angle point hereof;

4. THENCE continuing with the northerly right-of-way line of said U.S. 79, same being the easterly boundary line of said 43.365 acre tract, S 42°26'34" W for a distance of 161.44 feet to a calculated point, being the in southerly boundary line of said 43.365 acre tract, and the most southeasterly corner of the herein described tract, from which a found TXDOT Type I monument bears S 12°40'49" W a distance of 0.70 feet;
5. THENCE with the existing northerly right-of-way line of U.S. 79, same being the southerly boundary line of said 43.365 acre tract, S 77°19'11" W for a distance of 1566.04 feet to a calculated point, being the most southeasterly corner of said remainder of 136.79 acre tract, same being the most southwesterly corner of the herein described tract, from which an iron rod found bears S 07°55'54" W a distance of 0.35 feet;
6. THENCE departing the existing northerly right-of-way line of U.S. 79, with the easterly boundary line of the remainder of said 136.79 acre tract, same being the westerly boundary line of said 43.365 acre tract, N 07°55'54" E for a distance of 98.16 feet to the POINT OF BEGINNING and containing 3.351 acres (145,952 square feet) of land, more or less.

This property description is accompanied by a separate parcel plat.

All bearings recited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

That I, M. Stephen Truesdale, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.

M. Stephen Truesdale

1 DEC 06

M. Stephen Truesdale
Registered Professional Land Surveyor No. 4933
Licensed State Land Surveyor
Inland Geodetics, LP
1504 Chisholm Trail Rd., Ste. 101
Round Rock, TX. 78681

Date

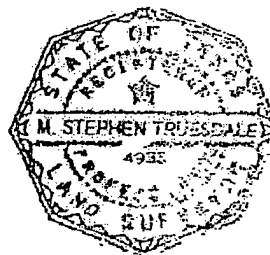


EXHIBIT "B"

STATE OF TEXAS
COUNTY OF WILLIAMSON

September 7, 2005

1.000 ACRE

These notes describe that certain tract of land situated in J.J. Stubblefield Survey Abstract 562, located in Williamson County, Texas; subject tract being part of a called 104.44 Acres of land, conveyed in a Warranty Deed from, T.P. Spurlock, et ux, to Edwin Tiechelman, dated 01-05-1960 and recorded in Volume 435, Page 496, of the Deed Records of Williamson County, Texas, (DRWC); being surveyed on the ground under the direct supervision of Bruce Lane Bryan, Registered Professional Land Surveyor No. 4249, on 7-8-05, subject tract being more fully described as follows:

Commencing at a 5/8" iron rod found in the North Right-Of-Way line of US Hwy 79 for the Southeast corner of a called 140.44 acres, also being the Southwest corner of a called 145.59 acre tract of land conveyed in a Deed with Vendors Lien from, Martha Sorensen, to Dan Krueger, et ux, dated 06-28-1965 and recorded in Volume 479, Page 343, of the Deed Records of Williamson County, Texas, (DRWC);

Thence South 80°00'00" West, (Basis of Bearings) along the North Right-Of-Way line of US Hwy 79 and south line of the said 104.44 acre tract, a distance of 259.07 feet to a 1/2" iron rod set (capped) for the Point of Beginning;

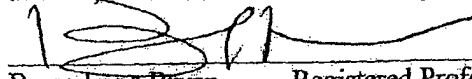
Thence North 10°40'04" West, a distance of 269.35 feet, to a 1/2" iron rod set (capped) for the Northeast corner of the subject tract;

Thence South 79°37'38" West, a distance of 162.05 feet, to a 1/2" iron rod set (capped) for the Northwest corner of the subject tract;

Thence South 10°40'04" East, a distance of 268.30 feet, to a 1/2" iron rod set (capped) in the North Right-Of-Way line of US Hwy 79 for the Southwest corner of the subject tract, from which a 1/2" iron rod found bears South 80°00'00" West, a distance of 916.45 feet for the Southwest corner of the said 104.44 acre tract;

Thence North 80°00'00" East, with the North Right-Of-Way line of US Hwy 79 a distance of 162.06 feet to the POINT OF BEGINNING containing according to the dimensions herein stated an area of 43,560 Sq. Ft. or 1.000 Acre of land.

Surveyor's Note: Attention is invited to accompanying plat for location of improvements, visible utilities, encroachments and roadways.


Bruce Lane Bryan

Registered Professional Land Surveyor No. 4249

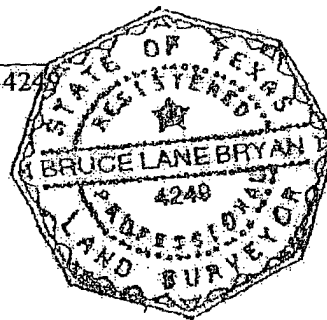


EXHIBIT "C"

County: Williamson
 Parcel No.: 38 Part 1
 Highway: US 79
 Limits: US 79 from East of Hutto City Limit to CR 402
 CSJ:

PROPERTY DESCRIPTION FOR PARCEL 38 PART 1

DESCRIPTION OF A 1.988 ACRE (86,609 SQUARE FOOT) TRACT OF LAND SITUATED IN THE J. J. STUBBLEFIELD SURVEY ABSTRACT NO. 587, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 101.62 ACRE TRACT OF LAND CONVEYED TO REBECCA LYNN TEICHELMAN BORGNE, TRUSTEE OF THE EDWIN CARL TEICHELMAN TESTAMENTARY TRUST BY CAUSE NO. 03-0043-CP1, FILED IN COUNTY COURT AT LAW NO. 1 IN WILLIAMSON COUNTY, TEXAS, AND AS EVIDENCED BY INSTRUMENT RECORDED IN DOCUMENT NO. 2006049418 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 101.62 ACRE TRACT BEING THE REMAINDER OF THAT CALLED 104.44 ACRE TRACT OF LAND DESCRIBED IN VOLUME 435, PAGE 496 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 1.988 ACRE (86,609 SQUARE FOOT) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a found 1/2" Iron rod with plastic cap at an interior ell corner in the southerly boundary line of said 101.62 acre tract, same being the northwesterly corner of that called 1 acre tract of land conveyed to Madeline Decker Teichelman as Independent Executrix of the Estate of Edwin Carl Teichelman by Cause No. 03-0043-CP1 in County Court No. 1, in Williamson County, Texas and Rebecca Lynn Teichelman, Trustee of the Edwin Carl Teichelman Testamentary Trust, and as described by said instrument recorded in Document No. 2006049418 of the Official Public Records of Williamson County, Texas, 288.14 feet left of proposed U.S. 79 baseline station 685+97.20;

THENCE, with said common boundary line, S 13°20'56" E for a distance of 173.97 feet to a set 1/2" Iron rod with TXDOT aluminum cap in the proposed northerly right-of-way line of U.S. 79, 114.19 feet left of proposed U.S. 79 baseline station 685+99.24, being the northeasterly corner and POINT OF BEGINNING of the herein described tract;

1. THENCE, departing said proposed northerly right-of-way line of U.S. 79, continuing with said common boundary line, S 13°20'56" E for a distance of 95.01 feet to a calculated point in the existing northerly right-of-way line of U.S. 79 (120 foot right-of-way width), being an exterior ell corner in the southerly boundary line of said 101.62 acre tract and the southwesterly corner of said 1 acre tract, and being the southeasterly corner of the herein described tract, from which a found 1/2" Iron rod with plastic cap bears N 13°20'56" W, a distance of 0.72 feet;
2. THENCE, departing said common boundary line, with the southerly boundary line of said 101.62 acre tract, same being the existing northerly right-of-way line of U.S. 79, S 77°19'11" W for a distance of 912.41 feet to a calculated point, being the southwesterly corner of said 101.62 acre tract and the southeasterly corner of that called 128.019 acre tract of land conveyed to Larry W. Leschber by instrument recorded in Document No. 9642144 of the Official Records of Williamson County, Texas, and being the southwesterly corner of the herein described tract, from which a found 80d nail bears N 12°26'52" W, a distance of 0.32 feet;

3. **THENCE**, departing said existing northerly right-of-way line of U.S. 79, with the common boundary line of said 128.019 acre tract and said 101.62 acre tract, N 12°26'52" W for a distance of 95.00 feet to a set Type II TXDOT monument in the proposed northerly right-of-way line of U.S. 79, 114.18 feet left of proposed U.S. 79 baseline station 676+88.32, being the northwesterly corner of the herein described tract, from which a found iron rod in the southerly boundary line of that called 79.222 acre tract of land conveyed to the Carrsow Family Partnership, Ltd., by instrument recorded in Document No. 9738895 of the Official Records of Williamson County, Texas, being the northwesterly corner of said 101.62 acre tract and the northeasterly corner of said 128.019 acre tract, bears N 12°26'52" W, a distance of 3381.80 feet;
4. **THENCE** departing said common boundary line, through the interior of said 101.62 acre tract, with the proposed northerly right-of-way line of U.S. 79, N 77°19'11" E, passing at a distance of 311.68 feet, a set Type II TXDOT monument, 114.18 feet left of proposed U.S. 79 baseline station 680+00.00, and continuing for a total distance of 910.91 feet to the POINT OF BEGINNING and containing 1.988 acres (86,609 square feet) of land, more or less.

This property description is accompanied by a separate parcel plat.

All bearings recited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

That I, M. Stephen Truesdale, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.

M. Stephen Truesdale

13 DEC 07

Date

M. Stephen Truesdale
Registered Professional Land Surveyor No. 4933
Licensed State Land Surveyor
Inland Geodetics, LP
1504 Chisholm Trail Rd., Ste. 101
Round Rock, TX. 78681



79par38pt1.doc

EXHIBIT "D"

County: Williamson
 Parcel No.: 38 Part 2
 Highway: US 79
 Limits: US 79 from East of Hutto City Limit to CR 402
 CSJ:

PROPERTY DESCRIPTION FOR PARCEL 38 PART 2

DESCRIPTION OF A 0.567 ACRE (24,691 SQUARE FOOT) TRACT OF LAND SITUATED IN THE J. J. STUBBLEFIELD SURVEY ABSTRACT NO. 567, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 101.62 ACRE TRACT OF LAND CONVEYED TO REBECCA LYNN TEICHELMAN BORGNE, TRUSTEE OF THE EDWIN CARL TEICHELMAN TESTAMENTARY TRUST BY CAUSE NO. 03-0043-CP1, FILED IN COUNTY COURT AT LAW NO. 1 IN WILLIAMSON COUNTY, TEXAS, AND AS EVIDENCED BY INSTRUMENT RECORDED IN DOCUMENT NO. 2006049418 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 101.62 ACRE TRACT BEING THE REMAINDER OF THAT CALLED 104.44 ACRE TRACT OF LAND DESCRIBED IN VOLUME 435, PAGE 496 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 0.567 ACRE (24,691 SQUARE FOOT) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a set iron rod stamped ref/witness in the common boundary line of said 101.62 acre tract and that 135.209 acre remainder of that called 145.59 acre tract described in Volume 479, Page 343 of the Deed records of Williamson County, Texas, and conveyed to Trona T. Blaha, formerly known as Trona T. Krueger, Daniel Dwayne Krueger, also known as Daniel D. Krueger, and Trella Latrelle Krueger Aery, formerly known as Trella Latrelle Krueger, by Cause No. 14,882 filed in County Court of Law No. 2 in Williamson County, Texas, and as evidenced by instrument recorded in Volume 301, Page 309 of the Deed Records of Williamson County, Texas, 164.19 feet left of proposed U.S. 79 baseline station 690+22.29;

THENCE, with said common boundary line, **S 12°21'22" E** for a distance of 50.00 feet to a set TXDOT Type II monument in the proposed northerly right-of-way of U.S. 79; 114.19 feet left of proposed U.S. 79 baseline station 690+22.01, being the northeasterly corner and **POINT OF BEGINNING** of the herein described tract;

1. **THENCE**, departing said proposed northerly right-of-way line of U.S. 79, continuing with said common boundary, **S 12°21'22" E**, passing a found iron rod at a distance of 94.45 feet, and continuing for a total distance of 95.00 feet to a calculated point in the existing northerly right-of-way line of U.S. 79 (120 foot right-of-way width), being the southeasterly corner of said 101.62 acre tract and the southwesterly corner of said 135.209 acre tract; and being the southeasterly corner of the herein described tract;

2. **THENCE**, departing said common boundary line, with the southerly boundary line of said 101.62 acre tract, same being the existing northerly right-of-way line of U.S. 79, S 77°19'11" W for a distance of 259.08 feet to a calculated point, being an exterior ell corner in the southerly boundary line of said 101.62 acre tract and the southeasterly corner of that called 1 acre tract conveyed to Madeline Decker Telchelman, as Independent Executrix of the Estate of Edwin Carl Telchelman and Rebecca Lynn Telchelman Borgne, as Trustee of the Edwin Carl Telchelman Testamentary Trust, by said Cause No. 03-0043-CP1, also being that called 1 acre Save and Except tract described in said Document No. 2006049418, and being the southwesterly corner of the herein described tract;
3. **THENCE**, departing said existing northerly right-of-way line of U.S. 79, with the common boundary line of said 101.62 acre tract and said 1 acre tract, N 13°20'56" W, passing at a distance of 0.74 feet, a found 1/2" iron rod with plastic cap, and continuing for a total distance of 95.01 feet to a set 1/2" iron rod with TXDOT aluminum cap in the proposed northerly right-of-way line of U.S. 79, 114.19 feet left of proposed U.S. 79 baseline station 687+61.29, being the northwesterly corner of the herein described tract;
4. **THENCE** departing said common boundary line, through the interior of said 101.62 acre tract, with the proposed northerly right-of-way line of U.S. 79, N 77°19'11" E, for a distance of 260.72 feet to the POINT OF BEGINNING and containing 0.567 acres (24,691 square feet) of land, more or less.

This property description is accompanied by a separate parcel plat.

All bearings recited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

That I, M. Stephen Truesdale, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.

M. Stephen Truesdale

13 DEC '07

Date

M. Stephen Truesdale
Registered Professional Land Surveyor No. 4933
Licensed State Land Surveyor
Inland Geodetics, LP
1604 Chisholm Trail Rd., Ste. 101
Round Rock, TX. 78681



79par38pt2.doc

EXHIBIT "E"

County: Williamson
 Parcel No.: 49
 Highway: US 79
 Limits: US 79 from East of Hutto City Limit to CR 402
 CSJ:

PROPERTY DESCRIPTION FOR PARCEL 49

DESCRIPTION OF A 0.353 ACRE (15,396 SQUARE FOOT) TRACT OF LAND SITUATED IN THE J. J. STUBBLEFIELD SURVEY ABSTRACT NO. 562, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 1 ACRE TRACT OF LAND CONVEYED TO MADELINE DECKER TEICHELMAN AS INDEPENDENT EXECUTRIX OF THE ESTATE OF CARL EDWIN TEICHELMAN AND REBECCA LYNN TEICHELMAN BORGNE AS TRUSTEE OF THE CARL EDWIN TEICHELMAN TESTAMENTARY TRUST BY CAUSE NO. 03-0043-CP1, FILED IN COUNTY COURT AT LAW NO. 1 IN WILLIAMSON COUNTY, TEXAS, SAID 1 ACRE TRACT BEING THAT SAME 1 ACRE SAVE AND EXCEPT TRACT DESCRIBED IN DOCUMENT NO. 2006049418 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 104.44 ACRE TRACT OF LAND CONVEYED TO EDWIN TEICHELMAN BY INSTRUMENT RECORDED IN VOLUME 435, PAGE 496 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 0.353 ACRE (15,396 SQUARE FOOT) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING FOR REFERENCE at a found 1/2" iron rod with plastic cap at an interior ell corner in the southerly boundary line of that called 101.62 acre tract of land conveyed to Rebecca Lynn Teichelman Borgne, Trustee of the Edwin Carl Teichelman Testamentary Trust by said Cause No. 03-0043-CP1 filed in County Court at Law No. 1 in Williamson County, Texas, being the remainder of said 104.44 acre tract, of land described in Volume 435, Page 496 of the Deed Records of Williamson County, Texas, 288.14 feet left of proposed U.S. 79 baseline station 685+97.20, being the northwesterly corner of said 1 acre tract;

THENCE, with the common boundary line of said 1 acre tract and said 101.62 acre tract, **S 13°20'56" E** for a distance of 173.97 feet to a set 1/2" iron rod with TXDOT aluminum cap in the proposed northerly right-of-way line of U.S. 79, 114.19 feet left of proposed U.S. 79 baseline station 685+99.23, being the northwesterly corner and **POINT OF BEGINNING** of the herein described tract;

1. **THENCE**, departing said common boundary line, through the interior of said 1 acre tract, with said proposed northerly right-of-way line of U.S. 79, **N 77°19'11" E** for a distance of 162.06 feet to a set 1/2" iron rod with TXDOT aluminum cap in a common boundary line of said 1 acre tract and said 101.62 acre tract, 114.19 feet left of proposed U.S. 79 baseline station 687+61.29, being the northeasterly corner of the herein described tract;
2. **THENCE**, departing said proposed northerly right-of-way line of U.S. 79, with said common boundary line, **S 13°20'56" E** for a distance of 95.01 feet to a calculated point in the existing northerly right-of-way line of U.S. 79 (120 foot right-of-way width), being the southeasterly corner of said 1 acre tract and a exterior ell corner in the southerly boundary line of said 101.62 acre tract, and being the southeasterly corner of the herein described tract, from which a found 1/2" iron rod with plastic cap bears **N 13°20'56" W**, a distance of 0.74 feet;

3. THENCE, departing said common boundary line, with the southerly boundary line of said 1 acre tract, same being said existing northerly right-of-way line of U.S. 79, S 77°19'11" W for a distance of 162.06 feet to a calculated point, being the southwesterly corner of said 1 acre tract and an exterior ell corner in the southerly boundary line of said 101.62 acre tract, and being the southwesterly corner of the herein described tract, from which a found 1/2" iron rod with plastic cap bears N 13°20'56" W, a distance of 0.72 feet;
4. THENCE, departing said existing northerly right-of-way line of U.S., with said common boundary line, N 13°20'56" W for a distance of 95.01 feet to the POINT OF BEGINNING, containing 0.353 acres (15,396 square feet) of land, more or less.

This property description is accompanied by a separate parcel plat.

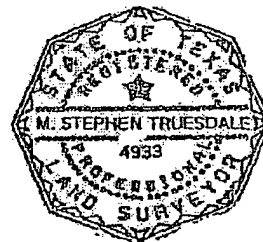
All bearings recited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

That I, M. Stephen Truesdale, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.

M. Stephen Truesdale
 M. Stephen Truesdale
 Registered Professional Land Surveyor No. 4933
 Licensed State Land Surveyor
 Inland Geodetics, LP
 1504 Chisholm Trail Rd., Ste. 101
 Round Rock, TX. 78681

13 DEC '07
 Date



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2
E
 AFTER RECORDING RETURN TO:
 J. PATRICK QUINN
 P.O. BOX 1228
 TAYLOR, TEXAS 76574

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2015039011

Nancy E. Rister

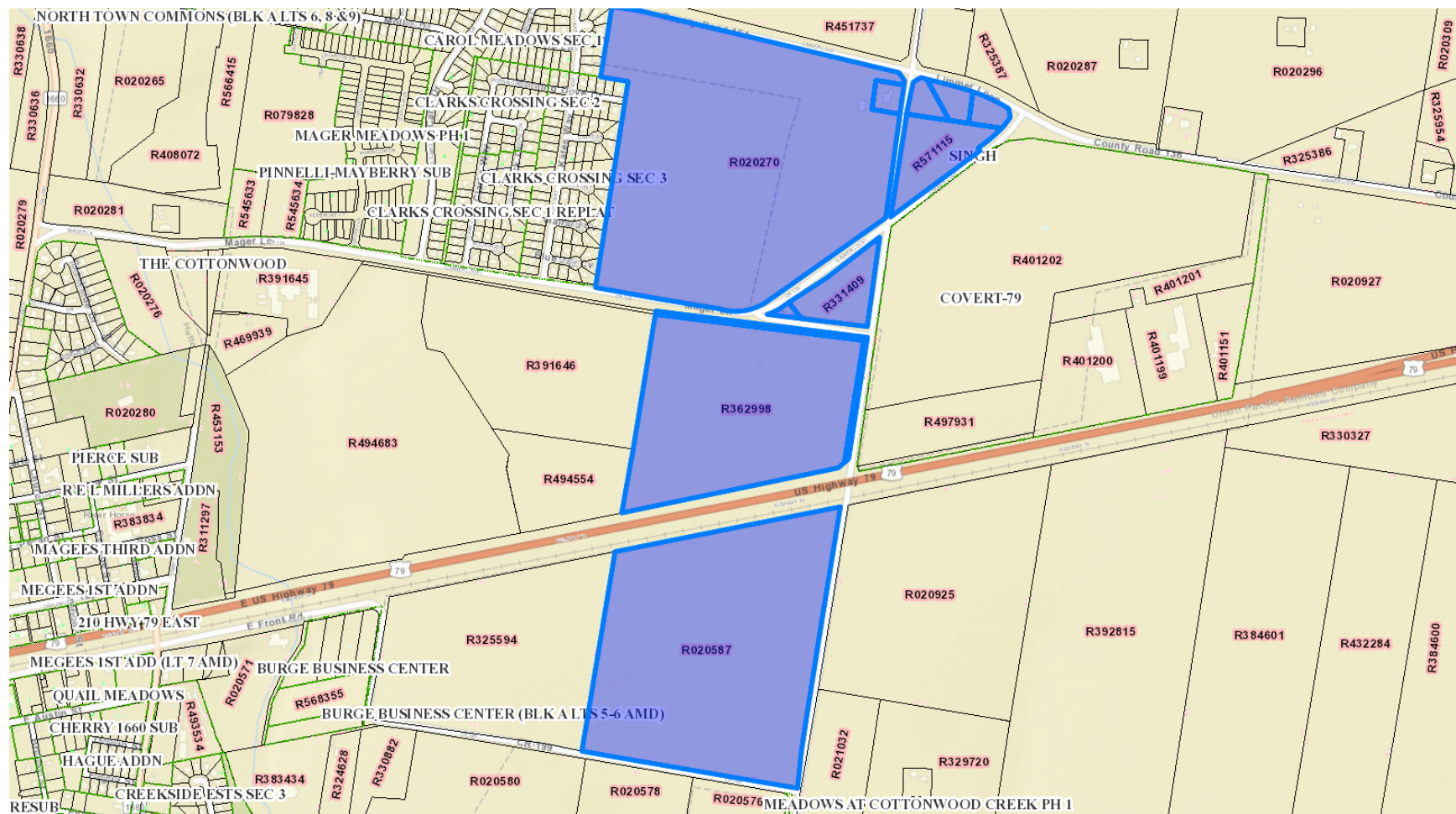
Nancy E. Rister, County Clerk
 Williamson County, Texas

May 13, 2015 12:11 PM

FEE: \$81.00 BARRICK



EXHIBIT G
Map of Parcels



**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 8B.

AGENDA DATE: April 18, 2019

PRESENTED BY: Michel Sorrell, Chief Financial Officer

ITEM:

Presentation of the City Financials for the Month of March as required by the fiscal and budgetary policy. (Michel Sorrell)

**STRATEGIC GUIDE
POLICY:**

Fiscal Responsibility

ITEM BACKGROUND:

Financials for the month of March 2019 consisting of the Balance Sheets, Income Statements, and Fund Balances. The purpose is to inform the Council and public of the City's fiscal stewardship.

BUDGETARY AND FINANCIAL SUMMARY:

Overall activity is in line with expectations.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Not applicable

SUPPORTING MATERIAL:

There are no supporting documents.

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 9A.

AGENDA DATE: April 18, 2019

PRESENTED BY:

Ashley Lumpkin, AICP, Executive Director of Infrastructure & Development Services

ITEM:

Open and conduct the second public hearing regarding the proposed annexation of the HISD Tract, 65.0 acres, more or less, of land located on the east side of FM 1660 North. (Ashley Lumpkin)

**STRATEGIC GUIDE
POLICY:**

Well Balanced & Diversified Economy

ITEM BACKGROUND:

A Municipal Service Plan (MSP) has been drafted per the Council's directive from their regularly scheduled meeting on March 21, 2019.

Notice was published in the Taylor Daily Press and has also been posted on the City of Hutto website.

The next step in the voluntary annexation process is to conduct the second and final reading of the annexation ordinance. An annexation ordinance requires a second reading prior to final approval.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

The City Attorney has approved the process as to form.

STAFF RECOMMENDATION:

Staff recommends that the Council open the public hearing, and then close it following any public comment.

SUPPORTING MATERIAL:

1. Notice Posted

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

PUBLIC NOTICE NOTICE OF A PUBLIC HEARING

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT THE HUTTO CITY COUNCIL WILL HOLD A PUBLIC HEARING REGARDING:

The proposal to institute annexation proceedings to enlarge and extend the city limits boundary of said City to include the following described properties consisting of approximately 165.0 acres heretofore referred to as the HISD Tracts, to-wit:

The HISD Tracts properties (65.0 and 100.0 acres) described as being situated in the John Dykes Survey, Abstract No. 186, in Williamson County, Texas.

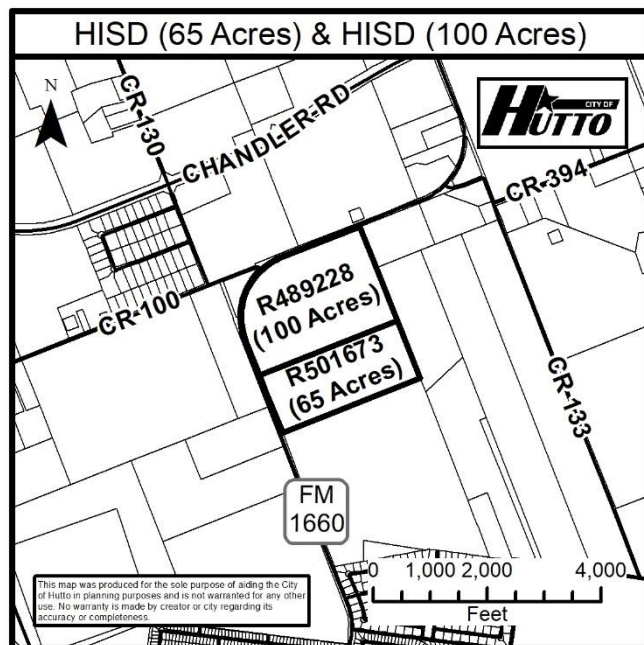
At said time and place all such persons interested shall have the right to appear and be heard. Of all said matters and things, all persons interested in the subject matter herein mentioned shall take notice.

A public hearing will be held on
April 18, 2019 at 7:00 p.m.

Hutto City Hall
500 W. Live Oak St., Hutto, Texas

For additional information the public may contact Development Services at 512-759-3479 or planning@huttotx.gov

Publication Date: March 31, 2019



CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 9B.

AGENDA DATE: April 18, 2019

PRESENTED BY: Ashley Lumpkin, AICP, Executive Director of Infrastructure & Development Services

ITEM:

Open and conduct the second public hearing regarding the proposed annexation of the HISD Tract, 100.0 acres, more or less, of land located on the east side of FM 1660 North. (Ashley Lumpkin)

**STRATEGIC GUIDE
POLICY:**

Well Balanced & Diversified Economy

ITEM BACKGROUND:

A Municipal Service Plan (MSP) has been drafted per the Council's directive from their regularly scheduled meeting on March 21, 2019.

Notice was published in the Taylor Daily Press and has also been posted on the City of Hutto website.

The next step in the voluntary annexation process is to conduct the second and final reading of the annexation ordinance. An annexation ordinance requires a second reading prior to final approval.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

The City Attorney has approved the process as to form.

STAFF RECOMMENDATION:

Staff recommends that the Council open the public hearing, and then close it following any public comment.

SUPPORTING MATERIAL:

- ## 1. Notice Posted

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

PUBLIC NOTICE NOTICE OF A PUBLIC HEARING

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT THE HUTTO CITY COUNCIL WILL HOLD A PUBLIC HEARING REGARDING:

The proposal to institute annexation proceedings to enlarge and extend the city limits boundary of said City to include the following described properties consisting of approximately 165.0 acres heretofore referred to as the HISD Tracts, to-wit:

The HISD Tracts properties (65.0 and 100.0 acres) described as being situated in the John Dykes Survey, Abstract No. 186, in Williamson County, Texas.

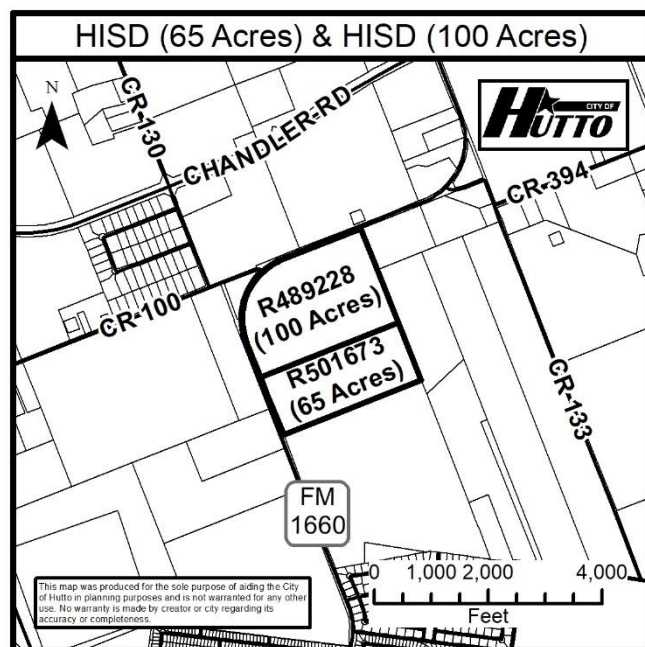
At said time and place all such persons interested shall have the right to appear and be heard. Of all said matters and things, all persons interested in the subject matter herein mentioned shall take notice.

A public hearing will be held on
April 18, 2019 at 7:00 p.m.

Hutto City Hall
500 W. Live Oak St., Hutto, Texas

For additional information the public may contact Development Services at 512-759-3479 or planning@huttotx.gov

Publication Date: March 31, 2019



**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 10A.

AGENDA DATE: April 18, 2019

PRESENTED BY: Lisa Brown, City Secretary

ITEM:

Consideration and possible action approving the minutes of the April 4, 2019 Regular Council Meeting and April 11, 2019 Special Called City Council Meeting. (Lisa Brown)

**STRATEGIC GUIDE
POLICY:**

Quality of Life & Services

ITEM BACKGROUND:

Meeting minutes have been prepared and are presented for Council approval for the April 4, 2019 Regular City Council Meeting and April 11, 2019 Special Called City Council Meeting.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Staff recommends approval.

SUPPORTING MATERIAL:

1. [Minutes - April 11, 2019](#)
2. [Minutes - April 11, 2019](#)

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						



**CITY COUNCIL
MEETING MINUTES
APRIL 4, 2019**

The Hutto City Council met in a regular session on Thursday, April 4, 2019, in Council Chambers, City Hall, 500 W. Live Oak, Hutto, TX 78634.

CALL SESSION TO ORDER

Mayor Gaul called the session to order at 7:00 p.m.

ROLL CALL

Members of the City Council present were Mayor Doug Gaul, Mayor Pro-tem Tom Hines, Councilmember Scott Rose, Councilmember Nathan Killough, Councilmember Patti Turner and Councilmember Terri Grimm.

Members of staff that were present were Odis Jones, City Manager; Edena Atmore, Assistant City Manager; Cara Hanna, Assistant City Manager; Byron Frankland, Chief of Police; Paul Hall, Assistant Chief of Police; Michel Sorrell, Chief Financial Officer; Ashley Lumpkin, Executive Director Business Development; Ashby Grundman, Director of City Planning; Eliska Padilla, Executive Director of Communications and Marketing; MD Hossain, City Engineer; Lynn Trumbul, Sr. Assistant City Secretary; Irma Gonzales, Assistant City Secretary and Lisa Brown, City Secretary.

PLEADGE OF ALLEGIANCE

Members of Boy Scout Troop 190 posted the colors and led the pledge of allegiance. The participating scouts were: Maverick Moore, Nick Olson, Darnell Smalls, Daeton Smalls, Magnus Chittester and Scout Master Peter Gordon.

EXECUTIVE SESSION

Council recessed to executive session at 7:04 p.m. and reconvened at 7:08 p.m.

ACTION RELATIVE TO EXECUTIVE SESSION

6A. Consideration and possible action regarding Project Peanut.

Motion: Mayor Pro-tem Tom Hines made a motion to authorize the City Manager to negotiate and execute a 380 Agreement with Western Industries Corporation. Councilwoman Terri Grimm seconded the motion.

Vote: Ayes Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Councilmember Nathan Killough
 Councilmember Patti Turner
 Councilmember Terri Grimm

Action: The motion passed 6 ayes, and 0 nays

CITY MANAGER COMMENTS:

7A. Presentation announcing the company for Project Peanut.

Odis Jones, City Manager introduced Western Industries Corp. as the newest company to relocate to Hutto, moving their manufacturing facility from Austin. WIC is a global manufacturing company that primarily produces packaging and protective shipping materials for a variety of industries; they also manufacture medical device products for operating rooms. CEO Jim and CSO Claudia Robertson were present along with CFO Chris Bruehl, COO Louis Morelli and General Manager Dan Peterson who will head up the Hutto facility. GM Dan Patterson indicated that there are currently 75 employees in Austin they are encouraging to relocate from Austin, and WIC anticipates growing that number to 100-150 employees.

CITY COUNCIL COMMENTS

Councilwoman Patti Turner asked Odis Jones, City Manager, for an update on the sale of bonds, which he provided.

PUBLIC COMMENT

No public comment.

PUBLIC HEARINGS

10A. Open and conduct the first public hearing regarding the proposed annexation of the HISD Tract, 65.0 acres, more or less, of land, located on the east side of FM 1660 North.

Ashley Lumpkin, Executive Director of Development Services, stated that this hearing is the second step in the 5 step process of a voluntary annexation of 65.0 acres of land owned by the Hutto Independent School District for the new high school campus.

The Mayor opened the public hearing at 7:26 p.m. There being no public comments, the hearing was closed at 7:26 p.m.

10B. Open and conduct the first public hearing regarding the proposed annexation of the HISD Tract, 100.0 acres, more or less, of land, located on the east side of FM 1660 North.

Ashley Lumpkin, Executive Director of Development Services, stated that this hearing is the second step in the 5 step process of a voluntary annexation of 100.0 acres of land owned by the HISD for the new school campus.

The Mayor opened the public hearing at 7:27 p.m. There being no public comments, the hearing was closed at 7:27 p.m.

CONSENT AGENDA

- 11A. Consideration and possible action approving the minutes of the March 21, 2019 Regular City Council Meeting.
- 11B. Consideration and possible action on the acceptance of the street, sidewalk, sidewalk ramps and drainage improvements of Hutto Highlands Section 2, Phase 1 Subdivision.
- 11C. Consideration and possible action on the first reading of an ordinance regarding the proposed annexation of the HISD Tract, 65.0 acres, more or less, of land, located on the east side of FM 1660 North.
- 11D. Consideration and possible action on the first reading of an ordinance regarding the proposed annexation of the HISD Tract, 100.0 acres, more or less, of land, located on the east side of FM 1660 North.

Motion: Mayor Pro-tem Tom Hines made a motion to accept the Consent Agenda presented. Councilman Nathan Killough seconded the motion.

Vote: Ayes Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Councilmember Nathan Killough
 Councilmember Patti Turner
 Councilmember Terri Grimm

Action: The motion passed 6 ayes, and 0 nays.

ORDINANCES

- 12A. Consideration and possible action on the first reading of an ordinance rescheduling the first regular meeting of the Hutto City Council for the month of July 2019.

Motion: Councilman Killough made a motion to accept the ordinance moving the first Council meeting in July to July 2, 2019. Councilwoman Patti Turner seconded the motion.

Vote: Ayes Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Councilmember Nathan Killough
 Councilmember Patti Turner
 Councilmember Terri Grimm

Action: The motion passed 6 ayes, and 0 nays.

Motion: Councilman Killough made a motion to waive the second reading of the ordinance rescheduling the first meeting in July to July 2, 2019. Councilman Scott Rose seconded the motion.

Vote: Ayes Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Councilmember Nathan Killough
Councilmember Patti Turner
Councilmember Terri Grimm

Action: The motion passed 6 ayes, and 0 nays.

OTHER BUSINESS

13A. Consideration of and possible appointment to City Boards and Commissions.

There were no appointments made to the Boards and Commissions.

Councilwoman Terri Grimm noted that there will be some positions on the boards that will be coming up for re-appointment.

13B. Consideration and possible action concerning a settlement agreement with Manville Water Supply Corporation.

Michel Sorrell, Chief Financial Officer, reviewed the terms of the settlement agreement with Manville Water Supply Corporation. Under the terms of the agreement, the City's contract will be on a reserve capacity only with a minimum daily reserve of 200,000 gallons at a cost of \$3.50 per thousand gallons. The City can also take up to 820,000 gallons per day and the extra capacity will not be charged a premium until after 600,000 gallons per day. The contract is now for 15 years as opposed to 40 years. The City will be saving up to \$500,000.00 a year under the new contract.

As a result of this contract the citizens of Hutto will receive a "No Payment Rate Holiday" -- all utility customers will receive a credit for the month of April for water usage.

Mayor Doug Gaul clarified that the payment credit will be on the May bill.

Councilman Scott Rose pointed out that the credit does not apply to Jonah water users. Councilwoman Grimm stated this credit does not apply to Manville water users.

Odis Jones recommended the Council could consider a motion to accept the settlement agreement that has been negotiated and direct the City Manager to provide a one month holiday to the residents of Hutto for water bills related to the Manville contract.

Councilwoman Terri Grimm wanted to thank the City Manager and the Mayor for negotiating the settlement and the City Staff for their hard work and providing this reduction to the citizens of Hutto.

Motion: Councilman Killough made a motion to accept the settlement agreement with Manville Water Supply Corporation and authorize the City Manager to grant a one month holiday on the water bills. Councilwoman Grimm seconded the motion.

Mayor Pro-tem wanted to point out that the reduction is just for one month because on down the road the City will need to consider building a new wastewater treatment plant in the future.

Vote: Ayes Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Councilmember Nathan Killough
 Councilmember Patti Turner
 Councilmember Terri Grimm

Action: The motion passed 6 ayes, and 0 nays.

With no further business, the meeting was adjourned at 7:42 p.m.

CITY OF HUTTO

Doug Gaul, Mayor

ATTESTED:

Lisa L. Brown, City Secretary



**CITY COUNCIL
MEETING MINUTES
APRIL 11, 2019**

The Hutto City Council met in a special called session on Thursday, April 11, 2019, in Council Chambers, City Hall, 500 W. Live Oak, Hutto, TX 78634.

CALL SESSION TO ORDER

Mayor Gaul called the session to order at 7:00 p.m.

ROLL CALL

Members of the City Council present were Mayor Doug Gaul, Mayor Pro-tem Tom Hines, Councilmember Nathan Killough, Councilmember Patti Turner and Councilmember Terri Grimm. Councilmember Scott Rose was absent.

Members of staff that were present were Odis Jones, City Manager; Edena Atmore, Assistant City Manager; Cara Hana, Assistant City Manager; Byron Frankland, Chief of Police; Paul Hall, Assistant Chief of Police; Tony Host, Executive Director of Community Services and Lisa Brown, City Secretary.

PLEDGE OF ALLEGIANCE

Mayor Gaul led the pledge of allegiance.

PUBLIC COMMENT

There were no public comments.

Council recessed to executive session at 7:00 p.m.

EXECUTIVE SESSION

- 5A. Executive Session, as authorized by Texas government Code, Section 551.087, deliberations regarding Economic Development negotiations , to discuss Project Expansion and State incentive participation.

Council reconvened at 8:03 p.m. There was no action taken in executive session.

ADJOURNMENT

There being no further business to be heard, the meeting was adjourned at 8:03 p.m.

CITY OF HUTTO

Doug Gaul, Mayor

ATTESTED:

Lisa L. Brown, City Secretary

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 10B.

AGENDA DATE: April 18, 2019

PRESENTED BY: Ashley Lumpkin, AICP, Executive Director of Infrastructure & Development Services

ITEM:

Consideration and possible action on the second and final reading of an ordinance regarding the proposed annexation of the HISD Tract, 65.0 acres, more or less, of land located on the east side of FM 1660 North. (Ashley Lumpkin)

**STRATEGIC GUIDE
POLICY:**

Well Balanced & Diversified Economy

ITEM BACKGROUND:

A Municipal Service Plan (MSP) has been drafted per the Council's directive from their regularly scheduled meeting on March 21, 2019.

Upon completion of the second and final reading of the annexation ordinance, the annexation process is complete. An annexation ordinance requires a second reading prior to final approval.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

The City Attorney has approved the process as to form.

STAFF RECOMMENDATION:

Staff recommends that the Council approve the second and final reading of the ordinance.

SUPPORTING MATERIAL:

1. Ordinance

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

ORDINANCE NO.

AN ORDINANCE ANNEXING CERTAIN HEREINAFTER DESCRIBED ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF HUTTO, TEXAS, TO WIT: 65.0 ACRES, MORE OR LESS, OF LAND, DESCRIBED IN EXHIBIT "A", ALL OF SAID PROPERTY BEING SITUATED IN WILLIAMSON COUNTY, TEXAS, AND ALL ADJACENT ROADWAYS BEING FOR ANNEXATION; EXTENDING THE BOUNDARY LIMITS OF HUTTO SO AS TO INCLUDE SAID PROPERTY WITHIN HUTTO'S CITY LIMITS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH PROPERTY SHALL BECOME A PART OF THE CITY OF HUTTO AND THAT THE OWNERS AND INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY NOW IN EFFECT AND THOSE WHICH ARE HEREINAFTER ADOPTED; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City of Hutto, Texas (the "City") is a duly constituted home-rule municipality and, as such, is authorized to annex territory, subject to the laws of the State of Texas and subject to its Charter, and;

WHEREAS, pursuant to Section 43.028 of the Texas Local Government Code, the owners of a tract of land containing 65.0 acres, more or less, of land, situated in the John Dykes Survey, Abstract No. 186, in Williamson County, Texas (the "Property"), said Property being situated in Williamson County, Texas, and being more particularly described in **Exhibit "A"** attached hereto and made part hereof by reference for all purposes, have petitioned the City Council in writing to annex the Property, and;

WHEREAS, the procedures prescribed by the Charter of the City of Hutto and the applicable laws of the State of Texas have been duly followed with respect to the Property, and;

WHEREAS, the City Council of the City of Hutto by resolution directed the City's Development Services Director to prepare a service plan that provided for the extension of full municipal services to the Property, and such service plan was duly prepared and described in **Exhibit "B"** attached hereto and made part hereof by reference for all purposes, and;

WHEREAS, such Property is (a) one-half mile or less in width; (b) contiguous to the City; and (c) vacant and without residents or on which fewer than three (3) qualified voters reside, and;

WHEREAS, after considering the public testimony received at each hearing, the City Council of the City of Hutto determines that annexation of the Property is proper in all respects and that such action is in the best interests of the community and its citizens, and;

WHEREAS, and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, concerning public notices, hearings, and other procedural matters has been fully complied with, and;

WHEREAS, the City Council of the City of Hutto determines that the Property for annexation which is more fully described in **Exhibit “A”** should become annexed.

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

SECTION I.

That all of the above recitations are found to be true and correct and are incorporated into the body of this ordinance.

SECTION II.

That the Property described in the attached **Exhibit “A”**, together with adjacent roadways, be and is hereby annexed and brought within the corporate city limits of the City of Hutto, Texas, and same is hereby made an integral part hereof; and that the boundary limits of the City of Hutto be the same are hereby extended to include the above described territory within the city limits of the City of Hutto, and the same shall hereinafter be included within the territorial limits of the City of Hutto, Texas and designated as SF-1 (Single Family Residential) Zoning District.

SECTION III.

That the owners and present and future inhabitants of the area herein annexed be entitled to all rights and privileges of other citizens and property owners of the City of Hutto, and hereby bound by all acts, ordinances, resolutions and regulations of the City, and all other legal actions now in full force and effect and all those which may be hereafter adopted.

SECTION IV.

That the appropriate city official of the City of Hutto is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official maps and boundaries of the City of Hutto, heretofore adopted and amended, so as to include the aforementioned territory hereby annexed, be and are hereby amended as part of the City of Hutto, Texas, as required by law.

SECTION V.

That the Service Plan providing for extension of municipal services to the areas proposed to be annexed, attached hereto and incorporated herein as **Exhibit “B”**, is hereby approved.

SECTION VI.

That the City Secretary is hereby directed and authorized to file a certified copy of this ordinance in the Office of the County Clerk of Williamson County, Texas.

SECTION VII.

If any section, subsection, sentence, phrase, or word of this ordinance be found to be illegal, invalid or unconstitutional or if any portion of said Property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this ordinance or the application of any other section, sentence, phrase or provision of any other ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this ordinance and would have annexed the valid Property without the invalid part, and to this end the provisions of this ordinance are declared to be severable.

SECTION VIII.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are hereby expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. That City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject matter thereof were discussed, considered, and formerly acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

SECTION IX.

This ordinance shall take effect and be in force from and after its passage.

READ and APPROVED on first reading on this the **4th** day of **April, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

READ, PASSED and ADOPTED on second reading of ordinance this **18th** day of **April, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lisa L. Brown, City Secretary

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 10C.

AGENDA DATE: April 18, 2019

PRESENTED BY: MD Hossain

ITEM:

Consideration and possible action on a resolution authorizing the City Manager to enter into a contract with NAPCO Chemical Company for the purchase of Phosphates. (MD Hossain)

**STRATEGIC GUIDE
POLICY:**

Public Safety

ITEM BACKGROUND:

Phosphates are water treatment chemicals used to solve water quality problems resulting from inorganic contaminants such as Iron, Manganese, Calcium, etc. found in ground water supplies and also maintain water quality and inhibit corrosion in the water distribution system. The City purchases Napco 214 which is specifically blended for the City of Hutto wells as an aggressive corrosion inhibitor and sequestrant which is an ideal product for the amount of Iron, Manganese, and corrosiveness found in the City of Hutto well water. Napco 214 is a proprietary product and Napco Chemical Company is a sole source provider of the chemical.

BUDGETARY AND FINANCIAL SUMMARY:

In fiscal year 2018, the City of Hutto spent \$70,000.00 on phosphates for the Shiloh water plant. In fiscal year 2019, the budget for phosphates was reduced to \$20,000.00. The demand for water from Shiloh plant has been increased due to growth within the City and taking less water from Manville WSC. Currently the City of Hutto has only \$1,303.31 remaining budgeted for Phosphates. The City has received an invoice for Phosphate chemicals that cannot be paid without an increase in the budgeted amount for Phosphates. Staff recommends your approval for allocating additional amount of \$68,000.00 to address the current and future necessities.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Staff Recommends Approval

SUPPORTING MATERIAL:

1. [Resolution](#)
2. [Safety Data Sheet - NAPCO 214](#)
3. [Sole Source Letter](#)
4. [Emergency Purchase Authorization - PO 19-0070](#)

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

RESOLUTION NO. R-

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO A CONTRACT WITH NAPCO
CHEMICAL COMPANY FOR THE PURCHASE OF
PHOSPHATES.**

WHEREAS, the City requires phosphate chemicals to maintain the water quality of ground water from the Shiloh water plant; and

WHEREAS, the City is required to maintain public drinking water quality standards set forth by the Texas Commission on Environmental Quality; and

WHEREAS, NAPCO 214 is a proprietary chemical specifically blended for the City of Hutto wells; and

WHEREAS, NAPCO Chemical Company is a sole source producer of NAPCO 214,

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF HUTTO, TEXAS:**

The Hutto City Council hereby authorizes the City Manager to enter into a purchase agreement with NAPCO Chemical Company to acquire NAPCO 214 phosphate chemicals for the treatment of water.

CONSIDERED and RESOLVED on this **18th** day of the month **April 2019**.

CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lisa Brown, City Secretary



NAPCO CHEMICAL COMPANY

Safety Data Sheet

NAPCO 214

SECTION 1: Identification

1.1 Product identifier

Product name NAPCO 214

1.3 Recommended use of the chemical and restrictions on use

All proper and legal purposes.

1.4 Supplier's details

Name NAPCO Chemical Company
Address 2830 Spring Cypress Rd
Spring, Tx 77383
United States

Telephone 281-651-6800
Fax 281-651-6868

1.5 Emergency phone number(s)

ChemTel 1(800)255-3924

SECTION 2: Hazard identification

General hazard statement

Irritating to eyes, skin, and harmful if ingested.
The mixture does not meet the criteria for classification.

2.1 Classification of the substance or mixture

Not a hazardous substance or mixture.

2.2 GHS label elements, including precautionary statements

Not a hazardous substance or mixture.

2.3 Other hazards which do not result in classification

None known.

Statement regarding ingredients of unknown toxicity (OSHA)

None.

SECTION 3: Composition/information on ingredients

Safety Data Sheet

NAPCO 214

3.1 Substances

Other names / synonyms Blended Corrosion Inhibitor

Trade secret statement (OSHA 1910.1200(i))

The manufacturer lists no ingredients as hazardous according to OSHA 29 CFR 1910.1200.

SECTION 4: First-aid measures

4.1 Description of necessary first-aid measures

General advice	Ensure that medical personnel are aware of the material(s) involved, and take precautions to protect themselves.
If inhaled	Not likely to occur under normal conditions of use. Move person into fresh air. Call physician if symptoms persist.
In case of skin contact	Wash off with soap and water. Get medical attention if irritation develops and persist.
In case of eye contact	Flush with water for 15 minutes. Get medical attention if irritation develops and persist.
If swallowed	If conscious, give large amounts of water. Get medical attention immediately.
Personal protective equipment for first-aid responders	Ensure that medical personnel are aware of the material(s) involved, and take precautions to protect themselves.

4.2 Most important symptoms/effects, acute and delayed

Direct contact with eyes may cause temporary irritation.

4.3 Indication of immediate medical attention and special treatment needed, if necessary

Treat symptomatically.

SECTION 5: Fire-fighting measures

5.1 Suitable extinguishing media

As appropriate for materials in surrounding fire.

5.2 Specific hazards arising from the chemical

None known.

5.3 Special protective actions for fire-fighters

Is not combustible.

Further information

Move containers away from fire if you can do so without risk.

Use standard firefighting procedures and consider the hazards of other involved materials.

No unusual fire or explosion hazards noted.

SECTION 6: Accidental release measures

6.1 Personal precautions, protective equipment and emergency procedures

Safety Data Sheet

NAPCO 214

Keep unnecessary personnel away. For personal protection, see section 8 of the SDS.

6.2 Environmental precautions

Avoid discharge to drains, water courses or onto the ground.

6.3 Methods and materials for containment and cleaning up

Large Spills: Stop the flow of material, if this is without risk. Dike the spilled material, where this is possible. Cover with plastic sheet to prevent spreading. Absorb in vermiculite, dry sand or earth and place into containers. Following product recovery, flush area with water.

Small Spills: Wipe up with absorbent material (e.g. cloth, fleece). Clean surface thoroughly to remove residual contamination.

Reference to other sections

Never return spills to original containers for re-use. For waste disposal, see section 13 of the SDS.

SECTION 7: Handling and storage

7.1 Precautions for safe handling

Observe good industrial hygiene practices.

7.2 Conditions for safe storage, including any incompatibilities

Store in cool, dry place.

SECTION 8: Exposure controls/personal protection

8.2 Appropriate engineering controls

Ensure adequate ventilation. Emergency eyewash and safety shower facilities should be available in the immediate work area.

8.3 Individual protection measures, such as personal protective equipment (PPE)

Eye/face protection

Wear chemical splash goggles or face shield.

Skin protection

Wear appropriate chemical resistant gloves. Suitable gloves can be recommended by the glove supplier. Wear suitable protective clothing.

Body protection

Wear suitable protective clothing.

Respiratory protection

Ensure adequate ventilation.

Thermal hazards

Wear appropriate thermal protective clothing, when necessary.

Environmental exposure controls

Always observe good personal hygiene measures, such as washing after handling the material and before eating, drinking, and/or smoking. Routinely wash work clothing and protective equipment to remove contaminants.

SECTION 9: Physical and chemical properties

Information on basic physical and chemical properties

Safety Data Sheet

NAPCO 214

Appearance/form	Liquid/Water white to straw colored
Odor	Odorless
Odor threshold	Not available.
pH	Not available.
Melting point/freezing point	-10 to -15 C
Initial boiling point and boiling range	>100 C
Flash point	Not applicable.
Evaporation rate	Not available.
Flammability (solid, gas)	Not applicable
Upper/lower flammability limits	Not available.
Upper/lower explosive limits	Not available.
Vapor pressure	Not available.
Vapor density	Not available.
Relative density	Not available.
Solubility(ies)	Complete in water.
Partition coefficient: n-octanol/water	Not available.
Auto-ignition temperature	Not available.
Decomposition temperature	Not available.
Viscosity	Not available.
Explosive properties	Not explosive.
Oxidizing properties	Not oxidizing.

Other safety information

The physical data included above are typical values and should not be construed as a specification.

SECTION 10: Stability and reactivity

10.1 Reactivity

The product is stable and non-reactive under normal condions of use, storage and transport.

10.2 Chemical stability

Chemical is stable under normal conditions.

10.3 Possibility of hazardous reactions

No dangerous reaction known under conditions of normal use.

10.4 Conditions to avoid

Uncontrolled contact with strong acids.

10.5 Incompatible materials

Solutions could liberate flammable gas in the presence of aluminum.

10.6 Hazardous decomposition products

No hazardous decomposition products are known.

SECTION 11: Toxicological information

Information on toxicological effects

Acute toxicity

Not available.

Skin corrosion/irritation

Not highly hazardous. Repeated exposure may cause irritation.

Safety Data Sheet

NAPCO 214

Serious eye damage/irritation

Not highly hazardous. Repeated exposure may cause irritation.

Respiratory or skin sensitization

Not a respiratory sensitizer.

This product is not expected to cause skin sensitization.

Germ cell mutagenicity

No data available.

Carcinogenicity

This product is not considered to be a carcinogen by IARC, ACGIH, NTP, or OSHA.

Reproductive toxicity

This product is not expected to cause reproductive or developmental effects.

Summary of evaluation of the CMR properties

This product is not expected to contribute to any of these properties.

STOT-single exposure

Not classified.

STOT-repeated exposure

Not classified.

Aspiration hazard

Not an aspiration hazard.

SECTION 12: Ecological information

Toxicity

This product is not classified as environmentally hazardous. However, this does not exclude the possibility that large or frequent spills can have a harmful or damaging effect on the environment.

Persistence and degradability

No data is available on the degradability of this product.

Bioaccumulative potential

No data is available.

Mobility in soil

No data is available.

Results of PBT and vPvB assessment

No data is available.

Other adverse effects

No other adverse environmental effects (e.g. ozone depletion, photochemical ozone creation potential, endocrine disruption, global warming potential) are expected from this component.

SECTION 13: Disposal considerations

Disposal of the product

Collect and reclaim or dispose in sealed containers at licensed waste disposal site.

Safety Data Sheet

NAPCO 214

Disposal of contaminated packaging

Empty containers should be taken to an approved waste handling site for recycling or disposal. Since emptied containers may retain product residue, follow label warnings even after container is emptied.

Waste treatment

Dispose of in accordance with local regulations.

Sewage disposal

Do not allow.

Other disposal recommendations

Dispose of contents/container in accordance with local/regional/national/international regulations.

SECTION 14: Transport information

DOT (US)

Not dangerous goods

IMDG

Not dangerous goods

IATA

Not dangerous goods

SECTION 15: Regulatory information

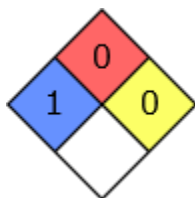
15.2 Chemical Safety Assessment

This product is not known to be a "Hazardous Chemical" as defined by the OSHA Hazard Communication Standard, 29 CFR 1910.1200.

HMIS Rating

NAPCO 214	
HEALTH	1
FLAMMABILITY	0
PHYSICAL HAZARD	0
PERSONAL PROTECTION	

NFPA Rating



SECTION 16: Other information

16.1 Further information/disclaimer

The information contained herein is accurate to the best of our knowledge. However, data, safety standards and government regulations are subject to change and, therefore, holders and users should satisfy themselves that they are aware of all current data and regulations relevant to their particular use of product. NAPCO CHEMICAL COMPANY, INC. DISCLAIMS ALL LIABILITY FOR RELIANCE ON THE COMPLETENESS OR ACCURACY OR

Safety Data Sheet
NAPCO 214

THE INFORMATION INCLUDED HEREIN. NAPCO CHEMICAL COMPANY, INC. MAKES NO WARRANTY, EITHER EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTIES OF MERCHANTABILITY OR FITNESS FOR PARTICULAR USE OR PURPOSE OF THE PRODUCT DESCRIBED HEREIN. All conditions relating to storage, handling, and use of the product are beyond the control of NAPCO Chemical Company, Inc., and shall be the sole responsibility of the holder or user of the product.

Sole Source Letter

11-1-18

To whom it may concern,

Please accept this letter as confirmation of Napco Chemical Company, a small business entity and a sole source provider of Napco 214. Napco Chemical Products are proprietary and there are currently no direct competitors for our specific products. Napco 214 was specifically blended for the City of Hutto wells. Napco 214 is an aggressive corrosion inhibitor and sequestrant which is an ideal product for the amount of iron, manganese, and corrosiveness currently exhibited in the water of the City of Hutto. Please feel free to call if you have any questions.

Best Regards,

Lance Roach

Regional Manager

Napco Chemical Company.

512-484-1540

ATTACHMENT B



CERTIFICATION OF EMERGENCY PURCHASE FORM

Section 252.022 of the Texas statutes provides exemptions to the bidding laws for emergencies as follows:

(A)(1). A procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of the municipality.

(A)(2). A procurement necessary to preserve or protect the public health or safety of the municipality's residents.

(A)(3). A procurement necessary because of unforeseen damage to public machinery, equipment or other property.

Complete the section below and forward to Procurement Division no later than next business day.

Purchase involved was necessary because of (A)(1) ☐ (A)(2) ☒ (A)(3) ☐
(indicate one by placing an 'X' in the box)

Description/Justification of Emergency:

PURCHASE OF CHEMICALS TO TREAT WATER AT SHILOH

Emergency Dollar Amount: \$ 88,000.00

MD Hossain, Director of Engineering and Public Works

Name/Title of official responsible for initiating emergency action.

04/05/2019

Date:

Signature of Managing Director:

4/5/2019

Date

Required for any dollar amount

Dollar Level Authority Signature

4/5/19

Date

(if necessary per Directive 1, Authorization of Expenditures)

Purchasing Use Only

Date Received: 4/8/19

PO Number: 19-0070

Director/Buyer Signature: Arshon Kay

\$ 88,000.00

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 10D.

AGENDA DATE: April 18, 2019

PRESENTED BY: Tony Host, Executive Director Community Services

ITEM:

Consideration and possible action on a resolution authorizing the Creekside Park Improvements, Task Order #4, related to the Proposition C Bond park projects. (Tony Host)

**STRATEGIC GUIDE
POLICY:**

Quality of Life & Services

ITEM BACKGROUND:

In November 2018 the citizens of Hutto overwhelmingly approved the three Propositions put before them in the bond election. One of those propositions was Proposition C pertaining to parks and recreation. Staff has selected We Build Fun to execute a project associated with that proposition. This is a task order for improvements to Creekside Park that have been recommended by the Parks Advisory Board, Parks Committee, and City Council.

BUDGETARY AND FINANCIAL SUMMARY:

This item will expend \$110,000.00 from the budgeted line item 60-060-175-6621 Prop C Funds.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

This project is in line with the projects outlined by the Parks Committee, Parks and Recreation Advisory Board, and City Council.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Staff recommends the award of the agreement.

SUPPORTING MATERIAL:

1. resolution
2. Construction Quote

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

RESOLUTION NO. R-

**A RESOLUTION REGARDING THE PURCHASE AND INSTALLATION OF
PLAY GROUND EQUIPMENT WITH MISCELLANEOUS SITE
IMPROVEMENTS FOR THE CITY OF HUTTO, TEXAS IN THE AMOUNT OF
\$110,000.00.**

WHEREAS, the City of Hutto desires to enter into an agreement with WE Build Fun for the purchase, and installation of parks equipment

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
HUTTO, TEXAS:**

Section 1: That the City will enter into a purchase and installation agreement with WE Build Fun for the purchase of Parks equipment.

Section 2: That the City Manager or his designee is hereby authorized and directed to issue on behalf of the City of Hutto a purchase order to We Build Fun not to exceed \$110,000.00

CONSIDERED and RESOLVED by the City Council of the City of Hutto on this the **18th** day of **April, 2019.**

THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTESTED:

Lisa L. Brown, City Secretary



PO BOX 29
Allen, TX 75013
Phone: 972-727-0653
Fax: 972-396-4994

Customer Information:

Shane Mize
Director of Parks & Recreation
City of Hutto, TX

Date: 4/11/2019

Est. Delivery: Consultant:
2-4 weeks Josh Bailey

Buy Board Contract # 512-16 / Buy Board Vendor ID -2904

Updated 4-11-19

ITEM	QTY	DESCRIPTION	EACH	TOTAL
The City of Hutto Creekside Park -Option #3 Quick Mobilization				
Demo	1	Demo of the existing playground equipment, timbers, surfacing and desired site furniture at the existing site. The price does not include breakup or removing any concrete pads that housed picnic tables etc. That work is an extra charge. * Haul off included	\$3,000.00	\$3,000.00
Demo	1	Demo of both shade structures * We'll cut the footing 1 ft. below the surface and cover back up with dirt. This price does not cover taking the entire footing out * Haul off included	\$4,500.00	\$4,500.00
Site Improvements	1	Miscellaneous site improvements. This covers items such as: * Sidewalk additions * Limits of construction fence * Site grading and fill materials * Fine grading and seeding	\$10,986.90	\$10,986.90
43565696121	1	Miracle Recreation equipment per drawing 43565696121 * This is the structure from site option #3 from a few weeks ago * Equipment shown in a 25 ft. radius circle * New timber border included with Miracle ADA ramp * This structure is in our yard in Allen and we can mobilize very quick!! * Berliner Spaceball L is quoted below	\$40,342.00	\$40,342.00
Discount	1	Discount applied for the Miracle equipment		-\$8,088.00
Shipping	1	Freight for the Miracle equipment quoted above	\$1,646.00	\$1,646.00
Install	1	Installation of the Miracle equipment quoted above	\$14,120.00	\$14,120.00
Berliner 2809	1	Berliner Spaceball L Quickship # 2809 Colors: Pine green tube frame, lime green connector balls and lime green ropes * Equipment shown in a 16 ft. radius circle * New timber border included with Miracle ADA ramp	\$26,554.00	\$26,554.00
Discount	1	Discount applied for Berliner Spaceball L		-\$1,062.00
Shipping	1	Freight for the Berliner Spaceball L	\$1,330.00	\$1,330.00
Install	1	Installation of the Berliner Spaceball L	\$10,625.00	\$10,625.00
Surfacing	2767	Materials & install - 12 inch compacted depth of engineered wood fiber over geotextile fabric - 2,767 square ft. Miracle Area - 1,963 square ft. Berliner Area - 804 square ft.	\$2.30	\$6,364.10

Discount	1	Discount applied to the ewf	- \$318.00
		Total	<u>\$110,000.00</u>

****Notes****

- * No metal construction fence is included in our quote
- * Price assumes all site work done by "other" unless noted above
- * Price assumes all drainage away from the play area by "other" unless noted above
- * Price assumes border by "other" unless noted above
- * No site restoration is included in this quote i.e. grass seeding

Thank you for the opportunity to provide this quote!
If tax exempt, please provide tax exemption certificate

Josh Bailey

Prepared By:

Approved by:

- * In the event rock is encountered, charges may be assessed.
- * It is the responsibility of the owner to obtain permits (unless specified above).
- * It is the responsibility of the owner to locate all underground utility lines. Webuildfun will assist with this by requesting a line locate from Dig Test, at the owner's request.
- * webuildfun, inc. Will make every reasonable effort to respect all marked utility lines, and will repair damage webuildfun, inc. causes to
- * webuildfun, inc. will not be responsible for damage to unmarked utilities
- * Re-establishment of disturbed grass areas is not included in this quote and if necessary, is to be provided by owner
- * Prices are guaranteed for 30 days from date listed on quote.

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 10E.

AGENDA DATE: April 18, 2019

PRESENTED BY: Ashley Lumpkin, AICP, Executive Director of Infrastructure & Development Services

ITEM:

Consideration and possible action on the second and final reading of an ordinance regarding the proposed annexation of the HISD Tract, 100.0 acres, more or less, of land located on the east side of FM 1660 North. (Ashley Lumpkin)

**STRATEGIC GUIDE
POLICY:**

Well Balanced & Diversified Economy

ITEM BACKGROUND:

A Municipal Service Plan (MSP) has been drafted per the Council's directive from their regularly scheduled meeting on March 21, 2019.

Upon completion of the second and final reading of the annexation ordinance, the annexation process is complete. An annexation ordinance requires a second reading prior to final approval.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

The City Attorney has approved the process as to form.

STAFF RECOMMENDATION:

Staff recommends that the Council approve the second and final reading of the ordinance.

SUPPORTING MATERIAL:

1. Ordinance

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

ORDINANCE NO.

AN ORDINANCE ANNEXING CERTAIN HEREINAFTER DESCRIBED ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF HUTTO, TEXAS, TO WIT: 100.0 ACRES, MORE OR LESS, OF LAND, DESCRIBED IN EXHIBIT "A", ALL OF SAID PROPERTY BEING SITUATED IN WILLIAMSON COUNTY, TEXAS, AND ALL ADJACENT ROADWAYS BEING FOR ANNEXATION; EXTENDING THE BOUNDARY LIMITS OF HUTTO SO AS TO INCLUDE SAID PROPERTY WITHIN HUTTO'S CITY LIMITS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH PROPERTY SHALL BECOME A PART OF THE CITY OF HUTTO AND THAT THE OWNERS AND INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY NOW IN EFFECT AND THOSE WHICH ARE HEREINAFTER ADOPTED; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City of Hutto, Texas (the "City") is a duly constituted home-rule municipality and, as such, is authorized to annex territory, subject to the laws of the State of Texas and subject to its Charter, and;

WHEREAS, pursuant to Section 43.028 of the Texas Local Government Code, the owners of a tract of land containing 100.0 acres, more or less, of land, situated in the John Dykes Survey, Abstract No. 186, in Williamson County, Texas (the "Property"), said Property being situated in Williamson County, Texas, and being more particularly described in **Exhibit "A"** attached hereto and made part hereof by reference for all purposes, have petitioned the City Council in writing to annex the Property, and;

WHEREAS, the procedures prescribed by the Charter of the City of Hutto and the applicable laws of the State of Texas have been duly followed with respect to the Property, and;

WHEREAS, the City Council of the City of Hutto by resolution directed the City's Development Services Director to prepare a service plan that provided for the extension of full municipal services to the Property, and such service plan was duly prepared and described in **Exhibit "B"** attached hereto and made part hereof by reference for all purposes, and;

WHEREAS, such Property is (a) one-half mile or less in width; (b) contiguous to the City; and (c) vacant and without residents or on which fewer than three (3) qualified voters reside, and;

WHEREAS, after considering the public testimony received at each hearing, the City Council of the City of Hutto determines that annexation of the Property is proper in all respects and that such action is in the best interests of the community and its citizens, and;

WHEREAS, and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, concerning public notices, hearings, and other procedural matters has been fully complied with, and;

WHEREAS, the City Council of the City of Hutto determines that the Property for annexation which is more fully described in **Exhibit “A”** should become annexed.

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

SECTION I.

That all of the above recitations are found to be true and correct and are incorporated into the body of this ordinance.

SECTION II.

That the Property described in the attached **Exhibit “A”**, together with adjacent roadways, be and is hereby annexed and brought within the corporate city limits of the City of Hutto, Texas, and same is hereby made an integral part hereof; and that the boundary limits of the City of Hutto be the same are hereby extended to include the above described territory within the city limits of the City of Hutto, and the same shall hereinafter be included within the territorial limits of the City of Hutto, Texas and designated as SF-1 (Single Family Residential) Zoning District.

SECTION III.

That the owners and present and future inhabitants of the area herein annexed be entitled to all rights and privileges of other citizens and property owners of the City of Hutto, and hereby bound by all acts, ordinances, resolutions and regulations of the City, and all other legal actions now in full force and effect and all those which may be hereafter adopted.

SECTION IV.

That the appropriate city official of the City of Hutto is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official maps and boundaries of the City of Hutto, heretofore adopted and amended, so as to include the aforementioned territory hereby annexed, be and are hereby amended as part of the City of Hutto, Texas, as required by law.

SECTION V.

That the Service Plan providing for extension of municipal services to the areas proposed to be annexed, attached hereto and incorporated herein as **Exhibit “B”**, is hereby approved.

SECTION VI.

That the City Secretary is hereby directed and authorized to file a certified copy of this ordinance in the Office of the County Clerk of Williamson County, Texas.

SECTION VII.

If any section, subsection, sentence, phrase, or word of this ordinance be found to be illegal, invalid or unconstitutional or if any portion of said Property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this ordinance or the application of any other section, sentence, phrase or provision of any other ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this ordinance and would have annexed the valid Property without the invalid part, and to this end the provisions of this ordinance are declared to be severable.

SECTION VIII.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are hereby expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. That City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject matter thereof were discussed, considered, and formerly acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

SECTION IX.

This ordinance shall take effect and be in force from and after its passage.

READ and APPROVED on first reading on this the **4th** day of **April, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

READ, PASSED and ADOPTED on second reading of ordinance this **18th** day of **April, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lisa L. Brown, City Secretary

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 10F.

AGENDA DATE: April 18, 2019

PRESENTED BY: Ashley Lumpkin, AICP, Executive Director of Infrastructure & Development Services

ITEM:

Consideration and possible action on a resolution approving the proposed Hutto Crossing Phase 4 Revised Preliminary Plat, 24.24 acres, more or less, of land, 87 residential lots, 7 open space lots, located at the southwest corner of Chris Kelley Boulevard and US 79 West. (Ashley Lumpkin)

**STRATEGIC GUIDE
POLICY:**

Well Balanced & Diversified Economy

ITEM BACKGROUND:

The proposed Hutto Crossing Phase 4, Revised Preliminary Plat is located south of the southwest intersection of Knowles Drive and Chris Kelley Boulevard (FM 685). The Revised Preliminary Plat is 24.242 acres and will provide another 87 residential lots for development.

The proposed subdivision is part of the Hutto Crossing Planned Unit Development. In addition to the single family residential lots, this phase of Hutto Crossing will include 7 open space lots and 2.61 acres of right-of-way.

RESIDENTIAL LOTS

Block	Original # of Lots	Revised # of Lots	Original Acreage	Revised Acreage
F	32	21	4.45	3.72
G	39	12	6.04	2.35
I	23	20	3.57	3.15
M	30	34	4.42	7.99

Total	124	87	18.48	17.21
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OPEN SPACE LOTS

Block	Original # of Lots	Revised # of Lots	Original Acreage	Revised Acreage
F	2	1	0.81	0.57
G	1	1	0.07	0.51
I	1	1	0.07	0.72
M	1	4	0.07	0.81
Total	5	7	1.02	2.61

There are also 4.43 acres of right-of-way in this revision.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

The Planning and Zoning Commission recommended approval to City Council on April 8, 2019.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

This plat has been reviewed and all City comments have been addressed. The proposed Revised Preliminary Plat is in compliance with the applicable subdivision regulations and in conformance with the PUD. As the Planning and Zoning Commission recommended approval unanimously, and all comments are addressed, staff recommends the City Council approve the proposed Revised Preliminary Plat.

SUPPORTING MATERIAL:

1. Resolution - Hutto Crossing Phase 4 Crossing Revised Preliminary Plat

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

RESOLUTION NO.

**A RESOLUTION APPROVING THE PLAT KNOWN AS
“HUTTO CROSSING PHASE 4 REVISED
PRELIMINARY PLAT”; IN THE CITY OF HUTTO,
WILLIAMSON COUNTY, TEXAS.**

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the Planning and Zoning Commission to take action to recommend to the City Council whether or not to approve or disapprove a subdivision plat within thirty (30) days of the date an application is accepted, and;

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the City Council take action to approve or disapprove a subdivision plat within thirty (30) days of the date of presentation at Planning and Zoning Commission, and;

WHEREAS, the Development Services Department and the City Engineer have reviewed the above referenced plat for compliance with statute and engineering standards, and;

WHEREAS, if City Council fails to take action on this plat within the prescribed thirty (30) day period, the plat is granted statutory approval,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

that the Hutto City Council hereby approves the resolution for the plat known as “Hutto Crossing Phase 4 Revised Preliminary Plat”, a copy of same being attached hereto as “Exhibit A” and incorporated herein for all purposes.

CONSIDERED and RESOLVED on this the **18th** day of the month **April 2019**.

THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lisa L. Brown, City Secretary

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 10G.

AGENDA DATE: April 18, 2019

PRESENTED BY: Ashley Lumpkin, AICP, Executive Director of Infrastructure & Development Services

ITEM:

Consideration and possible action on a resolution approving the proposed Hutto Crossing Phase 4 Section 10 Final Plat, 24.242 acres, more or less, of land, 87 residential lots, located at Knowles Drive and Duroc Drive. (Ashley Lumpkin)

**STRATEGIC GUIDE
POLICY:**

Well Balanced & Diversified Economy

ITEM BACKGROUND:

The proposed Hutto Crossing Phase 4, Section 10 Final Plat is located south of the southwest intersection of Knowles Drive and Duroc Drive. The Final Plat is 24.242 acres and will provide another 87 residential lots for development.

The proposed subdivision is part of the Hutto Crossing Planned Unit Development. In addition to the single family residential lots, this phase of Hutto Crossing will include 7 open space lots and 4.430 acres of right-of-way.

Comments from all departments have been addressed.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

The Planning and Zoning Commission recommended approval to City Council on April 8, 2019.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

This plat has been reviewed and all City comments have been addressed. The proposed Final Plat is in compliance with the applicable subdivision regulations and in conformance with the PUD.

As the Planning and Zoning Commission recommended approval unanimously and all comments are addressed, staff recommends that the City Council approve the proposed Final Plat.

SUPPORTING MATERIAL:

1. Resolution - Hutto Crossing Phase 4 Section 10 Final Plat

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

RESOLUTION NO.

A RESOLUTION APPROVING THE PLAT KNOWN AS "HUTTO CROSSING PHASE 4 SECTION 10 FINAL PLAT"; IN THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS.

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the Planning and Zoning Commission to take action to recommend to the City Council whether or not to approve or disapprove a subdivision plat within thirty (30) days of the date an application is accepted, and;

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the City Council take action to approve or disapprove a subdivision plat within thirty (30) days of the date of presentation at Planning and Zoning Commission, and;

WHEREAS, the Development Services Department and the City Engineer have reviewed the above referenced plat for compliance with statute and engineering standards, and;

WHEREAS, if City Council fails to take action on this plat within the prescribed thirty (30) day period, the plat is granted statutory approval, Now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

that the Hutto City Council hereby approves the resolution for the plat known as "Hutto Crossing Phase 4 Section 10 Final Plat", a copy of same being attached hereto as "Exhibit A" and incorporated herein for all purposes.

CONSIDERED and RESOLVED on this the **18th** day of the month **April, 2019**.

THE CITY OF HUTTO, TEXAS

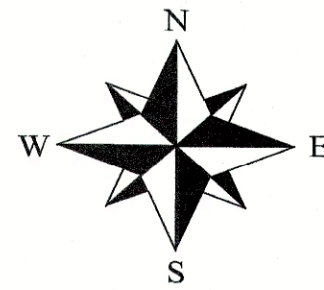
Doug Gaul, Mayor

ATTEST:

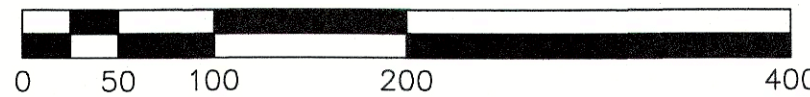
Lisa L. Brown, City Secretary

FINAL PLAT OF
HUTTO CROSSING PHASE 4, SECTION 10

Received 2/19/19



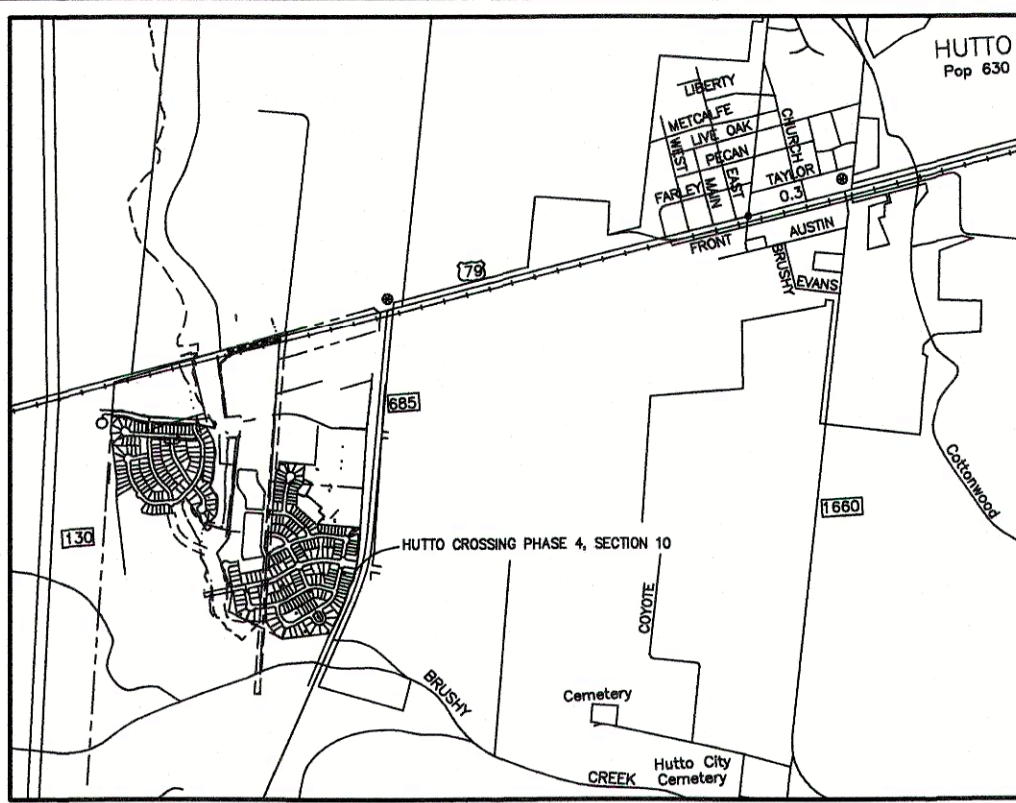
BEARING BASIS: TEXAS CENTRAL ZONE,
STATE PLANE COORDINATES (NAD 83)



SCALE: 1"=100'

LEGEND:

●	= IRON ROD WITH "CAPITAL SURVEYING" CAP FOUND
3/4"	= 3/4" IRON ROD FOUND
⊙	= TxDOT TYPE 2 MONUMENT FOUND
○	= IRON ROD WITH G&R CAP SET
Ⓢ	= BLOCK NAME
PUE	= PUBLIC UTILITY EASEMENT
PAE	= PEDESTRIAN ACCESS EASEMENT
HOA	= HOMEOWNER'S ASSOCIATION
LSE	= LIFTSTATION EASEMENT
SLE	= SIGHT LINE EASEMENT
WW	= WASTEWATER EASEMENT
DE	= DRAINAGE EASEMENT
LS	= LANDSCAPE LOT



LOCATION MAP
SCALE: 1"=2000'

OWNER:
HUTTO OPTION MEZZ HOLDINGS, LLC
10100 SANTA MONICA BLVD., SUITE 1000
LOS ANGELES, CA 90067

SURVEYOR:
G&R SURVEYING, LLC
1805 OUIDA DRIVE
AUSTIN, TEXAS 78728

ENGINEER:
MURFEE ENGINEERING COMPANY
1101 CAPITAL OF TEXAS HIGHWAY SOUTH
BUILDING D
AUSTIN, TEXAS 78746

SUBMITTAL DATE: _____
TOTAL AREA OF THIS PLAT: 24.242 ACRES
TOTAL NUMBER OF LOTS: 94
RESIDENTIAL: 87
NON-RESIDENTIAL: 7

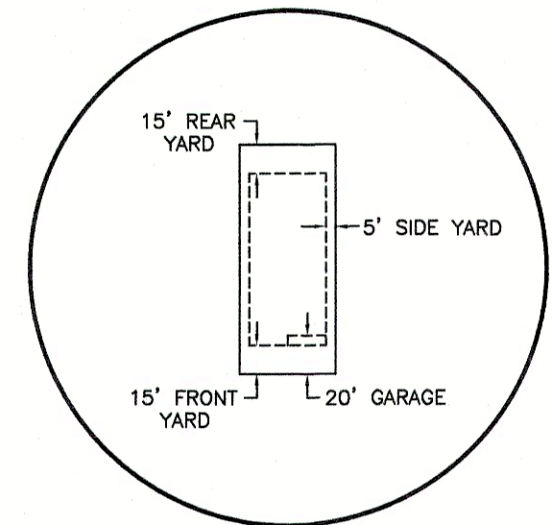
LINEAR FEET OF NEW STREETS:
HAMPSHIRE DRIVE: 1411 LF
DUROC DRIVE: 1440 LF
ANGORA LOOP: 427 LF
QUARRYMAN DRIVE: 263 LF
TOTAL: 3541 LF

AREA OF NEW STREETS:
HAMPSHIRE DRIVE: 1.753 AC.
DUROC DRIVE: 1.763 AC.
ANGORA LOOP: 0.626 AC.
QUARRYMAN DRIVE: 0.288 AC.
TOTAL: 4.430 AC.

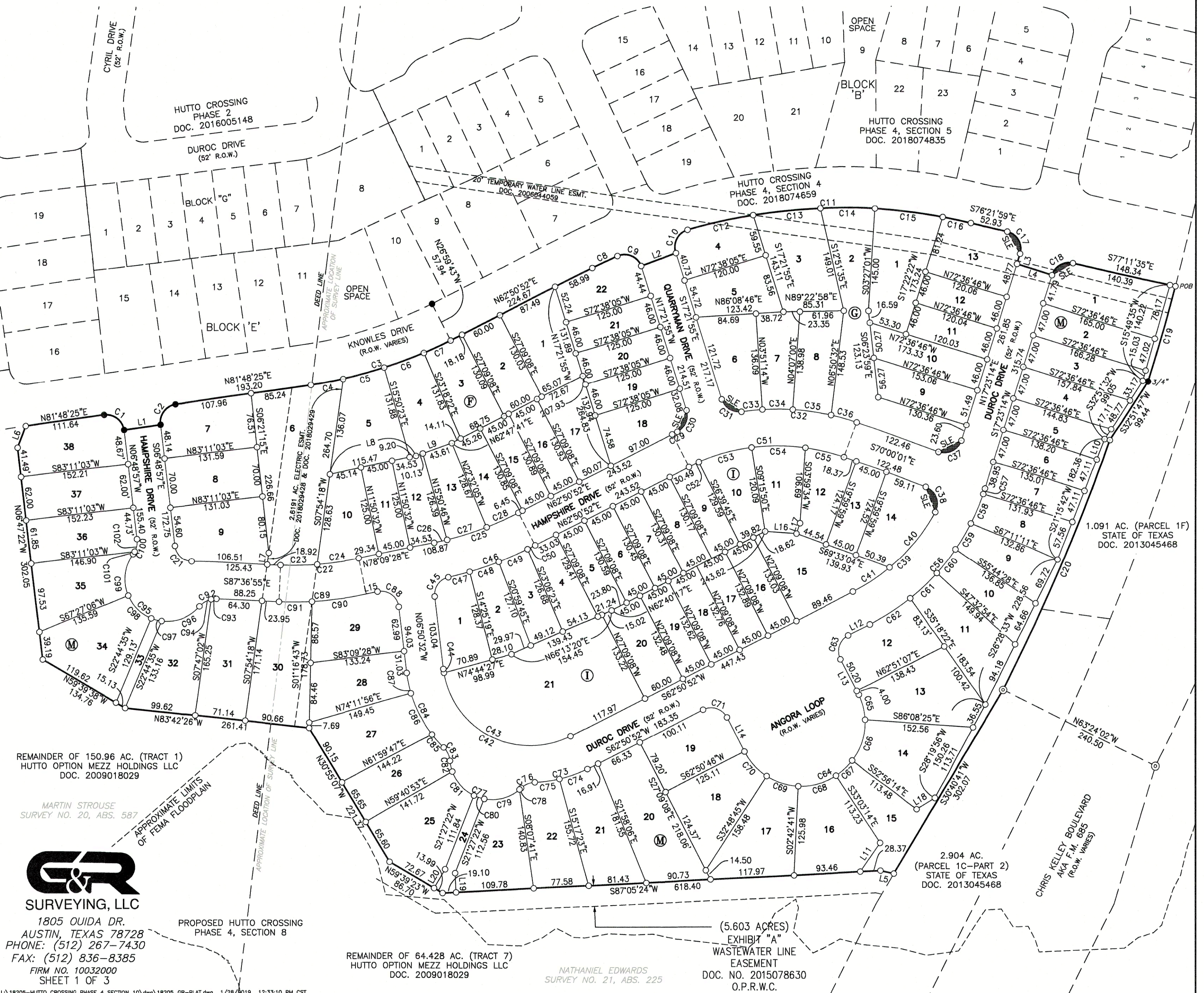
BENCHMARK INFORMATION:

SQUARE CUT IN CONCRETE ENCASEMENT OF
WASTEWATER MANHOLE, 86 FEET SOUTHWEST
OF THE SOUTHWEST CORNER OF LOT 1,
BLOCK "F", HUTTO CROSSING PHASE 2.

ELEVATION = 627.61'



TYPICAL SETBACKS DETAIL
N.T.S.



REMAINDER OF 150.96 AC. (TRACT 1)
HUTTO OPTION MEZZ HOLDINGS LLC
DOC. 2009018029

MARTIN STROUSE
SURVEY NO. 20, ABS. 587

G&R
SURVEYING, LLC

1805 OUIDA DR.
AUSTIN, TEXAS 78728
PHONE: (512) 267-7430
FAX: (512) 836-8385
FIRM NO. 10032000
SHEET 1 OF 3

PROPOSED HUTTO CROSSING
PHASE 4, SECTION 8

REMAINDER OF 64.428 AC. (TRACT 7)
HUTTO OPTION MEZZ HOLDINGS LLC
DOC. 2009018029

NATHANIEL EDWARDS
SURVEY NO. 21, ABS. 225

(5.603 ACRES)
EXHIBIT "A"
WASTEWATER LINE
EASEMENT
DOC. NO. 2015078630
O.P.R.W.C.

2.904 AC.
(PARCEL 1C-PART 2)
STATE OF TEXAS
DOC. 2013045468

CHRIS KELLEY BOULEVARD
4K4 F.M. 685
(R.O.W. VARIES)

FINAL PLAT OF
HUTTO CROSSING PHASE 4, SECTION 10

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

THE COUNTY OF WILLIAMSON

THAT HUTTO OPTION MEZZ HOLDINGS LLC, OWNER OF THAT CERTAIN 24.247 ACRE TRACT OF LAND SHOWN HEREON, BEING A PORTION OF THAT 150.96 ACRE TRACT, DESCRIBED AS TRACT 1 CONVEYED TO HUTTO OPTION MEZZ HOLDINGS, LLC BY DEED RECORDED IN DOCUMENT NO. 2009018029 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, DO HEREBY SUBDIVIDE SAID 24.247 ACRE TRACT, IN ACCORDANCE WITH CHAPTER 212 OF THE TEXAS LOCAL GOVERNANCE CODE. THIS SUBDIVISION IS TO BE KNOWN AS

HUTTO CROSSING PHASE 4, SECTION 10

AND DOES HEREBY DEDICATE TO THE PUBLIC USE ALL STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND THIS THE 20 DAY OF February, 2019 A.D.

AARON A GIOVARA, OWNER
HUTTO OPTION MEZZ HOLDING, LLC
1010 SANTA MONICA BLVD., SUITE 1000
LOS ANGELES, CA 90067

THE STATE OF CALIFORNIA

THE COUNTY OF SAN FRANCISCO

ON FEBRUARY 20th, 2019 BEFORE ME, ODD SAPPRASERT O'BRIEN, PERSONALLY APPEARED AARON A. GIOVARA, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY AND THAT BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND THIS THE 20th DAY OF FEBRUARY, 2019 A.D. AND OFFICIAL SEAL.

SIGNATURE Odd Sapprasert O'Brien
SIGNATURE OF NOTARY PUBLIC

ODD SAPPRASERT O'BRIEN

PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES ON 12/23/2021



PLAT NOTES:

1. NO BUILDING, FENCING LANDSCAPING OR STRUCTURES ARE ALLOWED WITHIN ANY DRAINAGE EASEMENT UNLESS EXPRESSLY PERMITTED BY THE CITY OF HUTTO.
2. BUILDING SETBACKS SHALL CONFORM TO PUD REQUIREMENTS AS AMENDED JULY 19, 2018.
3. A FIVE (5') FOOT PUBLIC UTILITY EASEMENT (PUE) IS HEREBY DEDICATED ON EACH SIDE OF ALL REAR LOT LINES.
4. A TEN (10') FOOT PUBLIC UTILITY EASEMENT (PUE) IS HEREBY DEDICATED ALONG AND ADJACENT TO ALL STREET SIDE PROPERTY LINES.
5. NO RESIDENTIAL LOT IN THE SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTION IS MADE TO PUBLIC WATER AND WASTEWATER UTILITIES.
6. STREET LIGHTING SHALL BE PROVIDED BY DEVELOPER IN CONFORMANCE WITH THE PUD REQUIREMENTS.
7. SIDEWALKS SHALL BE PROVIDED ON BOTH SIDES OF ALL STREETS WITHIN AND ABOUNDING THE SUBDIVISION.
8. ALL LOTS IN THIS SUBDIVISION ARE RESTRICTED TO SINGLE-FAMILY USES UNLESS OTHERWISE INDICATED.
9. NO PORTION OF THIS TRACT IS ENCROACHED BY SPECIAL FLOOD HAZARD AREAS INUNDATED BY THE 1% ANNUAL CHANCE FLOODPLAIN AS IDENTIFIED BY THE U.S. FEDERAL EMERGENCY MANAGEMENT AGENCY BOUNDARY MAP (FLOOD INSURANCE RATE MAP) COMMUNITY PANEL NUMBER 48491C0515E, EFFECTIVE DATE SEPTEMBER 26, 2008, FOR WILLIAMSON COUNTY, TEXAS.
10. WATER AND WASTEWATER WILL BE AVAILABLE THROUGH THE CITY OF HUTTO AFTER THE APPROPRIATE WATER AND WASTEWATER SYSTEMS ARE INSTALLED TO THE SITE. THE CITY OF HUTTO ASSUMES NO OBLIGATIONS FOR INSTALLING ANY WATER AND WASTEWATER IMPROVEMENTS REQUIRED TO SERVE THIS SITE.
11. UTILITY PROVIDERS FOR THIS DEVELOPMENT ARE: WATER: CITY OF HUTTO; WASTEWATER: CITY OF HUTTO; ELECTRIC: ONCOR ENERGY.
12. IN ORDER TO PROMOTE DRAINAGE AWAY FROM STRUCTURE, THE SLAB ELEVATIONS SHOULD BE BUILT AT LEAST ONE FOOT ABOVE SURROUNDING GROUND, AND THE GROUND SHOULD BE GRADED AWAY FROM THE STRUCTURE AT A SLOPE OF AT LEAST ONE-HALF INCH PER FOOT FOR A DISTANCE OF AT LEAST TEN FEET.
13. THE MAXIMUM IMPERVIOUS COVERAGE IS AS DEFINED BY THE UDC 2018, AS AMENDED AND PUD AGREEMENT AS AMENDED JULY 19, 2018.
14. DEVELOPMENT OF THE SUBDIVISION CONFORMS WITH THE CONCLUSIONS OF "DETERMINATION OF THE HYDROLOGIC IMPACT OF PROPOSED HUTTO CROSSING DEVELOPMENT USING UPPER BRUSHY CREEK WCD WATERSHED MODEL". DATED NOVEMBER 10, 2013 AND ADDENDUM DATED JANUARY 16, 2014.
15. CITY OF HUTTO ASSUMES NO RESPONSIBILITY FOR INSTALLING ANY WATER AND WASTEWATER IMPROVEMENTS TO SERVE THIS SITE.
16. STREET TREES ARE REQUIRED IN ACCORDANCE WITH SECTION 4.9.5 OF THE PUD AGREEMENT AND SHALL BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION.
17. ALL SUBDIVISION CONSTRUCTION SHALL CONFORM TO THE HUTTO CROSSING PLANNED UNIT DEVELOPMENT (PUD) PLAN, CITY OF HUTTO CONSTRUCTION STANDARDS AND GENERALLY ACCEPTED ENGINEERING PRACTICES.
18. ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS OR HERS ASSIGNS.
19. LOT 6, BLOCK "F", LOT 2, BLOCK "G", LOT 21, BLOCK "I" AND LOTS 15, 24, 30 AND 33, BLOCK "M" ARE RESTRICTED TO GREENBELT, OPEN SPACE OR PRIVATE PARKLAND. ADDITIONALLY, THESE LOTS ARE DESIGNATED AS DRAINAGE, PUBLIC UTILITY AND ACCESS EASEMENTS. THESE LOTS WILL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
20. THE GREEN SPACE IN ANGORA LOOP WILL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.

CITY DEVELOPMENT SERVICES:

THIS SUBDIVISION IS LOCATED WITHIN THE CITY LIMITS OF THE CITY OF HUTTO, THIS THE _____ DAY OF _____, 20____ A.D.

ASHLEY LUMPKIN, AICP, EXECUTIVE DIRECTOR DATE

APPROVAL:

CITY OF HUTTO:

THIS PLAT WAS APPROVED FOR RECORDING BY THE HUTTO CITY COUNCIL ON THE _____ DAY OF _____, 20____ A.D.

DOUG GAUL, MAYOR DATE

LISA L. BROWN, CITY SECRETARY DATE

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

I, NANCY E. RISTER, CLERK OF THE COUNTY COURT OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING, WITH ITS CERTIFICATE WAS FILED FOR RECORD IN

MY OFFICE ON THE _____ DAY OF _____, 2019 A.D., AT _____ O'CLOCK ____M., AND

DULY RECORDED ON THE _____ DAY OF _____, 2019 A.D., AT _____ O'CLOCK ____M., IN

THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY IN DOCUMENT NO. _____.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT THE COUNTY COURT OF SAID COUNTY, AT MY OFFICE IN GEORGETOWN, TEXAS THE DATE LAST SHOWN ABOVE WRITTEN.

NANCY E. RISTER, CLERK COUNTY COURT
OF WILLIAMSON COUNTY, TEXAS

BY: _____, DEPUTY

DESCRIPTION OF 24.242 ACRES OF LAND SITUATED IN WILLIAMSON COUNTY, TEXAS, OUT OF THE MARTIN STROUSE SURVEY NO. 20, ABSTRACT NO. 587, AND THE NATHANIEL EDWARDS SURVEY NO. 21, ABSTRACT NO. 225, AND BEING PORTIONS OF 150.96 ACRES DESCRIBED AS TRACT 1, 64.428 ACRES DESCRIBED AS TRACT 7, AND 6.000 ACRES DESCRIBED AS TRACT 8, ALL CONVEYED TO HUTTO OPTION MEZZ HOLDINGS, LLC, AS DESCRIBED IN DOCUMENT NO. 2009018029, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 24.242 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON ROD WITH G&R CAP SET IN THE CURVING WESTERLY LINE OF CHRIS KELLEY BOULEVARD (R.O.W. VARIES), AKA F.M. 685, SAME BEING THE WESTERLY LINE OF A 1.091 ACRE TRACT (PARCEL 1F), DONATED TO THE STATE OF TEXAS BY SPECIAL WARRANTY DEED, RECORDED IN DOCUMENT NO. 2013045468, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AT THE SOUTHEASTERLY TERMINUS CORNER OF KNOWLES DRIVE (R.O.W. VARIES), DEDICATED BY HUTTO CROSSING PHASE 4, SECTION 4, A SUBDIVISION OF RECORD IN DOCUMENT NO. 2018074659, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, FOR THE NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE OVER AND ACROSS SAID TRACTS 8 AND 7, WITH THE WESTERLY LINE OF SAID CHRIS KELLEY BOULEVARD, SAME BEING THE WESTERLY LINES OF SAID 1.091 ACRE TRACT (PARCEL 1F) AND A 2.904 ACRE TRACT (PARCEL 1C-PART 2), DONATED TO THE STATE OF TEXAS BY SAID DEED, RECORDED IN DOCUMENT NO. 2013045468, THE FOLLOWING FOUR (4) COURSES:

1. ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 2900.00 FEET, AN ARC LENGTH OF 139.57 FEET AND A CHORD WHICH BEARS S15°58'14"W, A DISTANCE OF 139.56 FEET TO A 3/4" IRON ROD FOUND;
2. S32°51'47"W, A DISTANCE OF 99.44 FEET TO AN IRON ROD WITH G&R CAP SET AT THE POINT OF CURVATURE OF A CURVE TO THE RIGHT;
3. ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2875.00 FEET, AN ARC LENGTH OF 383.97 FEET AND A CHORD WHICH BEARS S23°05'07"W, A DISTANCE OF 383.69 FEET TO A TX DOT TYPE 2 MONUMENT FOUND AT THE END OF SAID CURVE;
4. S30°40'41"W, A DISTANCE OF 302.07 FEET TO AN IRON ROD WITH G&R CAP SET, FOR THE SOUTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE LEAVING THE WESTERLY LINE OF SAID CHRIS KELLEY BOULEVARD AND CONTINUING OVER AND ACROSS SAID TRACTS 7 AND 1, THE FOLLOWING EIGHT (8) COURSES:

1. N77°31'17"W, A DISTANCE OF 19.32 FEET TO AN IRON ROD WITH G&R CAP SET;
2. S87°05'24"W, A DISTANCE OF 618.40 FEET TO AN IRON ROD WITH G&R CAP SET, FOR THE SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;
3. N59°39'23"W, A DISTANCE OF 86.70 FEET TO AN IRON ROD WITH G&R CAP SET;
4. N30°55'07"W, A DISTANCE OF 221.37 FEET TO AN IRON ROD WITH G&R CAP SET;
5. N83°42'26"W, A DISTANCE OF 261.41 FEET TO AN IRON ROD WITH G&R CAP SET;
6. N59°39'38"W, A DISTANCE OF 134.76 FEET TO AN IRON ROD WITH G&R CAP SET;
7. N06°47'22"W, A DISTANCE OF 302.05 FEET TO AN IRON ROD WITH G&R CAP SET;
8. N20°34'41"E, A DISTANCE OF 32.63 FEET TO AN IRON ROD WITH G&R CAP SET AT THE SOUTHWESTERLY TERMINUS CORNER OF SAID KNOWLES DRIVE, FOR THE NORTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE CONTINUING OVER AND ACROSS SAID TRACTS 1 AND 7, WITH THE SOUTHERLY LINE OF SAID KNOWLES DRIVE, THE FOLLOWING EIGHTEEN (18) COURSES:

1. N81°48'25"E, A DISTANCE OF 111.64 FEET TO AN IRON ROD WITH "CAPITAL SURVEYING" CAP FOUND AT THE POINT OF CURVATURE OF A CURVE TO THE RIGHT;
2. ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.32 FEET AND A CHORD WHICH BEARS S53°04'22"E, A DISTANCE OF 35.39 FEET TO AN IRON ROD WITH "CAPITAL SURVEYING" CAP FOUND AT THE END OF SAID CURVE;
3. N81°54'57"E, A DISTANCE OF 52.01 FEET TO AN IRON ROD WITH "CAPITAL SURVEYING" CAP FOUND AT THE POINT OF CURVATURE OF A CURVE TO THE RIGHT;
4. ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.34 FEET AND A CHORD WHICH BEARS N36°29'21"E, A DISTANCE OF 35.41 FEET TO AN IRON ROD WITH "CAPITAL SURVEYING" CAP FOUND AT THE END OF SAID CURVE;
5. N81°48'25"E, A DISTANCE OF 193.20 FEET TO AN IRON ROD WITH G&R CAP SET AT THE POINT OF CURVATURE OF A CURVE TO THE LEFT;
6. ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 629.00 FEET, AN ARC LENGTH OF 208.13 FEET AND A CHORD WHICH BEARS N72°19'38"E, A DISTANCE OF 207.19 FEET TO AN IRON ROD WITH G&R CAP SET AT THE END OF SAID CURVE;
7. N62°50'52"E, A DISTANCE OF 224.67 FEET TO AN IRON ROD WITH G&R CAP SET AT THE POINT OF CURVATURE OF A CURVE TO THE RIGHT;
8. ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 771.00 FEET, AN ARC LENGTH OF 39.37 FEET AND A CHORD WHICH BEARS N64°18'38"E, A DISTANCE OF 39.36 FEET TO AN IRON ROD WITH G&R CAP SET AT THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT;
9. ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 40.94 FEET AND A CHORD WHICH BEARS S67°14'18"E, A DISTANCE OF 36.51 FEET TO AN IRON ROD WITH G&R CAP SET AT THE END OF SAID CURVE;
10. N69°42'30"E, A DISTANCE OF 52.07 FEET TO AN IRON ROD WITH G&R CAP SET AT THE POINT OF CURVATURE OF A CURVE TO THE RIGHT;
11. ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 40.95 FEET AND A CHORD WHICH BEARS N26°36'33"E, A DISTANCE OF 36.52 FEET TO AN IRON ROD WITH G&R CAP SET AT THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT;
12. ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 771.00 FEET, AN ARC LENGTH OF 403.97 FEET AND A CHORD WHICH BEARS N88°37'25"E, A DISTANCE OF 399.37 FEET TO AN IRON ROD WITH G&R CAP SET AT THE END OF SAID CURVE;
13. S76°21'59"E, A DISTANCE OF 52.93 FEET TO AN IRON ROD WITH G&R CAP SET AT THE POINT OF CURVATURE OF A CURVE TO THE RIGHT;
14. ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 40.49 FEET AND A CHORD WHICH BEARS S29°57'55"E, A DISTANCE OF 36.21 FEET TO AN IRON ROD WITH G&R CAP SET AT THE END OF SAID CURVE;
15. S16°21'17"W, A DISTANCE OF 15.12 FEET TO AN IRON ROD WITH G&R CAP SET;
16. S72°22'06"E, A DISTANCE OF 52.00 FEET TO AN IRON ROD WITH G&R CAP SET AT THE POINT OF CURVATURE OF A CURVE TO THE RIGHT;
17. ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 37.42 FEET AND A CHORD WHICH BEARS N59°45'22"E, A DISTANCE OF 34.02 FEET TO AN IRON ROD WITH G&R CAP SET AT THE END OF SAID CURVE;
18. S77°11'35"E, A DISTANCE OF 148.34 FEET TO THE POINT OF BEGINNING, HAVING AN AREA 24.242 ACRES OF LAND, MORE OR LESS.

STATE OF TEXAS:

COUNTY OF TRAVIS:

I, PHILLIP L. MCLAUGHLIN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY STATE THAT THIS PLAT CONFORMS WITH APPLICABLE ORDINANCES OF THE CITY OF HUTTO, TEXAS AND REPRESENTS AN ON-THE-GROUND SURVEY MADE UNDER MY SUPERVISION IN WHICH ALL CORNER MONUMENTS WERE RECOVERED OR SET IN THE POSITIONS INDICATED.

PHILLIP L. MCLAUGHLIN 01-28-19
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5300
STATE OF TEXAS



STATE OF TEXAS:

COUNTY OF WILLIAMSON:

NO PORTION OF THIS TRACT IS WITHIN THE 100 YEAR FLOODPLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 48491C0515E, EFFECTIVE DATE SEPTEMBER 26, 2008, FOR WILLIAMSON COUNTY, TEXAS.

I, KENNETH W. MARTIN, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING, AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE SUBDIVISION ORDINANCES AND STORM WATER DRAINAGE POLICY ADOPTED BY THE CITY OF HUTTO, TEXAS.

Kenneth W. Martin 1/28/2019
KENNETH W. MARTIN, P.E.
STATE OF TEXAS NO. 65971
1101 CAPITAL OF TEXAS HIGHWAY SOUTH
BUILDING D
512-327-9204

G&R
SURVEYING, LLC
1805 OUIDA DR.
AUSTIN, TEXAS 78728
PHONE: (512) 267-7430
FAX: (512) 836-8385
FIRM NO. 10032000
SHEET 2 OF 3

FINAL PLAT OF
HUTTO CROSSING PHASE 4, SECTION 10

PARCEL AREA			
PARCEL #	BLOCK #	AREA (AC.)	DESCRIPTION
1	F	0.228	SINGLE FAMILY
2	F	0.179	SINGLE FAMILY
3	F	0.193	SINGLE FAMILY
4	F	0.208	SINGLE FAMILY
5	F	0.261	SINGLE FAMILY
6	F	0.567	OPEN SPACE / LANDSCAPE
7	F	0.224	SINGLE FAMILY
8	F	0.211	SINGLE FAMILY
9	F	0.256	SINGLE FAMILY
10	F	0.192	SINGLE FAMILY
11	F	0.129	SINGLE FAMILY
12	F	0.141	SINGLE FAMILY
13	F	0.150	SINGLE FAMILY
14	F	0.151	SINGLE FAMILY
15	F	0.135	SINGLE FAMILY
16	F	0.135	SINGLE FAMILY
17	F	0.185	SINGLE FAMILY
18	F	0.181	SINGLE FAMILY
19	F	0.132	SINGLE FAMILY
20	F	0.132	SINGLE FAMILY
21	F	0.132	SINGLE FAMILY
22	F	0.175	SINGLE FAMILY
1	G	0.291	SINGLE FAMILY
2	G	0.505	OPEN SPACE / LANDSCAPE
3	G	0.298	SINGLE FAMILY
4	G	0.176	SINGLE FAMILY
5	G	0.190	SINGLE FAMILY
6	G	0.213	SINGLE FAMILY
7	G	0.165	SINGLE FAMILY
8	G	0.191	SINGLE FAMILY
9	G	0.168	SINGLE FAMILY
10	G	0.172	SINGLE FAMILY
11	G	0.127	SINGLE FAMILY
12	G	0.127	SINGLE FAMILY
13	G	0.234	SINGLE FAMILY
1	I	0.182	SINGLE FAMILY
2	I	0.149	SINGLE FAMILY
3	I	0.136	SINGLE FAMILY
4	I	0.146	SINGLE FAMILY
5	I	0.135	SINGLE FAMILY
6	I	0.135	SINGLE FAMILY
7	I	0.135	SINGLE FAMILY
8	I	0.135	SINGLE FAMILY
9	I	0.136	SINGLE FAMILY
10	I	0.168	SINGLE FAMILY
11	I	0.173	SINGLE FAMILY
12	I	0.164	SINGLE FAMILY
13	I	0.128	SINGLE FAMILY
14	I	0.208	SINGLE FAMILY
15	I	0.287	SINGLE FAMILY
16	I	0.137	SINGLE FAMILY
17	I	0.137	SINGLE FAMILY
18	I	0.137	SINGLE FAMILY
19	I	0.137	SINGLE FAMILY
20	I	0.182	SINGLE FAMILY
21	I	0.720	OPEN SPACE / LANDSCAPE
1	M	0.267	SINGLE FAMILY
2	M	0.179	SINGLE FAMILY
3	M	0.177	SINGLE FAMILY
4	M	0.163	SINGLE FAMILY
5	M	0.151	SINGLE FAMILY
6	M	0.147	SINGLE FAMILY
7	M	0.144	SINGLE FAMILY
8	M	0.155	SINGLE FAMILY
9	M	0.173	SINGLE FAMILY
10	M	0.174	SINGLE FAMILY
11	M	0.263	SINGLE FAMILY
12	M	0.230	SINGLE FAMILY
13	M	0.297	SINGLE FAMILY
14	M	0.302	SINGLE FAMILY
15	M	0.384	OPEN SPACE / LANDSCAPE
16	M	0.278	SINGLE FAMILY
17	M	0.278	SINGLE FAMILY
18	M	0.258	SINGLE FAMILY
19	M	0.224	SINGLE FAMILY
20	M	0.345	SINGLE FAMILY
21	M	0.263	SINGLE FAMILY
22	M	0.232	SINGLE FAMILY
23	M	0.256	SINGLE FAMILY
24	M	0.056	OPEN SPACE / LANDSCAPE
25	M	0.307	SINGLE FAMILY
26	M	0.211	SINGLE FAMILY
27	M	0.271	SINGLE FAMILY
28	M	0.230	SINGLE FAMILY
29	M	0.248	SINGLE FAMILY
30	M	0.322	OPEN SPACE / LANDSCAPE
31	M	0.276	SINGLE FAMILY
32	M	0.262	SINGLE FAMILY
33	M	0.045	OPEN SPACE / LANDSCAPE
34	M	0.310	SINGLE FAMILY
35	M	0.240	SINGLE FAMILY
36	M	0.215	SINGLE FAMILY
37	M	0.217	SINGLE FAMILY
38	M	0.243	SINGLE FAMILY

LINE TABLE		
NUMBER	DIRECTION	DISTANCE
L1	N81°54'57"E	52.01
L2	N69°42'30"E	52.07
L3	N16°21'17"E	15.12
L4	N72°22'06"W	52.00
L5	N77°31'17"W	19.32
L6	N20°34'41"E	32.63
L7	N07°54'18"E	16.71
L8	N78°09'28"E	124.67
L9	N69°52'36"E	53.74
L10	N21°15'42"E	30.58
L11	N34°17'30"E	49.21
L12	N62°50'52"E	34.08
L13	S27°09'08"E	54.20
L14	S27°09'08"E	54.20
L15	N78°09'28"E	16.48
L16	N86°12'20"W	44.28
L17	N19°03'14"E	15.52
L18	S57°49'36"W	30.47
L19	S02°54'36"E	27.36
L20	S30°20'37"W	30.87

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD
C1	25.00	90°06'19"	39.32	N53°04'22"W	35.39
C2	25.00	90°09'55"	39.34	N36°29'21"E	35.41
C3	629.00	18°57'33"	208.13	N72°19'38"E	207.19
C4	629.00	4°12'50"	46.26	N79°42'00"E	46.25
C5	629.00	5°30'15"	60.43	N74°50'27"E	60.40
C6	629.00	5°26'15"	59.69	N69°22'12"E	59.67
C7	629.00	3°48'13"	41.76	N64°44'58"E	41.75
C8	771.00	2°55'31"	39.37	N64°18'38"E	39.36
C9	25.00	93°49'17"	40.94	N67°14'18"W	36.51
C10	25.00	93°51'08"	40.95	N26°36'33"E	36.52
C11	771.00	30°01'14"	403.97	N88°37'25"E	399.37
C12	771.00	7°03'34"	94.99	N77°08'35"E	94.93
C13	771.00	7°05'22"	95.40	N84°13'02"E	95.34
C14	771.00	5°41'18"	76.55	N89°23'38"W	76.51
C15	771.00	7°10'18"	96.51	N82°57'50"W	96.44
C16	771.00	3°00'42"	40.53	N77°52'19"W	40.52
C17	25.00	92°48'04"	40.49	N29°57'55"W	36.21
C18	25.00	85°45'18"	37.42	S59°45'22"W	34.02
C19	2900.00	2°45'27"	139.57	N15°58'14"E	139.56
C20	2875.00	7°39'08"	383.97	N23°05'07"E	383.69
C21	25.00	80°47'58"	35.26	N47°12'56"W	32.41
C22	448.00	14°13'37"	111.24	N85°16'16"E	110.96
C23	448.00	6°37'33"	51.81	N89°04'18"E	51.78
C24	448.00	7°36'03"	59.43	N81°57'30"E	59.39
C25	474.00	15°18'36"	126.66	N70°30'10"E	126.28
C26	474.00	2°16'47"	18.86	N77°01'05"E	18.86
C27	474.00	7°04'33"	58.54	N72°20'25"E	58.50
C28	474.00	5°57'16"	49.26	N65°49'30"E	49.24
C29	326.00	1°25'57"	8.15	N63°33'50"E	8.15
C30	25.00	81°38'43"	35.62	N23°27'27"E	32.69
C31	25.00	81°38'43"	35.62	N58°11'16"W	32.69
C32	326.00	29°00'37"	165.06	N84°30'20"W	163.30
C33	326.00	5°13'38"	29.74	N83°36'11"E	29.73
C34	326.00	7°32'14"	42.89	N89°59'07"E	42.85
C35	326.00	9°39'08"	54.92	N81°25'12"W	54.85
C36	326.00	6°35'37"	37.52	N73°17'50"W	37.50
C37	25.00	92°36'45"	40.41	N63°41'36"E	36.15
C38	25.00	98°27'06"	42.96	N20°46'28"W	37.86
C39	274.00	34°23'48"	164.49	N45°38'58"E	162.03
C40	274.00	21°25'51"	102.49	N39°10'00"E	101.89
C41	274.00	12°57'56"	62.00	N66°21'54"E	61.87
C42	124.00	110°18'36"	238.73	N61°59'50"W	203.53
C43	124.00	107°45'48"	233.22	N63°16'14"W	200.33
C44	124.00	2°32'47"	5.51	N08°06'56"W	5.51
C45	25.00	83°57'33"	36.63	N35°08'14"E	33.44
C46	526.00	14°16'09"	131.00	N69°58'56"E	130.66
C47	526.00	3°24'10"	31.24	N75°24'56"E	31.23
C48	526.00	4°42'36"	43.24	N71°21'33"E	43.23
C49	526.00	4°50'30"	44.45	N66°34'59"E	44.44
C50	526.00	1°18'52"	12.07	N63°30'18"E	12.07
C51	274.00	47°09'07"	225.49	N86°25'25"E	219.18
C52	274.00	3°16'05"	15.63	N64°28'54"E	15.63
C53	274.00	16°10'40"	77.37	N74°12'17"E	77.11
C54	274.00	15°56'44"	76.26	N89°44'01"W	76.01
C55	274.00	11°45'38"	56.24	N75°52'50"W	56.14
C56	326.00	45°27'38"	258.66	N40°07'03"E	251.93
C57	326.00	1°24'55"	8.05	N18°05'41"E	8.05
C58	326.00	7°55'35"	45.10	N22°45'57"E	45.06
C59	326.00	7°31'47"	42.84	N30°29'38"E	42.81
C60	326.00	7°31'32"	42.82	N38°01'18"E	42.79
C61	326.00	9°06'12"	51.80	N46°20'10"E	51.74
C62	326.00	11°57'36"	68.05	N56°52'04"E	67.93
C63	25.00	90°00'00"	39.27	S17°50'52"W	35.36
C64	90.00	180°00'00"	282.74	N62°50'52"E	180.00
C65	90.00	24°38'31"	38.71	N14°49'52"W	38.41
C66	90.00	39°34'23"	62.16	N17°16'35"E	60.93
C67	90.00	19°52'59"	31.23	N47°00'16"E	31.08
C68	90.00	35°45'55"	56.18	N74°49'43"E	55.27
C69	90.00	30°06'04"	47.28	S72°14'17"E	46.74
C70	90.00	30°02'07"	47.18	S42°10'11"E	46.64
C71	25.00	90°00'00"	39.27	N72°09'08"W	35.36
C73	176.00	25°07'39"	77.19	N75°24'41"E	76.57
C74	176.00	13°42'51"	42.13	N69°42'18"E	42.03
C75	176.00	11°24'47"	35.06	N82°16'07"E	35.00
C76	30.00	40°51'13"	21.39	N67°32'54"E	20.94
C77	60.00	127°56'11"	133.97	N68°54'37"W	107.83
C78	60.00	2°55'08"	3.06	N48°34'52"E	3.06
C79	60.00	50°55'07"	53.32	N75°29'59"E	51.58
C80	60.00	14°32'47"	15.23	N71°46'04"W	15.19
C81	60.00	44°39'19"	46.76	N42°10'01"W	45.59
C82	60.00	14°53'50"	15.60	N12°23'26"W	15.56
C83	30.00	40°51'13"	21.39	N25°22'08"W	20.94
C84	176.00	38°57'12"	119.66	N26°19'08"W	117.37
C85	176.00	8°01'48"	24.67	N41°46'50"W	24.65
C86	176.00	21°20'13"	65.54	N27°05'50"W	65.16
C87	176.00	9°35'11"	29.45	N11°38'08"W	29.41
C88	25.00	95°00'00"	41.45	N54°20'32"W	36.86
C89	500.00	14°13'37"	124.15	N85°16'16"E	123.83
C90	500.00	8°52'50"	77.50	N82°35'53"E	77.42
C91	500.00	5°20'47"	46.66	N89°42'41"E	46.64
C92	30.00	51°37'20"	27.03	N66°34'25"E	26.12
C93	30.00	14°38'13"	7.66	N85°03'58"E	7.64
C94	30.00	36°59'07"	19.37	N59°15'18"E	19.03
C95	60.00	175°22'10"	183.65	N51°33'11"W	119.90
C96	60.00	57°00'36"	59.70	N69°16'03"E	57.27
C97	60.00	14°29'37"	15.18	S74°58'51"E	15.14
C98	60.00	44°54'02"	47.02	S45°17'01"E	45.83
C99	60.00	58°57'54"	61.75	N06°38'57"E	59.06
C100	30.00	42°56'51"	22.49	N14°39'28"E	21.96
C101	30.00	8°09'42"	4.27	N32°03'03"E	4.27
C102	30.00	34°47'09"	18.21	N10°34'37"E	17.94

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 10H.

AGENDA DATE: April 18, 2019

PRESENTED BY: Ashley Lumpkin, AICP, Executive Director of Infrastructure & Development Services

ITEM:

Consideration and possible action on a resolution approving the proposed Mustang Creek Preliminary Plat, 170.655 acres, more or less, of land, 506 residential lots, 1 commercial lot, 1 church lot, 1 lift station lot and 54 open space/greenlink lots, located on FM 100 North. (Ashley Lumpkin)

**STRATEGIC GUIDE
POLICY:**

Well Balanced & Diversified Economy

ITEM BACKGROUND:

The Mustang Creek Preliminary Plat includes 563 total lots and 170.65 acres. There are 506 proposed single-family residential lots, 34 open space lots, 20 green link lots, 1 commercial lot, 1 church lot and 1 lot for the lift station.

The proposed subdivision conforms to the development agreement for Packsaddle. Per the development agreement, all residential lots must be 50 feet wide. The phasing has 144 residential lots in the first phase, and there is a large floodplain running from the northwest corner of the property to the southeast corner of the property, which will serve as a large open space lot.

WEST: RSI Subdivision across FM 1660 N

NORTH: Future HISD site, currently vacant (going through voluntary annexation process)

EAST: Vacant Pastureland

SOUTH: River's Crossing Subdivision (ETJ)

Engineering Summary

Pape-Dawson Engineers prepared a flood study for Mustang Creek which was reviewed and accepted by engineering staff. The drainage analysis was performed using the new higher NOAA Atlas 14 rainfall values to develop the 2-, 10-, 25-, 100-, and 500-year storm events. A hydraulic model was created to evaluate the pre and post project conditions and the impact to the floodplain and flood elevations. Based on the model, there are no increases in water surface elevation offsite of the subject property and no expectation to have any adverse impact on the adjoining property or on the receiving stream downstream of the proposed outfalls.

Utilities

Water will be provided by Jonah and wastewater service will be provided by City of Hutto.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

The Planning and Zoning Commission recommended approval to City Council on April 8, 2019.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

This plat has been reviewed and all City comments have been addressed. The proposed Preliminary Plat is in compliance with the applicable subdivision regulations and PUD.

At the April 8, 2019 Planning and Zoning Commission meeting, the Commission voted to recommend approval of the preliminary plat with the condition that the applicant meet with the residents of the River's Crossing Subdivision along with the City Engineering team to facilitate a conversation and understanding of the proposed drainage and traffic of the subdivision. That meeting is scheduled for Tuesday April 16.

As the Planning and Zoning Commission recommended approval unanimously and all comments have been address, staff recommends that the City Council approve the Preliminary Plat of Mustang Creek.

SUPPORTING MATERIAL:

- ## 1. Resolution - Mustang Creek Preliminary Plat

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

RESOLUTION NO.

**A RESOLUTION APPROVING THE PLAT KNOWN AS
“MUSTANG CREEK PRELIMINARY PLAT”; IN THE CITY OF
HUTTO, WILLIAMSON COUNTY, TEXAS.**

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the Planning and Zoning Commission to take action to recommend to the City Council whether or not to approve or disapprove a subdivision plat within thirty (30) days of the date an application is accepted, and;

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the City Council take action to approve or disapprove a subdivision plat within thirty (30) days of the date of presentation at Planning and Zoning Commission, and;

WHEREAS, the Development Services Department and the City Engineer have reviewed the above referenced plat for compliance with statute and engineering standards, and;

WHEREAS, if City Council fails to take action on this plat within the prescribed thirty (30) day period, the plat is granted statutory approval,

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF HUTTO, TEXAS:**

that the Hutto City Council hereby approves the resolution for the plat known as “Mustang Creek Preliminary Plat”, a copy of same being attached hereto as “Exhibit A” and incorporated herein for all purposes.

CONSIDERED and RESOLVED on this the **18th** day of the month **April 2019**.

THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lisa L. Brown, City Secretary

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 10I.

AGENDA DATE: April 18, 2019

PRESENTED BY: Ashley Lumpkin, AICP, Executive Director of Infrastructure & Development Services

ITEM:

Consideration and possible action on a resolution approving the proposed Star Ranch Parcel 13B Final Plat, 0.453 acres, more or less, of land, 1 commercial lot, located within Hutto's extraterritorial jurisdiction (ETJ) on Klattenhoff Lane. (Ashley Lumpkin)

**STRATEGIC GUIDE
POLICY:**

Well Balanced & Diversified Economy

ITEM BACKGROUND:

Star Ranch Parcel 13B Final Plat includes 1 commercial lot that is 0.453 acres along Klattenhoff Lane.

WEST: Fairways at Star Ranch Apartments

NORTH: Vacant Land

EAST: Vacant Land

SOUTH: Star Ranch Golf Course

Utilities

Water and wastewater service will be provided by the Williamson County Water, Sewer, Irrigation and Drainage District No. 3.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

The Planning and Zoning Commission recommended approval to City Council on April 8, 2019.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

This plat has been reviewed and all City comments have been addressed. The proposed Final Plat is in compliance with the applicable subdivision regulations.

As the Planning and Zoning Commission recommended approval unanimously and all comments have been addressed, staff recommends that the City Council approve the Star Ranch Parcel 13B Final Plat per Section 212.005 of the Texas Local Government Code.

SUPPORTING MATERIAL:

1. Ordinance - Star Ranch Parcel 13B Final Plat

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

RESOLUTION NO.

A RESOLUTION APPROVING THE PLAT KNOWN AS “STAR RANCH PARCEL 13B FINAL PLAT”; IN THE EXTRATERRITORIAL JURISDICTION OF HUTTO, WILLIAMSON COUNTY, TEXAS.

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the Planning and Zoning Commission to take action to recommend to the City Council whether or not to approve or disapprove a subdivision plat within thirty (30) days of the date an application is accepted, and;

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the City Council take action to approve or disapprove a subdivision plat within thirty (30) days of the date of presentation at Planning and Zoning Commission, and;

WHEREAS, the Development Services Department and the City Engineer have reviewed the above referenced plat for compliance with statute and engineering standards, and;

WHEREAS, if City Council fails to take action on this plat within the prescribed thirty (30) day period, the plat is granted statutory approval,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

that the Hutto City Council hereby approves the resolution for the plat known as “Star Ranch Parcel 13B Final Plat”, a copy of same being attached hereto as “Exhibit A” and incorporated herein for all purposes.

CONSIDERED and RESOLVED on this the **18th** day of the month **April, 2019**.

THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lisa L. Brown, City Secretary

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 11A.

AGENDA DATE: April 18, 2019

PRESENTED BY: Eliska Padilla, Assistant to the City Manager

ITEM:

Consideration and possible action on a resolution adopting the Hutto Strategic Plan. (Eliska Padilla)

**STRATEGIC GUIDE
POLICY:**

Leadership

ITEM BACKGROUND:

The leadership team has proposed a 2020 strategic plan and execution guide with updated goals that further the 10 objectives and five strategic focus areas created in past strategic guide. On March 9, 2019 Council and staff had a work session in which Jason Gray, with JD Gray Group, presented the accomplishments from the 2019 plan and reviewed the 2020 goals. Mr. Gray worked with the City in the original development of the City's current strategic guide.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Not applicable.

SUPPORTING MATERIAL:

1. Resolution
2. Draft - Strategic Plan

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE 2020 STRATEGIC PLAN
AND EXECUTION GUIDE**

WHEREAS, in 2007, the Hutto City Council began the development of a strategic guide that would provide direction for the community as it develops during the next twenty years; and;

WHEREAS, the City Council recognized that the 2035 Strategic Guide needed to be updated in order to make it into a better planning document for the City; and;

WHEREAS, in 2017, the City Council worked with a consultant to renovate and improve the planning document and rename it as the Strategic Plan and Execution Guide and continued to update this plan annually for 2018, and 2019; and;

WHEREAS, the 2020 Strategic Plan and Execution Guide updates the goals that support the ten objectives and five strategic focus areas that guide the City's efforts.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF HUTTO, TEXAS**, hereby adopts the Strategic Plan and Execution Guide for 2020.

CONSIDERED and RESOLVED by the City Council of the City of Hutto on this
the 18th day of April 2019.

THE CITY OF HUTTO, TEXAS

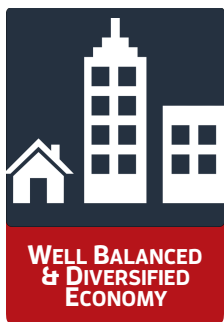
Doug Gaul, Mayor

ATTEST:

Lisa L. Brown, City Secretary



2020 STRATEGIC PLAN & EXECUTION GUIDE



CITY OF HUTTO

Strategic Plan & Execution Guide

The Honorable Doug Gaul
Mayor

Mayor Pro Tem Tom Hines

Council Member Nate Killough

Council Member Scott Rose

Council Member Patti Turner

Council Member VACANT

Council Member Terri Grimm

Odis Jones
City Manager

Executive Team

Edena Atmore
Cara Hanna
Eliska Padilla
Byron Frankland
Michel Sorrell
Allison Hosgood
Ashley Lumpkin
Jessica Bullock

Assistant City Manager
Assistant City Manager
Assistant to the City Manager
Chief of Police
Chief Financial Officer
Exec. Director of Talent Dev. and Human Resources
Exec. Director of Infrastructure & Dev. Services
Director of Economic Development

April 2019



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INTRODUCTION

The City of Hutto is a full-service, home-rule municipality operating under a Council-Manager form of government in central Texas. While the population at the 2000 census was just 1,250, more than 30,000 people now call the growing community home, making Hutto one of the fastest growing cities in the nation. People choose Hutto for the active neighborhoods, a strong sense of community, for the dedicated teachers and administrators at the high-performing Hutto ISD, and for the ability to have all a small-town life has to offer while still being just 25 minutes from the heart of the Texas State Capitol.

The City has embraced a results-oriented philosophy and entrepreneurial business philosophy in fulfillment of the vision set forth by City Council. The Co-Op District exemplifies the commitment to maintaining the City Council's vision and utilization of innovative planning and financing structures to make the vision a reality.

The development of the 35-acre mixed-use Co-Op Development, leveraged private and public funds through the use of the City's first Public Improvement District (PID) and Tax Increment Reinvestment Zone (TIRZ). The financing structure, which has now been used five times in Hutto, is a case study for how cities can leverage their assets (i.e. land) to build and improve infrastructure, a City Hall and much needed mixed-use/retail development in city that has historically experienced high retail leakage and was largely considered a bedroom community.

As Hutto experienced intense, rapid growth, the vision of The Co-Op District remained at the forefront. This land, which sat vacant since 2003, will now serve as a beacon of progress as the home of the new City Hall, City Library, Southside Marketing & Barbecue, Flix Brewhouse and Top Notch Hamburgers and many other yet to be announced partners, truly transforming Hutto from the bedroom community to a live, work, play environment for residents and visitors alike.

Through the execution of the City's strategic plans, Hutto is now branded as open for business in the business community. Partnering with Titan Development resulted in the development of Innovation Business Park, a 72-acre business park that will be home to approximately 800,000 square feet of space at complete buildout. The industrial park broke ground in November 2017 with the first phase of construction of 150,000 square feet of business spec space for one to four tenants. This was quickly followed by construction of second and third business park buildings for such companies as Paradigm Metals and BryComm, who are moving their Corporate headquarters and adding approximately 500 employees in the coming years. Even more announcements are pending at Innovation Business Park in 2019, with an announcement of the first tenant for the spec space pending.

Through the economic development objective, the City has added tenants at not only Innovation Development, but also at Northtown Commons and Burge Business Park. Among this growth, we saw the addition of two California industrial companies, JRS and AEND, for a creation of 120 new jobs and more than \$8.5 million in capital investment. The City is seeing a surge in new retail establishments such as Chick-Fil-A, Wendy's, Panda Express, Jason's Deli, Popeye's, Dairy Queen, Schlotzsky's, Smoothie King, Fortune House Restaurant, Great Clips, Service King Collision Repair, Leslie's Pool Supplies, Carmel Creek Self Storage, 3Sixty5 Nail Studio, and Kim's Hutto Nails.

To fulfill the Council's vision of family-friendly community with exceptional quality of life, the City has seen the addition of the 65-acre Hutto Park at Brushy Creek to its inventory which served as the home of KOKEFEST and the City's first-ever fourth of July celebration. 2019 saw the construction of a brand

new \$3.4 million, 10,000 capacity lawn-style seating amphitheater. The amphitheater, modeled after the MAD Amphitheater in El Dorado, Arkansas, will be available for multiple activities including family picnics in the sun, as well as serving as unique venue and ideal location for concerts and festival events.

Partnering with community athletic leagues and other stakeholders, 2018 saw the passage of the City's Bond proposals by an overwhelming percentage which will lead to further quality of life improvements throughout all of the City's parks, and adding recreation and sports fields for community use as well as creating a sports and entertainment destination.

To fulfill the vision of Council, the City has planned for and follows a logical, balanced pattern of investing in the needed infrastructure to support new residents and businesses over the next 20 years ensuring a solid base for economic growth. Having restructured its Public Works, adding a Streets and Drainage program has resulted in the City improving its own streets and drainage assets, adding value to its citizens.

Today, Hutto is recognized as the "Top Place in Texas to Raise a Family", the "#1 Local City (in the Austin area) For Young Couples, "One of the Top 100 Places in Major Markets to Locate a Business" and is consistently ranks as one of the fastest growing and safest cities in the country. From its rural, agricultural roots to the growing population and commercial center that is now Hutto, the community has remained centered on its people and the neighborhoods they call home.

Like Hutto, this Strategic Plan & Execution Guide is partly old and partly new. At the direction of the City Council, the 2017 Strategic Plan & Execution Guide started with the documents and work that the community had already done around planning for its future. The 2040 Comprehensive Plan, the 2035 Strategic Guide, and the 2016-17 Annual Budget included 198 different statements, principles, and goals and each has been incorporated here in some form. One of the guiding principles in the development of this Strategic Plan & Execution Guide was to honor and utilize the significant work that has already been done.

At the same time, these three base documents were not integrated or aligned well and generally did not organize or prioritize the 198 statements in a way that helped the City of Hutto staff to execute on the statements. The 2018, 2019, and 2020 Strategic Plan & Execution Guides remain true to the original framework and provide a method to engage the City Council, the community, and the staff in identifying and prioritizing specific strategic focus areas, clear organizational objectives, and actionable tactical-level goals that are consistently aligned with the overall vision of the community.

The overall strategic objectives for the City are outlined in the 2020 Strategic Plan & Execution Guide. This plan has also been loaded into a comprehensive tracking and reporting system that will assist the City Council and staff in focusing their collective ongoing efforts to execute on the plan.

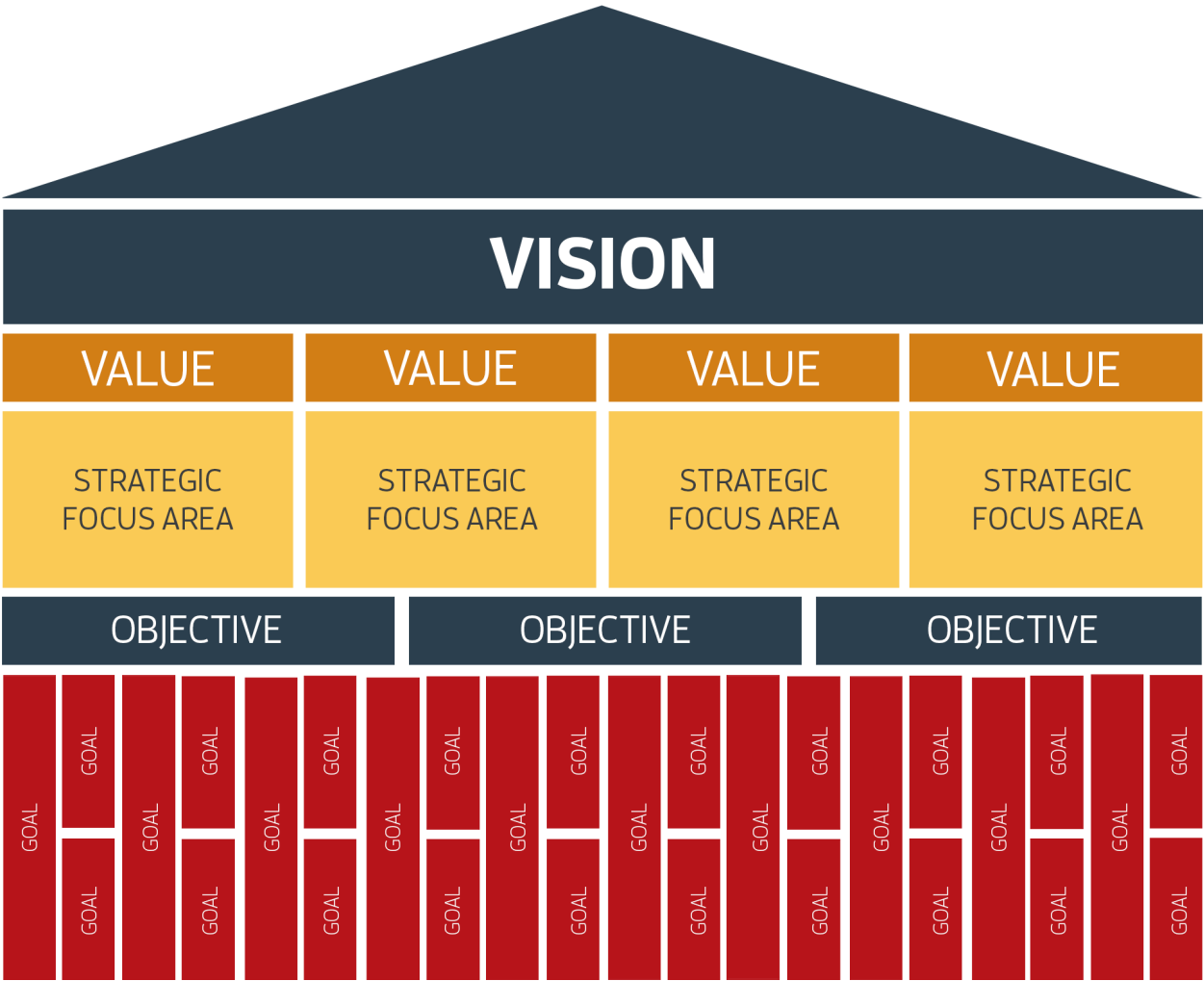
2020 STRATEGIC PLAN & EXECUTION GUIDE



STRATEGIC FRAMEWORK

Once again, we’ve used a modified Balanced Scorecard¹ approach as the fundamental framework for this Strategic Plan & Execution Guide Plan. In a nutshell, the Balanced Scorecard is a framework that encourages the proper alignment of the goals and objectives of the organization to the overall vision to which the organization is aspiring while formally recognizing various financial and non-financial perspectives by which individual and organizational performance may be measured.

First, we stipulate that many people and organizations use similar words to mean very different things. For the sake of clarity, we believe that it is critical to define the labels that we use to describe various elements of the plan. Based on your previous experiences, you may call our “Values” your “Guiding Principles” or our “Objectives” your “Strategies”. While it does not really matter what these elements are called, it is critical that within the plan, those definitions are clear and consistent. To that end, let’s start with a graphic representation of how the pieces of this plan come together and what we call these various elements.



¹ Robert S. Kaplan and David P. Norton, *The Balanced Scorecard* (Boston: Harvard Business School Press, 1996)

2020

STRATEGIC PLAN & EXECUTION GUIDE



VISION

Tenure: Timeless/Long-term

Responsibility: City Council

The Vision statement in our plan is a simple statement about what the community wants to be. Vision statements are both the starting and ending point of all aligned strategic plans. While Vision statements are intended to be as unique as the organization, there are some elements that we believe great vision statements share. Great vision statements define an output, with a particular twist, that is defined, and where there is a human connection.

The City Council is responsible for condensing the vision of the community into a statement. Once set, we do not expect the Vision Statement to change substantially in the short or intermediate term.

In the original 2017 strategic plan development process, several alternative vision statements were discussed through workshops with the City Council, by the City staff, and by the consultants. The alternative vision statements were then shared with the citizens through a public participation process, and it became clear that the community's vision for itself was "Hutto, Texas is a family-friendly community that provides superior public safety, outstanding fiscal responsibility, diversified economy, and an exceptional quality of life."

The consensus vision statement places clear focus on what the community feels are the core functions of the City organization:

1. Public Safety
2. Fiscal Responsibility
3. Diversifying the Economy
4. Quality of Life

We have used these elements of the Vision Statement to inform the remainder of the plan, as you will see clearly in the Strategic Focus Areas on page 10. The City Council approved the vision statement as part of the approval of this plan on May 4, 2017, and thus it is what is used in the 2018, 2019, and 2020 Strategic Plan & Execution Guides.

VISION STATEMENT:

Hutto, Texas is a family-friendly community that provides superior public safety, outstanding fiscal responsibility, diversified economy, and an exceptional quality of life.

VALUES

Responsibility: City Council/City Manager

Tenure: Timeless/Long-term

Values in the plan are used to guide the actions of those that are in the process of executing the plan. The values are not goals to be achieved, but rather how we expect all people to act while carrying out the work of the organization. This includes the City Council, the volunteers on the various boards and commissions, City staff, and anyone else that is acting on behalf of the City of Hutto.

The values of the organization support the vision, and the choices of those acting on behalf of the organization should always be consistent with the values. In so much as the values at times appear to conflict (eg being "Safe" and being "Progressive" may at times present a conflict), this conflict is intentional and should be used as a creative tension to balance the actions in order to be consistent with the values. Based on our work with the City to date, we have identified the following four values:

RESPONSIBLE

We expect those acting on behalf of the organization to consistently show responsibility. Being responsible entails being trustworthy to do what is in the best interest of the community and the City organization and being accountable for our own individual actions.

SAFE

We expect those acting on behalf of the organization to consistently have a high regard for the safety of all involved, including our residents, visitors, volunteers, employees, and their property. The value of safety includes actions taken to promote the safety of the public (i.e., police services, fire services, emergency medical services and the like) as well as design of our infrastructure, operational policies, and the working conditions provided to our employees. Recognizing that some elements of the work of the City of Hutto come with a level of inherent danger, our goal is to mitigate that danger to the extent reasonable.

AUTHENTIC

We expect those acting on behalf of the organization to act with authenticity. Hutto is a unique community with a particular history, culture and character, and being authentic entails being genuine in both words and deeds to both the individual character and the character of the community as a whole.

PROGRESSIVE

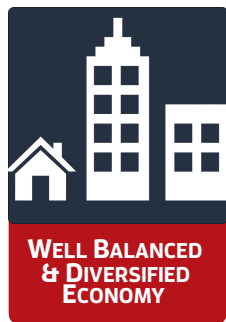
We expect those acting on behalf of the City of Hutto to seek creative solutions to problems. Being progressive entails making use of new or different methods, opportunities, and ideas with the intention of advancing the practice or outcome farther and faster than it would under the status quo.

STRATEGIC FOCUS AREAS

Responsibility: City Manager/City Council

Tenure: Long-term

Strategic Focus Areas directly support the Vision and Values. These are the broad areas that the City is intentionally placing an intense focus upon, and each Objective (see following) must align with at least one of the Strategic Focus Areas. We have identified the following five Strategic Focus Areas for the City of Hutto:



The Strategic Focus Areas (SFAs) are designed to be self-explanatory, and are a key ingredient to aligning the activities of the organization with the Vision. Its important to note that each Objective must align with at least one SFA, but often Objectives will align with several more than one SFA.

Following, you will find a two-page summary of each of the Objectives found below. On these summary pages, we highlight the Objective's alignment with one or more obyf the Strategic Focus Areas.

OBJECTIVES

Responsibility: City Manager

Tenure: Emerging/Immediate Term

Objectives within this plan are the primary areas that the City is intending to noticeably make changes to in the relative short term in furtherance of its Vision. Objectives are more specific and direct than Strategic Focus Areas, but in most cases are not discreet, achievable goals in and of themselves. Objectives are designed so that if the organization makes significant progress towards the Objectives, it will have made significant progress towards achieving the Vision.

In 2017, we aligned and distilled the original 198 statements into the following ten Objectives. These same Objectives continued to guide strategic alignment to the 2018, 2019, and 2020 Strategic Plans.

Generate a strategic path forward for enhancing the public safety apparatus, including police, fire, and emergency medical services.	Create an aggressive, progressive economic development strategy for the community.	Create an "open for business" culture throughout the organization.	
Maintain a positive and inspired workforce	Enhance mobility within the City	Implement a quality city-wide customer service program.	Enhance the overall governance of the community.
Construct and maintain infrastructure at the desired levels of service.	Ensure responsible fiscal stewardship through transparency and reporting.	Maintain an environment and quality of life that encompasses a safe, friendly, and entertaining atmosphere for all ages.	

Each Objective is designed to address and align with at least one Strategic Focus Area (above) and is supported by several distinct operational goals (below). In addition, we've included a description of each Objective, augmented by the "guiding principles" that we were able to align from the original documents and our interactions with Council and staff.

The system in place for monitoring progress on the execution of the strategic plan calculates the completion rate of the Goals associated with each objective and is able to report on whether the Objectives are ahead of plan, on track, or behind. This is an incredibly useful tool for high-level reporting on the overall strategic plan and should be used at both the City Council and the City Manager level to track progress, critical issues, and where to place additional attention or resources in order to execute the strategy.

GOALS

TITLE	COMPLETION
Construct and maintain infrastructure to provide identified levels of service by 30th Sep 2017	31%
Create an "open for business culture throughout the organization by 30th Sep 2017	26%
Create an aggressive, progressive economic development strategy for the community by 30th Sep 2017	11%
Enhance mobility within the City by 31st Jul 2018	7%
Enhance overall governance of the community by 30th Sep 2017	28%
Ensure responsible fiscal stewardship through transparency and reporting by 30th Sep 2017	24%
Generate strategic path forward for enhancing the public safety apparatus including police, fire and emergency medical services by 30th Sep 2017	28%
Implement a quality city-wide customer service program by 30th Sep 2017	29%
Maintain a positive and inspired workforce by 30th Sep 2017	38%
Maintain an environment and quality of life that encompasses a safe, friendly, and an entertaining atmosphere for all ages by 30th Sep 2017	16%

GOALS

Responsibility: City Staff/City Manager

Tenure: Immediate Term

Goals in the plan are the tactical, achievable, and specific actions, programs, documents, or policies the organization is engaged in to strategically advance the Objectives towards completion. To be effective, goals must be focused on the action to be taken, have enough detail to be clear through all levels of the organization, have a specific metric and unit to be achieved and have a specific deadline. Goals are where the strategic plan becomes something that can be executed, and all goals must be monitored and reported on regularly, with any exceptions highlighted.

The Goals detailed in this Strategic Plan & Execution Guide Plan all adhere to the following format:

Action	Detail	Metric	Deadline
--------	--------	--------	----------

For example:

Hire	Additional Police	(5)	By September 30, 2018
------	-------------------	-----	-----------------------

Goals are intended to be fluid and may be completed, altered, added, reprioritized, or dropped altogether over the course of any given planning period. Changes to goals are a part of the regular reporting process, and it is the responsibility of the City Manager and staff to continually keep the City Council up to date on the status of the various goals.

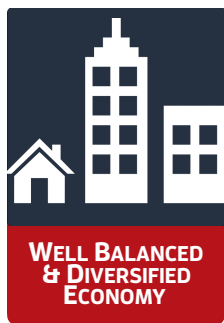
Like the reporting tools for Objectives, our system allows for a wide range of progress reports on Goals at the Organizational level, Departmental level, and individual level.

To the right you see an example report from the system where the box to the left of each goal shows the progress level of that particular goal.

ODIS JONES <i>City Manager</i>	
 VIEW SNAPSHOT	 VIEW TEAM
	Assess critical infrastructure within each department by 28th Feb 2017
	Attract a full-service hotel and meeting space to accommodate community and tourism needs by 30th Sep 2022
	Attract higher-end, move-up housing by 30th Sep 2017
	Attract higher skilled, higher wage jobs by 30th Sep 2017
	Complete economic development strategies in partnership with the Hutto EDC by 30th Sep 2017
	Complete a retail retention and recruitment strategy by 30th Sep 2017
	Complete a retail assessment survey by 30th Sep 2017
	Consider creation of a 4B economic development corporation by 30th Sep 2017
	Create destination attractions and venues by 30th Sep 2022
	Decide action(s) to take related to the Fire Task Force Report by 30th Sep 2017
	Define a competitive framework for attracting economic development by 30th Sep 2017
	Evaluate incentive policies by 30th Sep 2017
	Define clearly the coordinating roles of the City, EDC, and Chamber of Commerce for economic development by 30th Sep 2017
	Develop a business/industrial park to provide build-ready land for projects by 30th Sep 2018
	Develop & deliver economic development "toolbox" document by 31st Mar 2017
	Increase the proportion of non-residential assessed property value in the City by 30th Sep 2017
	Pursue a bond election by 7th Nov 2017
	Reduce retail and job leakage by 30th Sep 2017

2020

STRATEGIC PLAN & EXECUTION GUIDE



USING THE OBJECTIVE PAGES

The 2020 Strategic Plan & Execution Guide Plan includes a summary of each objective. The strategy execution software includes much more information about each Objective and Goal, but these pages provide a high-level snapshot of the alignment, guiding principles, planned goals, target metrics, target deadlines, and departmental responsibility for each Goal.

Strategy Sidebar
(to help remain focused on the bigger picture)

Objective Title
(Each page is dedicated to one Objective)

Tactical Goals
(Aligning with this Objective in the Short-Term & Emerging/Long Term Horizons - this is a representative, not exhaustive list)

VISION
Hutto, Texas is a Family-friendly community that provides superior public safety, outstanding fiscal responsibility, diversified economy, and an exceptional quality of life.

VALUES

- Responsible
- Authentic
- Safe
- Progressive

STRATEGIC FOCUS AREAS:

Well Balanced & Diversified Economy

Public Safety

Fiscal Responsibility

Quality of Life & Services

Infrastructure & Growth

HUTTO

OBJECTIVE:

Construct and maintain infrastructure to provide identified levels of service.

ADDITIONAL DETAILS:

One of the most significant challenges for growing communities is to adequately maintain aging infrastructure while constantly facing demands to build new infrastructure. In order to help our people thrive in both the short-term and long-term, it is critical that we face this challenge and provide the resources necessary to effectively maintain the community's infrastructure. Properly maintaining infrastructure will maximize the efficiency of infrastructure dollars and our taxpayer's value over the long-term.

GUIDING PRINCIPLES:

1. Construct the City's water system according to the Water Master Plan.
2. Develop high quality standards in conjunction with regional partners.
3. Design and select materials to maximize efficiency and minimize long-term maintenance.
4. Develop the City's wastewater system according to the Wastewater Master Plan.
5. Continually integrate the City of Hutto Master Plans so that they are complementary.
6. Invest in technology to assess and monitor infrastructure conditions.
7. Maintain standards, specifications, and design criteria to provide quality service while maintaining costs.
8. Manage stormwater in accordance with the Stormwater Master Plan.
9. Develop Hutto's trail system in accordance with the Parks, Trails, and Open Space Master Plan.

STRATEGIC FOCUS AREA ALIGNMENT:

SFA Alignment
(This Objective aligns with the darkened SFAs)

Details & Guiding Principles

IMMEDIATE GOALS	TARGET METRIC	TARGET DATE	RESPONSIBILITY
1 Replace aging police vehicles	2 vehicles	5/15/2017	Police Department
2 Complete recommended pavement rehabilitation projects	Completion	5/31/2018	Engineering Department
3 Pursue a bond election	Completion	11/7/2017	City Manager's Office
4 Assess critical infrastructure within each department	Completion	9/30/2017	All Departments
5 Complete renewal of Brazos River Authority wastewater treatment plants operating agreement	Adoption	8/31/2017	Public Works Department
6 Decide plan of action regarding maintaining or demolishing the Pecan Water Tower	Completion	9/30/2017	Public Works Department
7 Complete paving project at Public Works Service Center/Central WWTP	Completion	9/30/2017	Engineering Department
8 Develop a playground & park equipment assessment and replacement plan	Completion	9/30/2017	Parks & Recreation Department
9 Develop water tank (elevated and ground storage) maintenance action plan	Completion	9/30/2017	Public Works Department
10 Complete the capital projects included in the FY2017 budget (See CIP Appendix for various projects)	Completion	8/31/2018	Engineering Department
11 Utilize infrastructure development to open new growth zones	4,500 acres	9/30/2018	City Manager's Office
12 Facilitate construction of new commercial spec space	30,000 square feet	3/31/2018	City Manager's Office

EMERGING & LONG-TERM GOALS	TARGET METRIC	TARGET DATE	RESPONSIBILITY
1 Repaint Farley Street intersection	Completion	9/30/2018	Public Works Department
2 Complete the capital projects included in the long-term capital improvement plan (see CIP Appendix for various projects)	Completion	9/30/2022	Engineering Department

VISION

Hutto, Texas is a Family-friendly community that provides superior public safety, outstanding fiscal responsibility, diversified economy, and an exceptional quality of life.

VALUES

- Responsible
- Authentic
- Safe
- Progressive

OBJECTIVE:

Construct and maintain infrastructure to provide identified levels of service.

ADDITIONAL DETAILS:

One of the most significant challenges for growing communities is to adequately maintain aging infrastructure while constantly facing demands to build new infrastructure. In order to help our people thrive in both the short-term and long-term, it is critical that we face this challenge and provide the resources necessary to effectively maintain the community's infrastructure. Properly maintaining infrastructure will maximize the efficiency of infrastructure dollars and our taxpayer's value over the long-term.

STRATEGIC FOCUS AREAS:



Well Balanced & Diversified Economy



Public Safety



Fiscal Responsibility



Quality of Life & Services



Infrastructure & Growth

GUIDING PRINCIPLES:

1. Construct the City's water system according to the Water Master Plan.
2. Develop high quality standards in conjunction with regional partners.
3. Design and select materials to maximize efficiency and minimize long-term maintenance.
4. Develop the City's wastewater system according to the Wastewater Master Plan.
5. Continually integrate the City of Hutto Master Plans so that they are complimentary.
6. Invest in technology to assess and monitor infrastructure conditions.
7. Maintain standards, specifications, and design criteria to provide quality service while maintaining costs.
8. Manage stormwater in accordance with the Stormwater Master Plan.
9. Develop Hutto's trail system in accordance with the Parks, Trails, and Open Space Master Plan.

STRATEGIC FOCUS AREA ALIGNMENT:



Aligning Goals - Infrastructure

	IMMEDIATE GOALS	TARGET METRIC	TARGET DATE	RESPONSIBILITY
1	Implement onboarding and applicant tracking system	Completion	1/1/2020	Human Resources
2	Roll out mobile device management to staff	Completion	2/28/2020	Public Relations/ Community Services
3	Conduct compensation study, create and publish pay grades/ ranges	Completion	3/15/2020	Human Resources
4	Implement self-service password reset application	Completion	4/30/2020	Public Relations/ Community Services
5	20,000 SF= of new, new retail, 9th grade center open	20,000 SF	6/1/2020	Development Services
6	Implement software deployment tool(s)	Completion	6/1/2020	Public Relations/ Community Services
7	Construct wastewater north of Llimmer Loop	Completion	6/30/2020	Public Works & Engineering
8	Develop tracking system for new contracts and agreements	Completion	7/31/2020	City Secretary
9	Complete design of recreation center with buy-in from the community	Completion	7/31/2020	Public Relations/ Community Services
10	Complete design of a sports complex er with buy-in from the community	Completion	7/31/2020	Public Relations/ Community Services
11	Implement electronic file management system	Completion	9/30/2020	City Secretary
12	Continue review of ordinances and resolutions for conflict and applicability <i>(Also supports the Governance Objective)</i>	Completion	9/30/2020	City Secretary
13	Complete the design of a 100,000 SF recreation center with community buy-in	Completion	9/30/2020	Public Relations/ Community Services
14	Develop a prominent entrance off of Chris Kelley Lane for Hutto Lake Park	Completion	9/30/2020	Public Relations/ Community Services
15	Complete the capital projects included in the CIP budget <i>(Also supports the Mobility and Environment & Quality of Life Objectives)</i>	Completion	9/30/2020	Public Works & Engineering
16	Reduce operating costs through utilization of Lean Management practices <i>(Also supports the Workforce Objective)</i>	Completion	9/30/2020	Human Resources

Aligning Goals-Infrastructure

IMMEDIATE GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
17	Deliver qualified resumes/talent pool for open positions to Executives within 30 days of initiating search	Completion	9/30/2020	Human Resources
18	Fill positions within 45 days of initiating search	Completion	9/30/2020	Human Resources
19	Automate performance review, employee action and position requisition processes among others (Also supports the Workforce Objective)	Completion	9/30/2020	Human Resources
20	Continue to improve IT operational efficiencies of City Staff (Also supports the Workforce Objective)	Completion	9/30/2020	Public Relations/ Community Services
21	Improve and enhance cyber security levels	Completion	9/30/2020	Public Relations/ Community Services
22	Update disaster recovery plan	Completion	9/30/2020	Public Relations/ Community Services
23	Manage space effectively for Library programming	Completion	9/30/2020	Public Relations/ Community Services
24	Complete IO streets repaving/repair projects	Completion	9/30/2020	Public Works & Engineering
25	Complete IO drainage projects	Completion	9/30/2020	Public Works & Engineering
26	Implement agenda management software	Completion	12/01/2019	Public Relations/ Community Services
27	Create parks master plan	Completion	12/31/2020	Public Relations/ Community Services
28	Start subdivision improvements of master planned developments (Cottonwood Creek, Packsaddle, HISD)	Completion	12/31/2020	Development Services

EMERGING & LONG-TERM GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
1	Investigate city-owned installation of fiber network and return on investment	Completion	9/30/2022	Public Relations/ Community Services
2	Complete the Capital projects included in Proposition A	Completion	9/30/2026	Public Works & Engineering

VISION

Hutto, Texas is a Family-friendly community that provides superior public safety, outstanding fiscal responsibility, diversified economy, and an exceptional quality of life.

VALUES

- Responsible
- Authentic
- Safe
- Progressive

OBJECTIVE:

Create an “open for business” culture.

ADDITIONAL DETAILS:

Thriving communities are facilitators of local business first and whenever possible and a regulator of business only when necessary. Our objective is to create and maintain an "open for

STRATEGIC FOCUS AREAS:



Well Balanced & Diversified Economy



Public Safety



Fiscal Responsibility



Quality of Life & Services



Infrastructure & Growth

GUIDING PRINCIPLES:

1. Continually make the city economically competitive to attract and retain business through competitive rates, taxes, and user fees.
2. Continually engage the community in developing and maintaining the Comprehensive Plan.
3. Continually assess barriers to growth and identify potential methods to overcome these barriers.
4. Maintain a Comprehensive Plan specifically designed to meet Hutto's current and future needs.
5. Facilitate a diverse mix of uses to serve Hutto residents.
6. Invest to revitalize under-utilized areas for business opportunities.
7. Ensure that the permit process is consistently applied and predictable for the development and business community.
8. Support new and existing local businesses in their operations and growth.



STRATEGIC FOCUS AREA ALIGNMENT:



Aligning Goals - Open for Business

IMMEDIATE GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
1	Grow establish Influencer groups	Completion	9/30/2020	Public Relations/ Community Services
2	Maintain Current Up-To-Date Website (Also supports the Customer Service Objective)	Completion	9/30/2020	Public Relations/ Community Services
3	Communicate regularly with businesses and development partners (Also supports Customer Service Objective)	Completion	9/30/2020	Economic Development
4	Complete an engineering manual	Completion	9/30/2020	Public Works & Engineering

EMERGING & LONG-TERM GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
1	Attract higher skilled, higher wage jobs	Recruiting Metrics	9/30/2022	City Manager's Office
2	Reduce retail and job leakage	5% reduction	9/30/2022	Economic Development
3	Develop the Co-Op District as a vibrant, mixed-use district (Also supports the Quality of Life Objective)	Completion	9/30/2022	Economic Development

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- Progressive

OBJECTIVE:

Create an aggressive, progressive economic development strategy for the community.

ADDITIONAL DETAILS:

Economic Development is at the heart of Hutto's growth. To create a thriving community, we will have to be both aggressive and progressive in our economic development efforts.

STRATEGIC FOCUS AREAS:



Well Balanced & Diversified Economy



Public Safety



Fiscal Responsibility



Quality of Life & Services



Infrastructure & Growth

GUIDING PRINCIPLES:

1. Pursue a financially-sustaining development pattern.
2. Encourage infill development to maximize the use of existing infrastructure.
3. Ensure a city-wide jobs-housing balance.
4. Maximize the potential of intellectual capital.
5. Advance Hutto as a place for a qualified, diverse workforce.
6. Advocate Hutto as an economic hub for rail-served industry.
7. Encourage a mix of residential, retail, restaurant, and office use.
8. Encourage business development that promotes quality of place.
9. Invest to revitalize under-utilized areas for business opportunities.
10. Support new and existing local businesses in their operations and growth.

STRATEGIC FOCUS AREA ALIGNMENT:



Aligning Goals - Economic Development

IMMEDIATE GOALS	TARGET METRIC	TARGET DATE	RESPONSIBILITY
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1	Certificate of occupancy issued on Flix and secondary user in Co-Op	Completion	3/30/2020	Development Services
2	Create East and Southern corridor plans	Completion	9/30/2020	Development Services
3	Increase awareness of educational programs (Also supports the Quality of Life Objective)	Completion	9/30/2020	Public Relations/ Community Services
4	Secure additional 60,000 SF retail space	60,000 SF	9/30/2020	Economic Development
5	Create 100 new jobs through the recruitment of new businesses	100	9/30/2020	Economic Development
6	Expand economic development toolbox adding at least one new program	Completion	9/30/2020	Economic Development
7	Secure an additional 50,000 SF of industrial space	50,000 SF	9/30/2020	Economic Development
8	Expand opportunity for non-residential market types within the City	Completion	12/31/2020	Economic Development

EMERGING & LONG-TERM GOALS	TARGET METRIC	TARGET DATE	RESPONSIBILITY
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1	Develop the Co-Op site as a vibrant, mixed use district	Completion	9/30/2022	Economic Development
2	Reduce retail and job leakage	5%	9/30/2022	Economic Development

VISION

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OBJECTIVE:

Enhance mobility within the City.

ADDITIONAL DETAILS:

In order to thrive, people must be able to easily move throughout the community. Our objective is to continually improve the level of all forms of mobility, including vehicular, pedestrian, bicycle, and mass transportation . Strategic project selection, design, creative funding, and efficient construction will aide in enhancing mobility.

GUIDING PRINCIPLES:

1. Maintaining and following all adopted master plans is an important aspect of being able to continually enhance mobility.
2. Where a governing body desires to act conversely to an adopted Master Plan, the fact that the action is converse to the adopted Master Plan will be clearly reported by staff to the governing body and the affected Master Plan will be amended to reflect the change in policy.
3. Where possible, the City should partner with Hutto ISD, private developers, and other agencies to enhance mobility in the most cost-effective manner.
4. Safety, capacity, construction efficiency, ease and cost of maintenance must be considered for every new or rehabilitation project.
5. Transportation projects should respect and preserve the surrounding character to the greatest extent possible.
6. We should collaborate with regional entities to ensure that roadway design balances regional mobility goals with the unique needs and character of Hutto.
7. We should continually support efforts to serve Hutto with regional public transit, such as bus or rail.
8. Maintaining an active and cooperative relationship with entities such as Lone Star Rail, CAMPO, and CapMetro is an important aspect of achieving this objective.
9. We should always look to proactively expand the various infrastructure systems to optimize cost saving opportunities and funding partnerships.
10. Ensure proper multi-modal circulation to and through all new development.

STRATEGIC FOCUS AREAS:



Well Balanced & Diversified Economy



Public Safety



Fiscal Responsibility



Quality of Life & Services



Infrastructure & Growth

STRATEGIC FOCUS AREA ALIGNMENT:



Aligning Goals - Mobility

IMMEDIATE GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
1	Update the UDC to reflect the updated Comprehensive Plan and Parks Master Plan Update	Completion	8/01/2020	Development Services
2	Establish a park and ride location in Hutto	Completion	9/30/2020	City Manager's Office
3	Complete the capital projects included in the FY2017 budget	Completion	9/30/2020	Public Works & Engineering

EMERGING & LONG-TERM GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
1	Create pedestrian access crossing and access along Hwy. 79	1 Additional	9/30/2022	Public Works & Engineering
2	Provide a developed trail system to connect neighborhoods, commercial areas, schools, and downtown to one another	Completion	9/30/2022	Public Relations/Community Services
3	Complete the capital projects included in the long-term capital improvement plan (see CIP Appendix for various projects)	Completion	9/30/2022	Public Works & Engineering

VISION

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STRATEGIC FOCUS AREAS:



Well Balanced & Diversified Economy



Public Safety



Fiscal Responsibility



Quality of Life & Services



Infrastructure & Growth

OBJECTIVE:

Generate a strategic path forward for enhancing the public safety apparatus including police, fire, and emergency medical services.

ADDITIONAL DETAILS:

Our objective is to generate a strategic direction to appropriate the resources to adequately staff, equip, train, motivate, and house the public safety functions in the community.

GUIDING PRINCIPLES:

1. All forms of public safety, including police, fire services, and emergency medical services are a core function of local government and should be adequately staffed and equipped annually.
2. The "apparatus" in this objective means all of these broad systems of support for performing public safety functions, including personnel count, vehicles, buildings, equipment, etc.

STRATEGIC FOCUS AREA ALIGNMENT:



Aligning Goals - Public Safety Apparatus

IMMEDIATE GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
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1	Identify hardware and software needs of emergency communications center	Completion	9/30/2020	Police Department
2	Reduce sexual assaults 10% over previous year	13 units	9/30/2020	Police Department
3	Decrease burglaries by 10% over previous year	10%	9/30/2020	Police Department
4	Decrease criminal mischief by 10% over previous year	10%	9/30/2020	Police Department
5	Identify emergency communications center business model	Completion	9/30/2020	Police Department
6	Complete design of new communications center	Completion	9/30/2020	Police Department
7	Establish partnership with County regarding staffing as communication center	Completion	9/30/2020	Police Department

EMERGING & LONG-TERM GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
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1	Decrease visibility objective (Collectors and residential streets) 24 hours to 12 hours by Sept. 30, 2022	24 hours to 12 hours	9/30/2022	Police Department
2	Increase authorized patrol staffing	25 to 31	9/30/2022	Police Department
3	Increase officer self-initiated time	8.9 minutes to 20 minutes/hour	9/30/2022	Police Department
4	Maintain average response time for calls for service	4 minutes	9/30/2022	Police Department
5	Maintain percentage of time an officer will be available to immediately respond to an emergency call	95%	9/30/2022	Police Department
6	Rebuild network at police station	Completion	9/30/2022	Police Department

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Quality of Life & Services



Infrastructure & Growth

OBJECTIVE:

Enhance the overall governance of the community.

ADDITIONAL DETAILS:

The City Council's job is, on behalf of the community, to see to it that the organization achieves what it should and avoids what is unacceptable. Continually enhancing the overall governance of the community is a primary objective of the City Council and we will annually establish goals to focus efforts in this area.

GUIDING PRINCIPLES:

1. Actively advocating for Hutto's legislative agenda at the county, state and national levels as needed.
2. Elected officials, appointed officials and staff should continually cultivate, maintain, and promote both internal and external relationships which impact the effective governance of the community.
3. All involved should continually seek to identify and maintain a qualified group of community leaders at all levels.
4. Maintain a consistently high level of involvement of the Planning and Zoning Commission.
5. Focus on City Council leadership and development.
6. Nurture & sustain strategic partnerships with county, state and neighboring local government officials/staff to address common issues.
7. Nurture & sustain strategic educational partnerships.
8. Build community cohesion through continuous open communication.
9. Utilize ongoing continuing education opportunities, on an annual

STRATEGIC FOCUS AREA ALIGNMENT:



Aligning Goals - Governance

IMMEDIATE GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
1	Host and Manage Elections (November & May 2020)	Completion	5/31/2020	Public Relations/ Community Services
2	Adopt ICC Codes to 2015 minimum	Completion	7/31/2020	Development Services
3	Continue to review policies, procedures and process and make necessary changes/edits/recommendations to ensure efficiency, effectiveness, alignment with core values, strategic plan, and service oriented organization <i>(Also supports the Workforce Objective)</i>	Completion	9/30/2020	Human Resources
4	Update residential design guidelines	Completion	9/30/2020	Development Services
5	Continue review of ordinances and resolutions for conflict and applicability <i>(Also supports the Infrastructure Objective)</i>	Completion	9/30/2020	Public Relations/ Community Services

EMERGING & LONG-TERM GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
1	Consider a review of the Charter with City Council	Completion	2/28/2021	Public Relations/ Community Services

VISION

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STRATEGIC FOCUS AREAS:



Well Balanced & Diversified Economy



Public Safety



Fiscal Responsibility



Quality of Life & Services



Infrastructure & Growth

OBJECTIVE:

Ensure responsible fiscal stewardship through transparency and reporting.

ADDITIONAL DETAILS:

Stewardship is the responsible care and oversight of the resources made available by the citizens and customers of the City of Hutto to effectively manage the governmental responsibilities of the community. Continued fiscal stewardship is critical to creating an opportunity for people to thrive

GUIDING PRINCIPLES:

1. Provide funding for infrastructure to sustain growth.
2. Embrace the use of technology to enhance or reduce the cost of service delivery.
3. Reduce energy consumption and encourage the use of alternative and renewable energy sources.
4. Continually seek to stabilize and control program costs.

STRATEGIC FOCUS AREA ALIGNMENT:



Aligning Goals - Fiscal Stewardship

IMMEDIATE GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
1	Submit FY2020 budget book to GFOA for Award consideration	Completion	11/30/2019	Financial Services
2	Be prepared for the audit for FYE 19	Completion	12/31/2019	Financial Services
3	Reduce the amount of uncollected revenues by 25%	25%	9/30/2020	Financial Services
4	Develop and implement a fixed asset policy	Completion	01/15/2020	Financial Services
5	Submit 2019 CAFR to GFOA for Award consideration	Completion	03/31/2020	Financial Services
6	Implement a cash handling training citywide	Completion	4/1/2020	Financial Services
7	Complete budget process timely and present by middle of July	Completion	7/31/2020	Financial Services

EMERGING & LONG-TERM GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
1	Raise the City's bond rating to AA+ by end of FY 2021	AA- to AA+	12/31/2021	Financial Services

VISION

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VALUES

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OBJECTIVE:

Implement a quality city-wide customer service program.

ADDITIONAL DETAILS:

We believe that all people can thrive when we are serving one another. Our objective is to implement a culture of service across the entire City of Hutto organization, and to provide outstanding customer service in all aspects of what we do.

STRATEGIC FOCUS AREAS:



Well Balanced & Diversified Economy



Public Safety



Fiscal Responsibility



Quality of Life & Services



Infrastructure & Growth

GUIDING PRINCIPLES:

1. Provide on-going and consistent citizen communications.
2. Maintain strong relationships between the Police Department and the community.
3. Our customers are our citizens, property owners, the City Council, volunteer boards and commissions, institutions, businesses, the development community and anyone that invests their time, energy, effort, or money into the City of Hutto.

STRATEGIC FOCUS AREA ALIGNMENT:



Aligning Goals - Customer Service

IMMEDIATE GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
1	Communicate City story to the citizens through a variety of different channels (Also supports the Quality of Life Objective)	Completion	9/30/2020	Public Relations/ Community Services
2	Maintain current up-to-date website (Also supports the Open for Business Objective)	Completion	9/30/2020	Public Relations/ Community Services
3	Utilize media to effectively tell the City of Hutto story	Completion	9/30/2020	Public Relations/ Community Services
4	Communicate regularly with Hutto business and development partners (Also supports Open for Business Objective)	Completion	9/30/2020	Economic Development
5	Continue to build a culture of customer service throughout the organization and is top of mind for each department	Completion	9/30/2020	Human Resources Public Relations/ Community Services
6	Continue to improve IT operational efficiencies by City Staff	Completion	9/30/2020	Public Relations/ Community Services

EMERGING & LONG-TERM GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
	None at this time.			

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STRATEGIC FOCUS AREAS:



Well Balanced & Diversified Economy



Public Safety



Fiscal Responsibility



Quality of Life & Services



Infrastructure & Growth

OBJECTIVE:

Maintain a positive and inspired workforce.

ADDITIONAL DETAILS:

In order to create a thriving community, City staff members need to be fully engaged in service to the public. In order to be fully engaged, the organization must continually cultivate a positive and inspiring workplace culture.

GUIDING PRINCIPLES:

1. Provide continuing education opportunities for employees.
2. Maintain a highly effective police force.
3. Recruit and retain a highly effective Police force.
4. Departments should use succession planning to train and promote from within where feasible.

STRATEGIC FOCUS AREA ALIGNMENT:



Aligning Goals - Workforce

IMMEDIATE GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
1	Continue to develop and facilitate bi-monthly training with all employees	Completion	9/30/2020	Human Resources
2	Reduce operating costs through utilization of Lean Management practices (Also supports the Infrastructure Objective)	Completion	9/30/2020	Human Resources
3	Automate performance review, employee action and position requisition processes among others (Also supports the Infrastructure Objective)	Completion	9/30/2020	Human Resources
4	Continue to review policies, procedures and process and make necessary changes/edits/recommendations to ensure efficiency, effectiveness, alignment with core values, strategic plan, and service oriented organization (Also supports the Governance Objective)	Completion	9/30/2020	Human Resources
5	Continue to improve IT operational efficiencies of City Staff (Also supports the Infrastructure Objective)	Completion	9/30/2020	Public Relations/ Community Services

EMERGING & LONG-TERM GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
	None at this time.			

VISION

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VALUES

- Responsible
- Authentic
- Safe
- Progressive

OBJECTIVE:

Maintain an environment and quality of life that encompasses a safe, friendly, and an entertaining atmosphere for all ages.

ADDITIONAL DETAILS:

People thrive when they are able to live in, work in, and visit an environment that is safe, friendly, and entertaining. Our objective is to create and maintain such an environment within the City of Hutto.

STRATEGIC FOCUS AREAS:



Well Balanced & Diversified Economy



Public Safety



Fiscal Responsibility



Quality of Life & Services



Infrastructure & Growth

GUIDING PRINCIPLES:

1. Support and encourage beautification efforts.
2. Maintain strong relationships between the Police Dept. and the community.
3. Support a city-wide tree planting and care program.
4. Acquire and develop open space of various scales for active, passive and programmed use.
5. Develop Hutto's park system in accordance with the Parks, Trails, and Open Space Master Plan.
6. Continually cultivate an expansive urban tree canopy.
7. Ensure the health of trees through standards and species selection.
8. Expand the city's tree canopy cover through landscaping and targeted tree planting efforts.
9. Support the preservation of green space.
10. Consistently seek productive community partnerships.
11. Promote home and yard maintenance/code compliance.
12. Build community character and compatibility through architectural design.
13. Ensure proper multi-modal circulation to and through new development.
14. Use zoning to ensure harmony and avoid adverse impacts to surrounding thoroughfares and
15. Allow a variety of housing products to serve the needs of a diverse population through all stages of life.
16. Support various scales of attached and multi-family housing.
17. Require that the form and character of downtown Hutto persist in new construction redevelopments.
18. Preserve designated historic structures.
19. Celebrate Hutto's heritage and preserve our history for future generations.
20. Highlight Hutto's unique identity and heritage through murals and public art.
21. Ensure that neighborhoods will hold value and remain safe.
22. Proactively support educational needs for the community.
23. Nurture & sustain strategic educational partnerships.
24. Maintain active participation in regional trail planning efforts.
25. Provide public gathering opportunities through programming of existing facilities.
26. Seek to provide platforms for display and promotion of local art.
27. Connect residents to the arts, including music and



Aligning Goals - Quality of Life

IMMEDIATE GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
1	Establish an operations plan for ball fields	Completion	5/31/2020	Public Relations/ Community Services
2	Establish an operations plan for recreation center services	Completion	8/31/2020	Public Relations/ Community Services
3	Communicate City story to the citizens through a variety of different channels <i>(Also supports the Customer Service Objective)</i>	Completion	9/30/2020	Public Relations/ Community Services
4	Develop new content for Public Access Channel channel and online engagement	Completion	9/30/2020	Public Relations/ Community Services
5	Utilize media to effectively tell the City of Hutto's story	Completion	9/30/2020	Public Relations/ Community Services
6	Expand library collection, improve standards	Completion	9/30/2020	Public Relations/ Community Services
7	Increase awareness of educational programs <i>(Also supports the Economic Development Objective)</i>	Completion	9/30/2020	Public Relations/ Community Services
8	Develop an ongoing city-wide senior recreation program	Completion	9/30/2020	Public Relations/ Community Services
9	Promote Hutto as a destination	Completion	9/30/2020	Economic Development
10	Communicate regularly with Hutto businesses and development partners	Completion	9/30/2020	Economic Development

EMERGING & LONG-TERM GOALS		TARGET METRIC	TARGET DATE	RESPONSIBILITY
1	Design Gap Trail <i>(Also supports the Infrastructure Objective)</i>	Completion	9/30/2020	Public Relations/ Community Services
2	Design of Fritz/Creekside improvements <i>(Also supports the Infrastructure Objective)</i>	Completion	9/30/2020	Public Relations/ Community Services

Aligning Goals - Quality of Life

3	Develop the Co-Op District as a vibrant, mixed-use district (Also supports the Open For Business Objective)	Completion	9/30/2022	Economic Development
4	Complete the capital projects included in the long-term capital improvement plan (see CIP Appendix for various projects)	Completion	9/30/2022	Public Works & Engineering

CIP APPENDIX

From the FY 2017 CIP

Complete Public Works Pole Barn

From the FY 2018 CIP

Complete Innovation infrastructure improvements

HOT purchase and improvements

Limmer Loop sidewalk

Water tank/tower rehabilitation

Complete Co-Op improvements (City Hall)

Complete Pollard Park amphitheater project

From the FY 2019 CIP

Existing City Hall to Police Department renovation

FM I660 utility relocation

WWTP permit capacity expansion

Lakeside Lift Station

SCADA analysis

From the FY 2020 CIP

Shiloh booster pumps

Frameswitch booster pumps

Cottonwood Creek improvements

Cottonwood Creek parallel interceptor

Pecan Water Tower rehabilitation

From Proposition A

FM I660 at Limmer Loop

FM I660 N at US 79

FM I660 S at US 79

Grade separated crossing

Pedestrian grade separated crossing

Cottonwood Creek improvements

Old Town Street improvements

CR I37 improvements

Legends of Hutto drainage



CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 11B.

AGENDA DATE: April 18, 2019

PRESENTED BY: Eliska Padilla, Assistant to the City Manager

ITEM:

A resolution of the City Council of the City of Hutto, Texas, in support of the creation of a Municipal Management District to be known as Hutto Municipal Management District No. 1. (Eliska Padilla)

**STRATEGIC GUIDE
POLICY:**

Well Balanced & Diversified Economy

ITEM BACKGROUND:

Wolverine Interests owns approximately 270 acres of undeveloped or underdeveloped land within the limits of the City of Hutto, which the Developer intends to develop or redevelop as a mixed-use development. The Developer has proposed the creation of the Hutto Municipal Management District No. 1 (the "District") which, if created, could provide a mechanism to finance public improvements within the Development, subject to the City's consent and the terms of a development agreement between the Developer and the City.

City staff find it is in the public interest to support the introduction and passage of legislation by the 86th Texas Legislature creating the District and asks for City Council support of such legislation.

BUDGETARY AND FINANCIAL SUMMARY:

None.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

None.

CITY ATTORNEY REVIEW:

Council has reviewed legislation and resolution.

STAFF RECOMMENDATION:

Staff recommends approval.

SUPPORTING MATERIAL:

1. [Attachment A - Draft Legislation](#)
2. [Resolution - MMD Support](#)

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

By: _____

____.B. No. _____

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Hutto Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter _____ to read as follows:

CHAPTER _____ . HUTTO MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. _____ .0001. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "City" means the City of Hutto.

(3) "Director" means a board member.

(4) "District" means the Hutto Municipal Management District No. 1.

(5) "Venue" has the same meaning as set forth in Chapter 334, Texas Local Government Code.

(6) "Venue project" means a community venue project that has been approved under this chapter by the voters of the district.

Sec. .0002. NATURE OF DISTRICT. The Hutto Municipal Management District No. 1 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. .0003. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter.

(b) By creating the district and in authorizing the city and other political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.

(c) The creation of the district is necessary to promote, develop, encourage, and maintain employment, commerce, transportation, housing, tourism, recreation, the arts, entertainment, economic development, safety, and the public welfare in the district.

(d) This chapter and the creation of the district may not be interpreted to relieve the city from providing the level of services provided as of the effective date of the Act enacting this chapter to the area in the district. The district is created to supplement and not to supplant city services provided in the district.

Sec. .0004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

All land and other property included in the district will benefit from the improvements and services to be provided by the district under powers conferred by Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other powers granted under this chapter.

(b) The district is created to serve a public use and benefit.

(c) The creation of the district is in the public interest and is essential to further the public purposes of:

(1) developing and diversifying the economy of the state;

(2) eliminating unemployment and underemployment; and

(3) developing or expanding transportation and commerce.

(d) The district will:

(1) promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;

(2) provide needed funding for the district to preserve, maintain, and enhance the economic health and vitality of the district territory as a community and business center;

(3) promote the health, safety, welfare, and enjoyment

of the public by providing pedestrian ways and by landscaping and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty; and

(4) provide for water, wastewater, drainage, road, venue, and recreational facilities for the district.

(e) Pedestrian ways along or across a street, whether at grade or above or below the surface, and street lighting, street landscaping, parking, and street art objects are parts of and necessary components of a street and are considered to be a street or road improvement.

(f) The district will not act as the agent or instrumentality of any private interest even though the district will benefit many private interests as well as the public.

Sec. .0005. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 2 of the Act enacting this chapter form a closure. A mistake in the field notes or in copying the field notes in the legislative process does not affect the district's:

(1) organization, existence, or validity;

(2) right to issue any type of bonds for the purposes

for which the district is created or to pay the principal of and interest on the bonds;

(3) right to impose or collect an assessment or tax; or

(4) legality or operation.

Sec. .0006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

All or any part of the area of the district is eligible to be included in:

(1) a tax increment reinvestment zone created under Chapter 311, Tax Code; or

(2) a tax abatement reinvestment zone created under Chapter 312, Tax Code.

Sec. .0007. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. .0008. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. .0051. GOVERNING BODY; TERMS. The district is governed by a board of five directors who serve staggered terms of four years expiring June 1 of each even-numbered year.

Sec. .0052. INITIAL DIRECTORS. (a) The initial board shall consist of persons appointed by the City from persons

recommended by the owner of a majority of the land located within the district.

(b) The terms of the initial directors expire June 1, 2020.

(c) Section .0053 does not apply to subsection (a).

Sec. .0053. QUALIFICATIONS OF DIRECTORS APPOINTED BY CITY. (a) To be qualified to serve as a director appointed by the governing body of the city, a person must be:

(1) a resident of the city who is also a registered voter of the city; or

(2) an owner of property in the district; or

(3) an owner of stock or a partnership or membership interest, whether beneficial or otherwise, of a corporate partnership, limited liability company, or other entity owner of a direct or indirect interest in property in the district; or

(4) an owner of a beneficial interest in a trust, or a trustee in a trust, that directly or indirectly owns property in the district; or

(5) an agent, employee, or tenant of a person described by Subdivision (2), (3), or (4).

(b) Section 49.052, Water Code, does not apply to the district.

Sec. .0054. APPOINTMENT OF DIRECTORS. The governing body of the city shall appoint directors to replace the initial

directors and any directors thereafter from persons recommended by the board.

Sec. .0055. VACANCY. If a vacancy occurs on the board, the remaining directors shall appoint a director for the remainder of the unexpired term. A director may resign from the board at any time.

Sec. .0056. COMPENSATION; EXPENSES. (a) The district may compensate each director who was not appointed by the city in an amount not to exceed \$150 for each board meeting. The total amount of compensation for each director in one year may not exceed \$7,200. Directors appointed by the city are not eligible for compensation.

(b) A director is entitled to reimbursement for necessary and reasonable expenses incurred in carrying out the duties and responsibilities of the board.

Sec. .0057. GENERAL MANAGER. The board may employ or contract with a person to perform services as general manager of the district in the manner provided in Section 49.056 of the Texas Water Code.

SUBCHAPTER C. POWERS AND DUTIES

Sec. .0101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. .0102. IMPROVEMENT PROJECTS AND SERVICES. (a) The district, using any money available to the district for the purpose, may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

(b) The district may contract with a governmental or private entity to carry out an action under Subsection (a).

(c) The implementation of a district project or service is a governmental function or service for the purposes of Chapter 791, Government Code.

Sec .0103. VENUE PROJECT. (a) The district has those powers set forth in Section 334.041, Texas Local Government Code.

(b) The legislature finds for all constitutional and statutory purposes that a venue project is an improvement project under this chapter and will be owned, used, and held for public purposes by the district or city.

(c) The district, if approved by the majority of voters of the district at an election held for that purpose, may provide for the planning, acquisition, establishment, development, construction, or renovation of a venue project.

(d) The district by resolution may provide for the planning, acquisition, establishment, development, construction, or

renovation of a venue project if:

(1) the resolution is approved by a majority of the qualified voters of the district voting at an election called and held for that purpose pursuant to the procedures in Section 334.024, Local Government Code.

(2) The resolution must designate each venue project and each method of financing authorized by this chapter that the district may use to finance a project. A resolution may designate more than one method of financing.

(e) The venue project is exempt from taxation under Section 11.11, Tax Code, while the district or city owns the venue project or the district may enter into an agreement for payments in lieu of taxes with each taxing authority for property located within the district.

(f) Section 334.004, Local Government Code, does not apply to the district, while the district or city owns the venue project.

Sec. .0104. NONPROFIT CORPORATION. (a) The board by resolution may authorize the creation of a nonprofit corporation to assist and act for the district in implementing a project or providing a service authorized by this chapter.

(b) The nonprofit corporation:

(1) has each power of and is considered to be a local government corporation created under Subchapter D, Chapter 431,

Transportation Code; and

(2) may implement any project and provide any service authorized by this chapter.

(c) The board shall appoint the board of directors of the nonprofit corporation. The board of directors of the nonprofit corporation shall serve in the same manner as the board of directors of a local government corporation created under Subchapter D, Chapter 431, Transportation Code, except that a board member is not required to reside in the district.

Sec. .0105. LAW ENFORCEMENT SERVICES. To protect the public interest, the district shall contract with the city to provide law enforcement services in the district for a fee.

Sec. .0106. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The district may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a district purpose.

Sec. .0107. ECONOMIC DEVELOPMENT PROGRAMS. (a) The district may engage in activities that accomplish the economic development purposes of the district.

(b) The district may establish and provide for the administration of one or more programs to promote state or local economic development and to stimulate business and commercial activity in the district, including programs to:

(1) make loans and grants of public money; and

(2) provide district personnel and services.

(c) The district may create economic development programs and exercise the economic development powers provided to municipalities by:

(1) Chapter 380, Local Government Code; and

(2) Subchapter A, Chapter 1509, Government Code.

Sec. .0108. PARKING FACILITIES. (a) The district may acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain parking facilities or a system of parking facilities, including lots, garages, parking terminals, or other structures or accommodations for parking motor vehicles off the streets and related appurtenances.

(b) The district's parking facilities serve the public purposes of the district and are owned, used, and held for a public purpose even if leased or operated by a private entity for a term of years.

(c) The district's parking facilities are parts of and necessary components of a street and are considered to be a street or road improvement.

(d) The development and operation of the district's parking facilities may be considered an economic development program.

Sec. .0109. ADDING OR EXCLUDING LAND. The district may

add or exclude land in the manner provided by Subchapter J, Chapter 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

Sec. .0110. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of district money.

Sec. .0111. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

SUBCHAPTER D. ASSESSMENTS

Sec. .0151. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

(b) A petition filed under Subsection (a) must be signed by the owners of a majority of the assessed value of real property in the district subject to assessment according to the most recent certified tax appraisal roll for the county.

Sec. .0152. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district.

(b) An assessment, a reassessment, or an assessment

resulting from an addition to or correction of the assessment roll by the district, penalties and interest on an assessment or reassessment, an expense of collection, and reasonable attorney's fees incurred by the district:

(1) are a first and prior lien against the property assessed;

(2) are superior to any other lien or claim other than a lien or claim for county, school district, or municipal ad valorem taxes; and

(3) are the personal liability of and a charge against the owners of the property even if the owners are not named in the assessment proceedings.

(c) The lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid. The board may enforce the lien in the same manner that the board may enforce an ad valorem tax lien against real property.

(d) The board may make a correction to or deletion from the assessment roll that does not increase the amount of assessment of any parcel of land without providing notice and holding a hearing in the manner required for additional assessments.

SUBCHAPTER E. TAXES AND BONDS

Sec. .0201. TAX ELECTION REQUIRED. The district must hold an election in the manner provided by Chapter 49, Water Code,

or, if applicable, Chapter 375, Local Government Code, to obtain voter approval before the district may impose an ad valorem tax.

(b) Section 375.243, Local Government Code, does not apply to this section.

Sec. .0202. OPERATION AND MAINTENANCE TAX. (a) If authorized by a majority of the district voters voting at an election under Sections .0103 or .0201, the district may impose an operation and maintenance tax on taxable property in the district in the manner provided by Section 49.107, Water Code, for any district purpose, including to:

- (1) maintain and operate the district;
- (2) construct or acquire improvements; or
- (3) provide a service.

(b) The board shall determine the operation and maintenance tax rate. The rate may not exceed the rate approved at the election.

Sec. .0203. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on terms determined by the board.

(b) The district may issue, by public or private sale, bonds, notes, or other obligations payable wholly or partly from ad valorem taxes, assessments, sales taxes, impact fees, revenue, contract payments, grants, or other district money, or any

combination of those sources of money, to pay for any authorized district purpose.

(c) The limitation on the outstanding principal amount of bonds, notes, or other obligations provided by Section 49.4645, Water Code, does not apply to the district.

(d) The district may issue, by public or private sale, bonds, notes, or other obligations payable wholly or partly from assessments in the manner provided by Subchapter A, Chapter 372, Local Government Code, if the improvements financed by an obligation issued under this section will be conveyed to or operated and maintained by a municipality or other retail utility provider pursuant to an agreement with the district entered into before the issuance of the obligation.

Sec. .0204. BONDS SECURED BY REVENUE OR CONTRACT PAYMENTS. The district may issue, without an election, bonds secured by:

- (1) revenue other than ad valorem taxes; or
- (2) contract payments, provided that the requirements of Section 49.108, Water Code, have been met;
- (3) other contract revenues

Sec. .0205. BONDS SECURED BY AD VALOREM TAXES; ELECTIONS.

(a) If authorized at an election under Section .0201, the district may issue bonds payable from ad valorem taxes.

(b) At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct annual ad valorem tax, without limit as to rate or amount, for each year that all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

(c) All or any part of any facilities or improvements that may be acquired by a district by the issuance of its bonds may be submitted as a single proposition or as several propositions to be voted on at the election.

Sec. .0206. CONSENT OF MUNICIPALITY REQUIRED. (a) The board may not issue bonds until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

(b) This section applies only to the district's first issuance of bonds payable from ad valorem taxes.

SUBCHAPTER F. SALES AND USE TAX

Sec. .0251. APPLICABILITY OF CERTAIN TAX CODE PROVISIONS.

(a) Chapter 321, Tax Code, governs the imposition, computation, administration, enforcement, and collection of the sales and use tax authorized by this subchapter except to the extent Chapter 321, Tax Code, is inconsistent with this chapter.

(b) A reference in Chapter 321, Tax Code, to a municipality or the governing body of a municipality is a reference to the district or the board, respectively.

Sec. .0252. ELECTION; ADOPTION OF TAX. (a) The district may adopt a sales and use tax if:

(1) the city consents to the adoption of the tax; and
(2) the tax is authorized by a majority of the voters of the district voting at an election held for that purpose.

(b) The district may adopt a sales and use tax pursuant to Section 334.081, Local Government Code.

(b) Subject to city consent under Subsection (a), the board by order may call an election to authorize the adoption of the sales and use tax. The election may be held on any uniform election date and in conjunction with any other district election.

(c) The district shall provide notice of the election and shall hold the election in the manner prescribed by Section .0201.

(d) The ballot shall be printed to provide for voting for or against the proposition: "Authorization of a sales and use tax in the (insert name of district or name of new district created under Subchapter D) at a rate not to exceed _____ percent" (insert rate of one or more increments of one-eighth of one percent).

Sec. .0253. SALES AND USE TAX RATE. (a) Not later than

the 10th day after the date the results are declared of an election held under Section .0252, at which the voters approved imposition of the tax authorized by this subchapter, the board shall determine the initial rate of the tax, which must be in one or more increments of one-eighth of one percent.

(b) After the election held under Section .0252, the board may decrease the rate of the tax by one or more increments of one-eighth of one percent. The board may not decrease the rate of the tax if the decrease would impair the repayment of any outstanding debt or obligation payable from the tax.

(c) The rate of the tax may not exceed the lesser of:

(1) the maximum rate authorized by the district voters at the election held under Section .0252; or

(2) a rate that, when added to the rates of all sales and use taxes imposed by other political subdivisions with territory in the district, would result in the maximum combined rate prescribed by Section 321.101(f), Tax Code, at any location in the district.

(d) The board shall notify the comptroller of any changes made to the tax rate in the same manner the municipal secretary provides notice to the comptroller under Section 321.405(b), Tax Code.

Sec. .0254. USE OF REVENUE. Revenue from the sales and

use tax imposed under this subchapter is for the use and benefit of the district and may be used for any district purpose. The district may pledge all or part of the revenue to the payment of bonds, notes, or other obligations, and that pledge of revenue may be in combination with other revenue, including tax revenue, available to the district.

Sec. .0255. ABOLITION OF TAX. (a) The board may abolish the tax imposed under this subchapter without an election.

(b) If the board abolishes the tax, the board shall notify the comptroller of that action in the same manner the municipal secretary provides notice to the comptroller under Section 321.405(b), Tax Code.

(c) If the board abolishes the tax or decreases the tax rate to zero, a new election to authorize a sales and use tax must be held under Section .0252 before the district may subsequently impose the tax.

SUBCHAPTER G. DISSOLUTION

Sec. .0301. DISSOLUTION. (a) Except as limited by Section 375.264, Local Government Code, the board shall dissolve the district on written petition filed with the board by the owners of:

(1) 66 percent or more of the assessed value subject to assessment by the district of the property in the district based

on the most recent certified county property tax rolls; or

(2) 66 percent or more of the surface area of the district, excluding roads, streets, highways, utility rights-of-way, other public areas, and other property exempt from assessment by the district according to the most recent certified county property tax rolls.

(b) The district may not be dissolved if the district:

(1) has any outstanding bonded or other indebtedness until that bonded or other indebtedness has been repair or defeased in accordance with the order or resolution authorizing the issuance of the bonded or other indebtedness;

(2) has a contractual obligation to pay money until that obligation has been fully paid in accordance with the contract; or

(3) owns, operates, or maintains public works, facilities, or improvements unless the district has contracted with another party for the ownership and operation or maintenance of the public works, facilities, or improvements.

(c) Section 375.262, Local Government Code, does not apply to the district.

SECTION 2. The Hutto Municipal Management District No. 1 initially includes all territory contained in the following area:
[INSERT LEGAL DESCRIPTION]

SECTION 3. (a) The legal notice of the intention to

introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act have been fulfilled and accomplished.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS, IN
SUPPORT OF THE CREATION OF A MUNICIPAL MANAGEMENT DISTRICT TO BE
KNOWN AS HUTTO MUNICIPAL MANAGEMENT DISTRICT NO. 1**

WHEREAS, Wolverine Interests (the "Developer") owns approximately 270 acres of undeveloped or underdeveloped land within the limits of the City of Hutto (the "City"), which the Developer intends to develop or redevelop as a mixed-use development (the "Development");

WHEREAS, the Developer has proposed the creation of the Hutto Municipal Management District No. 1 (the "District") which, if created, could provide a mechanism to finance public improvements within the Development subject to the City's consent and the terms of a development agreement between the Developer and the City; and

WHEREAS, the City Council finds that it is in the public interest to support the introduction and passage of legislation by the 86th Texas Legislature creating the District.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO:

SECTION 1. The City Council hereby supports the introduction and passage of legislation during the 86th Texas Legislature creating the "Hutto Municipal Management District No. 1"; provided that such legislation does not substantively differ from the legislation attached hereto as Exhibit "A", which is incorporated herein by reference and for all purposes.

SECTION 2. This resolution in support of the legislation creating the District does not constitute consent to the creation of this conservation and reclamation district as required by Article XVI, Section 59 of the Texas Constitution, and the City specifically reserves the right to consent to the District and to impose consent conditions on such District.

SECTION 3. The City Council retains the right to withdraw its support from the legislation creating the District if, during the legislative process, provisions in the legislation attached hereto are substantively amended.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provision of the Charter of the City of Hutto, and it is accordingly so resolved.

DULY RESOLVED by the City Council of the City of Hutto, Texas, on the __ day of _____, 2019.

Mayor

ATTEST:

APPROVED:

City Secretary

City Attorney

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 12A.

AGENDA DATE: April 18, 2019

PRESENTED BY: Lisa Brown, City Secretary

ITEM:

Consideration of and possible appointments to City Boards and Commissions. (Lisa Brown)

**STRATEGIC GUIDE
POLICY:**

Quality of Life & Services

ITEM BACKGROUND:

On July 7, 2018, the City Council approved Ordinance O-18-07-05-8B that changed the terms of service of the boards, commissions and corporation members to be realigned to match those of the council places and terms. Beginning July 1, 2018, new terms will expire on June 30, of the corresponding Council Member term. Transition to new terms for current board and commission members can be reappointed to the new terms based on the new expiration terms, or new appointments can be recommended during a council meeting in July. All current board and commission members have been assigned Place numbers to coincide with existing council members. On June 20, 2018, the Council re-appointed all seated board members to terms aligned with the corresponding member term.

There are several seats on the boards and commissions that were created as a result of the ordinance in July that need to be filled. Additionally, there are some board and commission members who have been reappointed that do not wish to continue past the expiration of their original term and intend to resign their position at that time.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Not applicable.

SUPPORTING MATERIAL:

- ## 1. Board Spreadsheet

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

Boards and Commissions Master Transition

Council Member Place 1
Council Member Place 2
Council Member Place 3
Council Member Place 4
Council Member Place 5
Council Member Place 6
Mayor (Place 7)

Scott Rose May-20
Tom Hines May-21
Nate Killough May-19
Tim Jordan May-20
Patti Turner May-21
Terri Grimm May-19
Doug Gaul May-19

* **Newly Appointed**
* **Re-appointed**
* **Vacant**
** **Plans to resign Dec 2018**

*All Boards and Commissions terms Realigned for appointment in June
Terms Run 7/1 to 6/30 unless otherwise indicated*

Last update: **3/1/2019**

Planning & Zoning Commission								
Meets: 1st Tuesday @ 7:00pm of each month in the City Council Chamber								
2 yr Terms Per Charter								
Liaison - Ashley Lumpkin								
Approved					Term	Term	Phone	Email Address
20-Sep	Place 1	Davey	Robinson	Vice-Chair	Dec-19	June-20	512-635-0169	davey.robinson@austin.rr.com
6-Dec	Place 2	Randal	Clark	Commissioner	Dec-18	June-20	512-876-3277	texas30@gmail.com
20-Sep	Place 3	Jessica	Romigh	Chair	Dec-19	June-19	512-906-9453	jessicaromigh@gmail.com
20-Sep	Place 4	Michael	Orman	Commissioner	Dec-18	June-20	512-636-8521	Mike@orman.us
2-Aug	Place 5	Richard	Hudson	Commissioner	Dec-18	June-20	562-841-2145	sfcudson@gmail.com
20-Sep	Place 6	Tony	Wertz	Commissioner	Dec-19	June-19	512-785-3242	awertz1952@yahoo.com
2-Aug	Place 7	Lori	Ortiz	Commissioner	Dec-18	June-19	512-203-6813	lori.ortiz@austin.rr.com
Parks Advisory Board								
Meets: 2nd Wednesday @ 7:00pm of each month in the City Council Chamber								
Liaison - Shane Mize								
Approved					Term	Term		
20-Sep	Place 1	Katie	Weiss	Member	Dec-18	June-20	512-619-7099	katieweiss95@gmail.com
20-Sep	Place 2	Michael	Orman	Member	Dec-20	June-21	512-636-8521	MikeOrmanPBC@orman.us
20-Sep	Place 3	Dana	Lively	Member	Dec-20	June-19	713-824-7337	danaklively@gmail.com
jan 3 2019	Place 4	Julia	Cooper	Member	Dec-19	June-20	512-636-4602	juliacooper@gmail.com
20-Sep	Place 5	Kelly	Gaydos	Chair	Dec-20	June-21	512-658-4033	kelly_gaydos@yahoo.com
6-Sep	Place 6	Rose	McMillin	Member	Dec-20	June-19	512-656-8486	rosemcmillin@yahoo.com
2-Aug	Place 7	Perry	Savard	Vice Chair	Dec-19	June-19	512-560-1133	pmsstreetglide@gmail.com
Library Advisory Board								
Meets: Quarterly @ 6:00pm of each month in the City Council Chamber								
Liaison - Eliska Padilla								
Approved					Term	Term		
	Place 1	Vacant		Member	Dec-20	June-20		
20-Sep	Place 2	Dwight	Baker	Chair	Dec-20	June-21	714-585-3713	baker1640@sbcglobal.net
20-Sep	Place 3	Tara	Chappell	Vice Chair	Dec-20	June-19	512-914-2011	tchappell08@gmail.com
20-Sep	Place 4	Kathi	Shilling	Member	Dec-20	June-20	214-676-4565	kshilling873@gmail.com
	Place 5	Vacant		Member	Dec-18	June-21		
6-Sep	Place 6	Patricia	Elsasser	Member	Dec-20	June-19	512-317-0306	elsasserpaula@yahoo.com
1-Nov	Place 7	Lori	Ortiz	Member		June-19	512-203-6813	lori.ortiz@austin.rr.com
Zoning Board of Adjustments								
Meets: 4th Wednesday @ 7:00pm of each month in the City Council Chamber								
Liaison - Ashby Grundman								
Approved					Term	Term		
17-Jan	Place 1	Bryan	Dempsey	Member	Dec-18	June-20		
20-Sep	Place 2	Thomas	McGowan	Member	Dec-20	June-21	512-516-3968	tmmcgowan@yahoo.com
20-Sep	Place 3	Randal	Clark	Member	Dec-20	June-19	512-876-3277	texas30@gmail.com
	Place 4	Vacant		Member	Dec-20	June-20		
	Place 5	Vacant		Member		June-21		
6-Sep	Place 6	Maureen	Rooker	Member	Dec-19	June-19	512-789-2210	MaureenRooker@remax.net
2-Aug	Place 7	Dana	Lively	Member	Dec-20	June-19	713-824-7337	danaklively@gmail.com

Historic Preservation Commission								
Meets: 4th Tuesday @ 6:00pm of each month in the City Council Chamber								
Liaison - John Bynum								
Approved					Term	Term		
	Place 1	Vacant		Commissioner	Dec-18	June-20		
2-Aug	Place 2	Mary	Belton	Commissioner	Dec-18	June-21	951-218-3235	meb2745@gmail.com
20-Sep	Place 3	Curtis	Orton	Commissioner	Dec-18	June-19	512-689-8759	curtisorton3@gmail.com
20-Sep	Place 4	Robert	Lykins	Commissioner	Dec-19	June-20	512-788-3978	rlykins4066@yahoo.com
	Place 5	Vacant		Commissioner	Dec-19	June-21		
19-Jul	Place 6	Travis	Allen	Commissioner		June-19	512-740-4831	travallenman@yahoo.com
	Place 7	Vacant		Commissioner		June-19		
Building and Standards Commission								
Meets: As Needed in the City Council Chamber								
Liaison -								
Approved					Term	Term		
jan 3 2019	Place 1	Troy	Manella	Commissioner	Dec-19	June-20	512-785-3561	troym737@gmail.com
20-Sep	Place 2	Olinda	Ramirez	Commissioner	Dec-19	June-21	972-974-7712	olinda.ramirez1982@gmail.com
2-Aug	Place 3	Kendrick	Whittington	Commissioner		June-19	512-426-9688	kendrick@nexlegacyconstruction.com
20-Sep	Place 4	Vacant			Dec-18	June-20		
20-Sep	Place 5	Tom	Brown	Commissioner	Dec-18	June-21	256-473-3128	tjandsjbrown@att.net
16-Aug	Place 6	Maureen	Rooker	Commissioner	Dec-18	June-19	512-789-2210	MaureenRooker@remax.net
20-Sep	Place 7	Richard	Hudson	Commissioner	Dec-19	June-19	552-841-2145	sfchudson@gmail.com
Ethics Review Commission								
Meets: As Needed in the City Council Chamber (at least once a year)								
Liaison - Lisa Brown								
Approved					Term	Term		
20-Sep	Place 1	Craig	Cargill	Member	Dec-19	June-20	512-638-3214	craig.cargill@gmail.com
20-Sep	Place 2	Lori	Brown-Duncan	Member	Dec-19	June-21	512-426-9380	loribd216@aol.com
20-Sep	Place 3	Larry	Straughn	Vice Chair	Dec-19	June-19	512-876-1590	olin.straughn@huttoisd.net
20-Sep	Place 4	Russell	Daniel	Chair	Dec-19	June-20	512-626-7873	russelldaniel7@gmail.com
20-Sep	Place 5	Dana	Lively	Member	Dec-19	June-21	713-824-7337	danaklively@gmail.com
2-Aug	Place 6	April	Willis	Member		June-19	817-996-8197	aprilacm@gmail.com
	Place 7	Vacant		Member		June-19		
Economic Development Corporation								
Meets: 1st Monday @ 6:30pm of each month in the City Council Chamber								
Liaison - Jessica Bullock								
Approved					Current Term	Proposed Term		
20-Sep	Place 1	Nelson	Nagle	Treasurer	Oct-19	June-20	512-426-2025	nelson.nagle@huttotx.gov
13-Dec	Place 2	Doug	Gaul	Member	Oct-19	June-21	512-413-4370	doug.gaul@huttotx.gov
20-Sep	Place 3	Dan	Thornton	Secretary	Oct-19	June-19	512-529-4213	dan.thornton@huttotx.gov
13-Dec	Place 4	Scott	Rose	Member	Oct-19	June-20	254-206-0889	scott.rose@huttotx.gov
7-Feb	Place 5	Kevin	LaFrance	Member	Oct-19	June-21	512-466-8906	kevinlafrance@gmail.com
20-Sep	Place 6	Greg	Braun	Vice-Chair	Oct-19	June-19	512-299-0188	greg.braun@huttotx.gov
19-Jul	Place 7	Steve	Harris	Chair	Oct-19	June-19	254-498-2224	Steven.Harris@huttotx.gov