

CITY OF LAVON
ORDINANCE NO. 2026-02-01

Planned Development Zoning – Elevon Section 3

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY CHANGING THE ZONING CLASSIFICATION FROM TEMPORARY AGRICULTURAL (A) DISTRICT TO PLANNED DEVELOPMENT (PD) DISTRICT AS PROVIDED BY ORDINANCE NO. 2022-02-08 IN ELEVON, SECTION 3 CONSISTING OF RESIDENTIAL, COMMERCIAL/MIXED USE, AND PARKS/OPEN SPACE AREAS, ON APPROXIMATELY 360 ACRES OF LAND, GENERALLY ON THE NORTH SIDE OF COUNTY ROAD 541 AND EAST OF ELEVON, SECTION 2 AND THE LAVON RANCHETTES ADDITION, DESCRIBED AS PART OF THE 472.8955 ACRE TRACT IN THE SAMUEL M. RAINER SURVEY, ABSTRACT NO. 740, CITY OF LAVON, COLLIN COUNTY, TEXAS, BEING DESCRIBED IN EXHIBIT “A” AND MORE PARTICULARLY DEPICTED IN EXHIBIT “B”; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY; PROVIDING SEVERABILITY, SAVINGS, AND CUMULATIVE/ REPEALER CLAUSES; PROVIDING AN EFFECTIVE DATE; FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City of Lavon (hereinafter referred to as “City”) is a Home Rule municipality organized under the Constitution and laws of the State of Texas; and

WHEREAS, the City Council of the City (the “**City Council**”), is authorized and empowered by law, in accordance with Chapter 211 of the Texas Local Government Code, to adopt zoning regulations governing the use of land within the City; and

WHEREAS, the City Council adopted Chapter 9, Article 9.03 of its Code of Ordinances, the same being the Comprehensive Zoning Ordinance of the City, which governs the use and development of land in the City (the “**Zoning Ordinance**”); and

WHEREAS, owners of the Property hereinafter defined have submitted an application to change the zoning from Agricultural (A) to Planned Development (PD) District with base zoning established in Ordinance No. **2022-02-08**, generally on the north side of County Road 541 and east of Elevon, Section 2 and the Lavon Ranchettes Addition, as described in **Exhibit “A”** and depicted in **Exhibit “B”** (the “**Property**”); and

WHEREAS, this proposed zoning change is in accordance with the adopted comprehensive plan of the City; and

WHEREAS, the Zoning Ordinance incorporates design standards and building materials standards that are applicable to commercial structures, and such standards substantially further the preservation of property values and the promotion of economic development within the City, establish the character of community development, and embody architecturally and, in some contexts, culturally significant features of continuing duration; and

WHEREAS, the Zoning Ordinance also provides for planned development districts, which enable departures from traditional zoning district standards in recognition of the unique character of a project; and

WHEREAS, the City's policy in creating or amending a planned development district is to incorporate and enhance to the fullest extent feasible the design and building materials standards that are integral to the City's zoning regulations in all planned development districts; and

WHEREAS, the City Council finds and determines that the incorporation of such standards lends long-term viability to the planned development project; and

WHEREAS, the owner and/or developer of the Property has consented in writing to the enforcement of the City's design and building materials standards within the planned development district and waived the statutory provisions in Chapter 3000, Texas Government Code; and

WHEREAS, the Planning and Zoning Commission of the City and the City Council, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council is of the opinion and finds that said changes would provide for and would be in the best interest of the health, safety, morals and general welfare and should be granted and that the Zoning Ordinance and official zoning map of the City (the "**Zoning Map**") should be amended.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lavon, Texas, as follows:

SECTION 1. Incorporation of Premises. That all of the above recitals are found to be true and correct and are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Definitions. Definitions shall be those contained in the Zoning Ordinance, Division 3. "Definitions", as amended, unless specifically defined herein.

SECTION 3. Zoning Amendment. The Zoning Ordinance is hereby amended to change the zoning of the Property to Planned Development (PD), subject to all applicable City ordinances, except as may be modified by this Ordinance, including regulations provided in the following exhibits, attached hereto and incorporated herein:

Exhibit "C"	Concept Plan
Exhibit "D"	Development Standards
Exhibit "E"	Parks, Open Spaces, and Trails

SECTION 4. Zoning Map. The Zoning Map is hereby amended to reflect the established zoning classification designation made herein.

SECTION 5. Compliance Required. The Property shall be used only in the manner and for the purposes provided for in this Ordinance and the Comprehensive Zoning Ordinance of the City, as amended.

SECTION 6. Severability Clause. Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

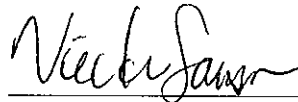
SECTION 7. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 8. Penalty. It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not less than One Dollar (\$1.00) nor more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day or part of a day during or on which a violation occurs or continues.

SECTION 9. Open Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given all as required by Section 551.041 of the Texas Government Code.

SECTION 10. Publication and Effective Date. That this Ordinance shall be in full force and effect immediately upon its publication as required by law.

DULY PASSED and APPROVED by the City Council of the City of Lavon, Texas, on this 17th day of February 2026.



Vicki Sanson, Mayor



ATTEST:


Rae Norton, City Secretary

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EXHIBIT "A" - DESCRIPTION

(360.154 ACRES)

Being a parcel of land located in Collin County, Texas, a part of the Samuel M. Rainer Survey, Abstract Number 740, and being a part of that called 472.8955 acre tract of land described in deed to Far East Lavon, L.P. as recorded in Volume 5873, Page 3522, Official Public Records of Collin County, Texas, being a part of that called 180.339 acre tract of land described in deed to Petro-Hunt, L.L.C. as recorded in Volume 5588, Page 3612, Official Public Records of Collin County, Texas, and also being all of that called 216.85 acre tract of land described in deed to East Lavon, L.P., as recorded in Document Number 20190408000368940, Official Public Records of Collin County, Texas and being further described as follows:

BEGINNING at a one-half inch iron rod with yellow cap stamped "JBI" found for corner in the south line of said 180.339 acre tract, said point being in the north right-of-way line of County Road 541, said point also being the southeast corner of Lot 1X, Block I, Elevon Parkway, as recorded in Document Number 2023-687, Official Public Records of Collin County, Texas;

THENCE along the east line of said Lot 1X as follows:

North 00 degrees 31 minutes 57 seconds East, 66.59 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Northwesterly, 231.51 feet along a curve to the left, having a central angle of 12 degrees 41 minutes 36 seconds, a radius of 1,045.00 feet, a tangent of 116.23 feet and whose chord bears North 05 degrees 48 minutes 51 seconds West, 231.03 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Northwesterly, 55.96 feet along a curve to the right, having a central angle of 06 degrees 32 minutes 37 seconds, a radius of 490.00 feet, a tangent of 28.01 feet and whose chord bears North 08 degrees 53 minutes 20 seconds West, 55.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner in the east right-of-way line of Noble Grove, a variable width right-of-way as recorded in Document Number 2023-687, Official Public Records of Collin County, Texas;

THENCE North 05 degrees 37 minutes 01 seconds West, 563.85 feet along the east right-of-way line to a one-half inch iron rod with yellow cap stamped "JBI" found for corner at the southwest corner of Lot 1X, Block H, said Elevon Parkway plat;

THENCE along the south line of said Lot 1X as follows:

Northeasterly, 733.92 feet along a curve to the left, having a central angle of 30 degrees 02 minutes 09 seconds, a radius of 1,400.00 feet, a tangent of 375.60 feet and whose chord bears North 67 degrees 55 minutes 57 seconds East, 725.54 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 52 degrees 54 minutes 52 seconds East, 981.17 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Northeasterly, 563.09 feet along a curve to the right, having a central angle of 37 degrees 57 minutes 22 seconds, a radius of 850.00 feet, a tangent of 292.31 feet and whose chord bears North 71 degrees 53 minutes 33 seconds East, 552.85 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

THENCE North 00 degrees 52 minutes 14 seconds East, 100.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner at the northeast corner of Lot 1X, Block G, said Elevon Parkway plat;

THENCE Southwesterly along the north line of said Lot 1X, 439.75 feet along a curve to the left, having a central angle of 26 degrees 31 minutes 19 seconds, a radius of 950.00 feet, a tangent of 223.89 feet and whose chord bears South 77 degrees 36 minutes 35 seconds West, 435.83 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner in the east line of Elevon Section 2, Phase 2E, as recorded in Book Number 2024, Page 946, Official Public Records of Collin County, Texas;

THENCE along the east line of said Elevon Section 2, Phase 2E as follows:

North 25 degrees 39 minutes 05 seconds West, 120.00 feet to a point for corner;

Northeasterly, 118.08 feet along a curve to the right, having a central angle of 06 degrees 19 minutes 23 seconds, a radius of 1,070.00 feet, a tangent of 59.10 feet and whose chord bears North 67 degrees 30 minutes 37 seconds East, 118.02 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 19 degrees 19 minutes 42 seconds West, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 33 degrees 57 minutes 44 seconds West, 91.25 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 36 degrees 52 minutes 59 seconds West, 45.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 38 degrees 53 minutes 17 seconds West, 48.54 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 40 degrees 58 minutes 50 seconds West, 49.08 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 43 degrees 05 minutes 01 seconds West, 49.04 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 45 degrees 11 minutes 07 seconds West, 49.01 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 47 degrees 17 minutes 09 seconds West, 48.98 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 49 degrees 23 minutes 06 seconds West, 48.96 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 51 degrees 29 minutes 01 seconds West, 48.94 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 53 degrees 34 minutes 53 seconds West, 48.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 55 degrees 35 minutes 59 seconds West, 48.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 57 degrees 51 minutes 21 seconds West, 48.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 60 degrees 06 minutes 27 seconds West, 9.84 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 30 degrees 33 minutes 56 seconds East, 120.15 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

Southeasterly, 122.12 feet along a curve to right, having a central angle of 05 degrees 07 minutes 33 seconds, a radius of 1,365.00 feet, a tangent of 61.10 feet and whose chord bears South 56 degrees 52 minutes 18 seconds East, 122.08 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 35 degrees 41 minutes 29 seconds East, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 26 degrees 33 minutes 05 seconds East, 330.74 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 26 degrees 16 minutes 04 seconds East, 14.20 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 25 degrees 07 minutes 34 seconds East, 42.99 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 23 degrees 24 minutes 34 seconds East, 42.99 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 21 degrees 41 minutes 34 seconds East, 42.99 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 19 degrees 49 minutes 03 seconds East, 50.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 18 degrees 48 minutes 02 seconds East, 186.21 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 17 degrees 59 minutes 18 seconds East, 14.58 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 15 degrees 16 minutes 59 seconds East, 51.07 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 11 degrees 36 minutes 37 seconds East, 30.55 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 10 degrees 15 minutes 11 seconds East, 24.19 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 79 degrees 44 minutes 49 seconds West, 91.32 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 10 degrees 15 minutes 11 seconds East, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 79 degrees 44 minutes 49 seconds West, 15.14 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 10 degrees 15 minutes 11 seconds East, 188.34 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 46 degrees 40 minutes 06 seconds West, 187.30 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner in the east line of said 429.321 acre tract;

THENCE along the east line of said 429.321 acre tract as follows:

North 43 degrees 19 minutes 54 seconds East, 160.93 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 09 degrees 22 minutes 09 seconds East, 171.28 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

North 08 degrees 49 minutes 28 seconds West, 409.67 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner, said point being in the north line of said 472.8955 acre tract, said point also being in the south right-of-way line of that tract of land described in deed to Northeast Texas Rural Rail Transportation District as recorded in Volume 5585, Page 2680, Official Public Records of Collin County, Texas;

THENCE along the south right-of-way line of said Northeast Texas Rural Rail Transportation District as follows:

North 81 degrees 09 minutes 48 seconds East, 952.69 feet to a one-half inch iron rod found at northeast corner of said 472.8955 acre tract, said point also being the northwest corner of said 216.85 acre tract;

North 81 degrees 12 minutes 20 seconds East, 1,968.14 feet to a one-half inch iron rod found at the northeast corner of said 216.85 acre tract, said point being at the northwest corner of Lot 13, Skyview Meadows Addition, as recorded in Cabinet G, Slide 576, Official Public Records of Collin County, Texas;

THENCE along the east line of said 216.85 acre tract as follows:

South 00 degrees 32 minutes 19 seconds West, 2,448.70 feet along the west line of said Skyview Meadows Addition to a one-half inch iron rod found at the south corner of Lot 9 and west corner of Lot 8 of said Skyview Meadows Addition, said point being the north corner and the northwest corner of Lot 3 of Lavon View Estates addition, as recorded in Cabinet I, Slide 381, Official Public Records of Collin County, Texas;

South 00 degrees 30 minutes 32 seconds West, 2,570.14 feet along the west line of said Lavon View Estates addition to a PK Nail found at the southeast corner of said 216.85 acre tract, said point being in the approximate centerline of said County Road 541;

THENCE South 89 degrees 53 minutes 52 seconds West, 1,944.34 feet along the approximate centerline of said County Road 541 to a PK Nail Found at the southwest corner of said 216.85 acre tract, said point being the southeast corner of said 472.8955 acre tract;

THENCE North 89 degrees 08 minutes 13 seconds West, 1,466.14 feet along the approximate centerline of said County Road 541 to a PK Nail found at the southwest corner of said 472.8955; THENCE North 00 degrees 22 minutes 15 seconds East, 30.66 feet to a one-half inch iron rod with cap stamped "USA INC. PROP COR." found at the southeast corner of said 180.339 acre tract, said point being in the north right-of-way line of said County Road 541;

THENCE North 00 degrees 22 minutes 15 seconds East, 30.66 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

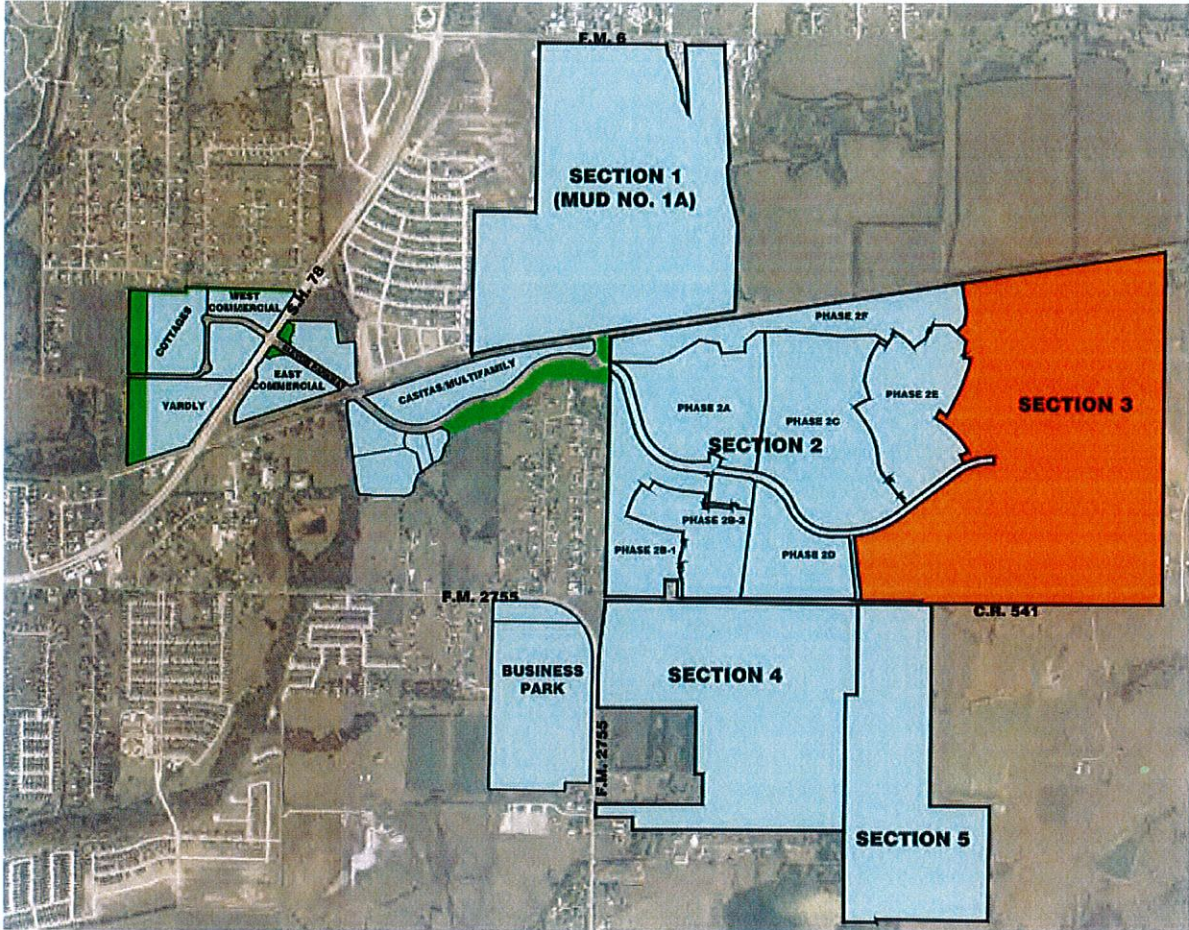
THENCE North 89 degrees 28 minutes 43 seconds West, 871.18 feet along the south line of said 180.339 acre tract and along the north right-of-way line of said County Road 541 to the POINT OF BEGINNING and containing 15,688,297 square feet or 360.154 acres of land.

BASIS OF BEARING:

The basis of bearing is based on the coordinate system (North Central Zone 4202 State Plane Coordinates, NAD83), distances shown hereon are grid distance values.

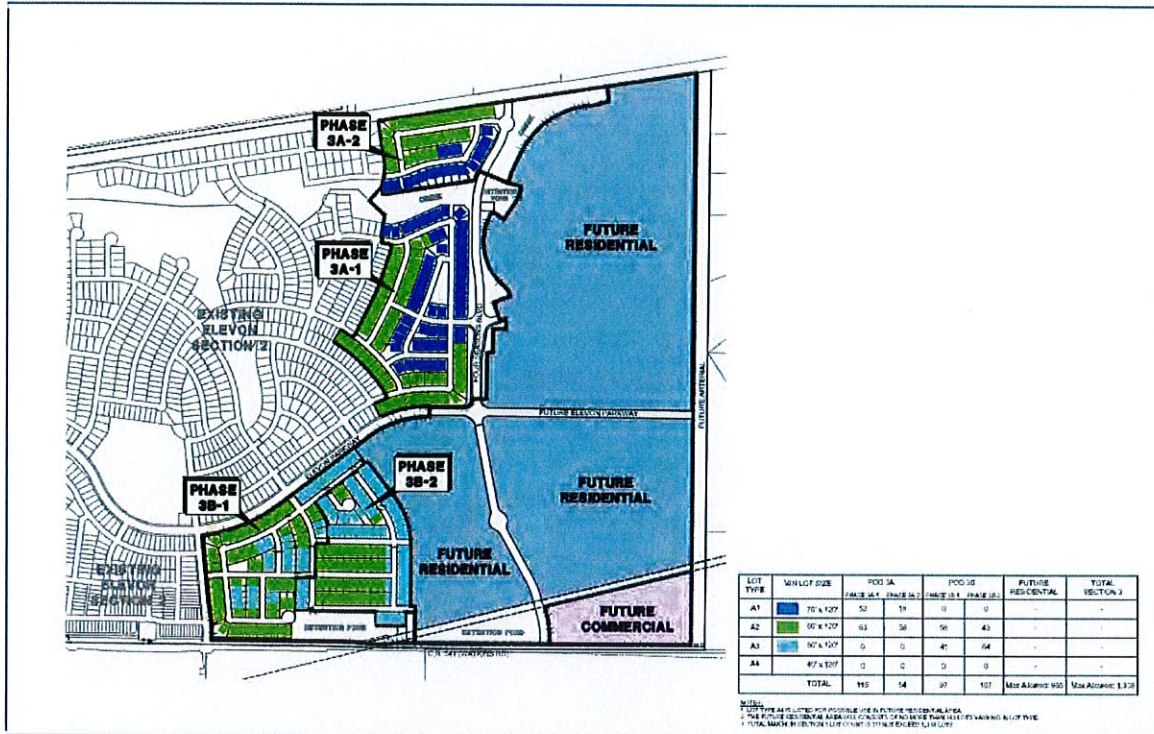
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EXHIBIT "B" – DEPICTION



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EXHIBIT "C" – CONCEPT PLAN






MA PARTNERS
 WILSON J. JONES
 ARCHITECTS

EXHIBIT C - CONCEPT AND LOT TYPE PLAN

ELEVON SECTION 3
 CITY OF LAVON, COLLIN COUNTY, TEXAS



LOT TYPE	MIN LOT SIZE	POD 3A		POD 3B		FUTURE RESIDENTIAL	TOTAL SECTION 3
		PHASE 3A-1	PHASE 3A-2	PHASE 3B-1	PHASE 3B-2		
A1	 70' x 120'	52	18	0	0	-	-
A2	 60' x 120'	63	36	56	43	-	-
A3	 50' x 120'	0	0	41	64	-	-
A4	40' x 120'	0	0	0	0	-	-
TOTAL		115	54	97	107	Max Allowed: 965	Max Allowed: 1,338

NOTES:

1. LOT TYPE A4 IS LISTED FOR POSSIBLE USE IN FUTURE RESIDENTIAL AREA.
2. THE FUTURE RESIDENTIAL AREA WILL CONSISTS OF NO MORE THAN 965 LOTS VARYING IN LOT TYPE
3. TOTAL MAXIMUM SECTION 3 LOT COUNT IS TO NOT EXCEED 1,338 LOTS.

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EXHIBIT "D" – DEVELOPMENT STANDARDS

Exhibit D. Development Standards

Definitions

Property

Area of land described and detailed in *Exhibit A – Location Map, Exhibit B – Legal Description, and Exhibit C – Concept and Lot Type Plan*.

Lot Coverage

Percentage of area covered by impervious surface of structure foundations.

D.2.1. Conflicts

In the event of a conflict between this Ordinance and any other City ordinance, rule, or regulation, including, but not limited to, the provisions of the City's Zoning Ordinance, this Ordinance shall control. In the event of a conflict between this Ordinance and the Development Agreement applicable to the Property, the Development Agreement shall control. Any amendments to the Development Agreement applicable to the Property that could conflict with this Ordinance shall be considered with an associated rezoning request to amend this Ordinance accordingly with all applicable procedural considerations as required by the Zoning Ordinance.

D.3. Exhibits

The Property shall generally conform with *Exhibit C – Concept and Lot Type Plan, Exhibit D – Development Standards, and Exhibit E – Parks/Open Spaces and Trails*.

D.4. Residential

The following regulations shall apply to tracts designated as Residential on *Exhibit C – Concept and Lot Type Plan*:

D.4.1. Locations and Types

The locations of park/open space area shall be as generally depicted on *Exhibit E – Parks/Open Spaces and Trails Plan*).

D.4.2. Lot Type Adjustments for 3A-1 & 2 and 3B-1 & 2

The following shall be permitted by Administrative Modification, upon submittal to the City Administrator or her designee and associated review, without a rezoning request (i.e. the change(s) can be processed administratively by the City Administrator or her

designee without consideration by the Planning and Zoning Commission and City Council):

- The number of lots per Lot Type shall be permitted to deviate within five percent of each Lot Type's total allocated in the *Lot Type Count Table* below.
- Lot Type adjustments that exceed the five percent threshold of change but that increase lot sizes and/or decrease the total number of lots within a particular Lot Type beyond five percent shall be permitted. Lot Types larger than Lot Type A1 (in minimum lot size, minimum lot width, and minimum lot depth) are permitted to be added under this Administrative Modification, with associated revised exhibits and the addition of associated standards, as long as all other compliance is achieved and maximum lot coverage is established at 75 percent for the new Lot Type(s).
- Any changes to Lot Types per this standard shall generally conform to the other standards and exhibits included herein and shall not adversely or substantially change or affect access, circulation, parks/open space, pedestrian or trail connections, amenities, and/or engineering related items as determined by the City Administrator or her designee.

A rezoning request will be required for consideration and any potential approval of Lot Type adjustments not meeting the aforementioned provisions. Appeals of decisions of this Administrative Modification standard shall be considered by rezoning request.

D.4.2.1 Lot Type Count Table for Phases 3A-1 & 2 and Phases 3B-1 & 2

A1	A2	A3	A4
70	198	105	0
Lot Count Total: 373			

D.4.3. Permitted Uses

The following uses are permitted, and any uses not listed are not permitted:

Single Family Detached Dwelling
Home-based Business within a SF Dwelling
Amenity Center and all related improvements ***
Real Estate Model Home
Accessory Structure with Restrictions
SF Swimming Pool
SF Hobby Shed
Temporary Concrete Batch Plant*
Temporary Buildings Incidental to Elevon's Infrastructure Construction**

**Temporary Concrete Batch Plants serving the Development are permitted, subject to City Engineer approval and conditions upon application, and must be removed once construction of the development is completed. Should the location be proposed to change, a new application shall be required.*

*** Temporary Buildings Incidental to Elevon's Infrastructure Construction, including temporary construction, development, and sales trailers, are permitted until the Elevon Development is completed, subject to City Engineer approval and conditions upon application, and must be removed once construction of the development is completed. Should the location be proposed to change, a new application shall be required.*

**** The Elevon development is required to have at least two amenity centers. The primary amenity center is located within Section 2. A secondary amenity center is planned to be in Section 4 (south of C.R. 541). A third amenity center could be added to Section 3 within the future residential area shown on Exhibit E – Parks/Open Spaces and Trails plan but is not required.*

D.4.4. Dimensional Standards

Tracts designated as Residential on *Exhibit C – Concept and Lot Type Plan* shall comply with the following Dimensional Standards:

Lot Type	A1	A2	A3	A4
Minimum Lot Area	8,400 sf	7,200 sf	6,000 sf	4,800 sf
Minimum Lot Width	70'	60'	50'	40'
Minimum Lot Width of Corner Lots	70'	60'	50'	40'
Minimum Lot Depth	120'	120'	120'	120'
Minimum Dwelling Unit Area	1,100 sf	1,100 sf	1,100 sf	1,100 sf
Minimum Front Yard Setback	10'	10'	10'	10'
Minimum Side Yard Setback*	5'	5'	5'	5'
Minimum Side Yard Corner	10' for side yards adjacent to a street	10' for side yards adjacent to a street	10' for side yards adjacent to a street	10' for side yards adjacent to a street
Minimum Rear Yard Setback	10'	10'	10'	10'
Maximum Lot Coverage	75%	75%	75%	75%
Maximum Main Structure Height 2 ½ - Story	40'	40'	40'	40'
Maximum Accessory Structure Height	30'	30'	30'	30'

**Air conditioning units and similar mechanical equipment, such as heat pumps, solar collecting equipment, or pool equipment may be installed within the residential side yard setback but shall not be installed within three feet of any side yard fencing, air conditioning unit/pad, or mechanical equipment of an adjacent home or structure.*

Where Standards are not specified, Residential tracts shall comply with the Zoning Ordinance as applicable.

D.4.5. Design Standards

Tracts designated as Residential on *Exhibit C – Concept and Lot Type Plan* shall comply with the following Design Standards:

D.4.5.1. Garages

Garages may be front, side or rear facing and must have a minimum of 20' from the garage door to the property line it faces.

D.4.5.2. Architecture

Adjacent houses shall not have the same floor plans and elevations.

If the same or similar plans and elevations are used for two or more houses, then the following standards also apply:

(a) If such houses are on the same side or opposite side of the street, they shall not be within three lots of each other (i.e. a minimum of two intervening lots shall be between);

and

(b) If the houses have the same or similar floor plans but different elevations *and* are on the same side or opposite sides of the street, they shall not be within two lots of each other (i.e. a minimum of one intervening lot between).

D.5. Commercial

The following regulations shall apply to tracts designated as Commercial on *Exhibit C – Concept Plan*:

1. Uses:
 - A. Permitted uses shall be in accordance with D.5.2. found below.
2. Development Standards: Development shall be in accordance with the standards established in the Retail District (R) in the City’s Code of Ordinances as it exists on the date of the adoption of this Agreement for 10 years, unless otherwise identified below.
 - A. Maximum Building Size: 30,000 square feet. Should a larger building be proposed, a Conditional Use Permit shall be required.
 - B. Building Placement, Orientation and Site Design:
 1. Minimum Front Yard setback is 25 feet
 2. Prior to the issuance of any building permit, a site plan shall be submitted for review and approval to the City in accordance with the Zoning Ordinance and the Concept Plan.
 3. Minimum Lot Area: 10,000 square feet.
 4. There is no Minimum Building Size.
 5. Maximum Height is 45 feet with the exception of hotel uses, which shall be 65 feet. Proximity slope shall be provided: for the first 50 feet adjacent to single family residential, the maximum height shall be 30 feet.

D.5.1. LOCATION

The location of Commercial shall be as generally depicted on *Exhibit C –Concept Plan*.

D.5.2. USES

D.5.2.1. Permitted Uses

The following uses are permitted, and any uses not listed are not permitted:

- Amusement Establishment
- Bakery/Confectionary Retail Establishment
- Business Service and Sales
- Church or Place of Worship
- Commercial Greenhouse or Nursery
- Community Recreational Use
- Community Swimming Pool
- Day Care and Education Facility (Privately-owned)

- Dry-cleaning Retail Establishment
- Educational Facility (Public)
- Alcohol: mixed beverage sales (on-premises consumption)*
- Alcohol: wine and malt beverage sales (on-premises consumption)*
- Exercise and Sports Establishment
- Federal, State or City Owned or Controlled Facilities
- Financial Institution
- Franchise-holding Facilities and Utilities
- Home and Residence Services
- Hotel
- Insurance
- Medical and State Licensed Health Services
- Merchandise Rental
- Municipal Uses
- Nursery, Garden, Landscape Materials Sales
- Nursing Home or Assisted Living Facility
- Outdoor or Drive-Thru Sales or Service
- Open Space Preserves
- Personal Services
- Pharmacy
- Professional Service and Sales
- Public Parks and Playgrounds
- Public Recreational Facilities
- Real Estate Services
- Restaurant
- Retail Sales
- Technical Service and Sales
- Vehicle Parking Garage

* Selling, storing, dispensing, or otherwise handling of alcoholic beverages for on-premises consumption shall be incidental and secondary to a use on the same premises (ex. hotel, restaurant, winery, etc.), which shall be construed to mean that at least 40 percent of the gross receipts of such business shall be from nonalcohol, food sales, or off-premises consumption. Alcohol related uses shall meet all requirements for distance as specified in Division 10 of the Zoning Ordinance.

Drive thru's shall be permitted with a minimum setback from existing residential property of 100 feet.

D.5.2.2. Conditional Uses

- Automobile Fueling Station
- Automobile Service Establishment
- Bed and Breakfast
- Car Wash
- Alcohol: mixed beverage package store (on- and/or off-premises consumption)*
- Alcohol: wine and malt beverage package store (on- and/or off-premises consumption)*
- Alcohol: brewpub (on- and/or off-premises consumption)*
- Establishments with greater than 75% revenue from alcohol sales
- Pet Grooming and Care Services
- Private Clubs and Organizations (indoor)
- Storage, self-service
- Veterinarian Service, Animal Clinic

* Selling, storing, dispensing, or otherwise handling of alcoholic beverages for on-premises consumption shall be incidental and secondary to a use on the same premises (ex. hotel, restaurant, winery, etc.), which shall be construed to mean that at least 40 percent of the gross receipts of such business shall be from nonalcohol, food sales, or off-premises consumption. Alcohol related uses shall meet all requirements for distance as specified in Division 10 of the Zoning Ordinance.

D.5.3. DIMENSIONAL STANDARDS

The tract designated as Commercial on *Exhibit C – Concept Plan* shall comply with the Retail District (R) in the City's Code of Ordinances as it exists on the date of the adoption of this Agreement for 10 years.

D.5.4. DESIGN STANDARDS

The tract designated as Commercial on *Exhibit C – Concept Plan* shall comply with the Retail District (R) in the City's Code of Ordinances as it exists on the date of the adoption of this Agreement for 10 years.

D.6. Park/Open Space/Trails

The following regulations shall apply to tracts designated as Open Space Areas on *Exhibit C – Concept and Lot Type Plan* and as further detailed on *Exhibit E – Parks/Open Spaces and Trails*:

D.6.1. Locations and Types

The locations and types of parks/open space areas, and trails shall be as generally depicted on *Exhibit E – Parks/Open Spaces and Trails*.

The public trail along the eastern future arterial road will be constructed with the arterial road by others.

D.6.2. Permitted Uses

The following uses are permitted, and any uses not listed are not permitted:

Sports Court

Community Recreational Use

Community Swimming Pool

Open Space Preserves

Public and Private Parks and Playgrounds

Public and Private Recreational Facilities

Trails and any other lifestyle amenities

D.6.3. Dimensional Standards

The following dimensional standards shall apply:

The minimum park/open space area for the Property shall be 30 acres. In order for the open space to be counted towards meeting the minimum requirement, each area must be at least 0.25 acres in size or contain natural features such as creeks, varied topography, or stands of trees, or contain recreational elements (i.e. hike & bike trail, etc.), as well as being readily accessible to the residents through sidewalks and with parking as applicable. In order for the Common Area lot to be considered a Pocket Park, each area must be at least 0.50 acres in size and meet the minimum requirements described in D.6.4.

D.6.4. Design

For each pocket park:

- Minimum area 0.5 acres.
- Pocket parks shall have street frontage on at least two sides.
- A minimum five-foot sidewalk or trail shall be provided around the perimeter of each space, adjacent to streets. The sidewalk or trail may meander through the pocket park.
- Shaded areas for seating shall be provided.
- Benches for seating shall be provided.
- Within the development, there will be other amenities including a splash pad, playground equipment, sports court, gazebo, fishing pier, picnic tables, and other recreation facilities.
- Pocket Parks shall be provided at the approximate locations as shown on Exhibit E – Parks/Open Spaces and Trails.

For each park/open space:

- Trails shall be provided per *Exhibit E – Parks/Open Spaces and Trails*.

Where Standards are not specified, Park/Open Spaces and Trails tracts shall comply with the Elevon Development Agreement. Where the Standards are not specified in the Elevon Development Agreement, common area lots containing Park/Open Spaces and Trails shall comply with the Zoning and Subdivision Ordinances.

D.7. Landscaping and Screening

D.7.1. Community Buffers

1. Primary Roads, P6D & M4D:
 - A. A minimum 20-foot wide landscape buffer shall be provided along both sides of the primary road. Berms and retaining walls may be constructed within the buffer. The berms may encroach up to three feet into the right-of-way and shall not exceed a 3:1 slope. A visibility triangle of 30 feet by 30 feet shall be provided at all primary road intersections.
 - B. A mix of shade and ornamental trees shall be planted within the required landscape buffer. Shade trees shall be planted one per 60 linear feet. Threes may be grouped when necessary to preserve topographical features or if special circumstances are present.
 - C. Pervious ground cover shall be planted throughout the buffer. Ground cover includes, but is not limited to shrubs, grasses, and/or mulched planter beds.

2. Residential Collector Streets, C4U and C2D:
 - A. Where single family lots back or side a Collector Street, a minimum 10-foot wide landscape buffer with one shade tree per 60 linear feet of street frontage shall be provided within the buffer. Trees may be grouped when necessary to preserve topographical features or if special circumstances are present. A minimum visibility triangle of 30 feet by 30 feet shall be provided at all non-primary road intersections.
 - B. Ground cover shall be planted throughout the buffer. Ground cover includes, but is not limited to, shrubs, grasses, and/or mulched planter beds.
 - C. A minimum five-foot wide, concrete sidewalk shall be provided within the buffer and/or street right-of-way on both sides of the street. Developer shall install the sidewalk where homes do not front or side the street, and builder shall install the required sidewalks on the front and/or side of lots with the construction of each home.
 - D. In those instances where homes front the Collector Street, the landscape buffer will not be required.
 - E. Road types shall be specified for future phases on associated preliminary plat(s) for review, subject to review and approval by the City Engineer.

D.7.2. Buffer Vegetation:

1. Shade Trees: Shade trees shall be three-inch caliper in size, measured 12 inches above the planting surface, at the time of planting. Trees may be located within the buffer or street right-of-way, if approved by the Public Works Director. Shade trees include Live Oak, Red Oak, Bur Oak, Chinquapin Oak, Bald Cypress, Cedar Elm, Southern Magnolia, Chinese Pistache, Pecan Texas Ash, Eastern Red Cedar, or otherwise as approved by the City Manager or designee.
2. Shrubs: Shrubs shall be a minimum three gallons in size at the time of planting and shall attain a minimum height of three feet within two growing seasons.

D.7.3. Irrigation:

1. Irrigation: Landscape buffers shall be irrigated with irrigation systems. Trees and shrubs shall be irrigated by drip irrigation lines. Other landscaping may be irrigated by spray irrigation.

D.7.4. Perimeter Screening:

1. Primary Streets, P6D & M4D:
 - A. Screening shall be six feet tall and constructed with one or a combination of brick, stone, ornamental open fencing and landscaping.
 - B. Masonry columns will be a maximum of every 100 feet.
2. Collector Streets, C4U & C2D:
 - A. Screening shall be six feet tall and constructed with one or a combination of the following, brick, stone, board on board cedar fencing, ornamental

open fencing and landscaping. Board on board cedar fencing shall not comprise more than 50 percent of screening materials.

B. Masonry columns will be a maximum of every 100 feet.

3. Where rear yard fencing is adjacent to a street, the HOA/POA shall maintain the fencing.

