

**ROCKY ROAD RANCH**

**PLANNED DEVELOPMENT**

*Approved November 4, 2020*

## ORDINANCE NO. 252

**AN ORDINANCE OF THE CITY OF UHLAND, TEXAS ADOPTING AND APPROVING A PLANNED DEVELOPMENT AGREEMENT AND CREATING A PLANNED DEVELOPMENT DISTRICT FOR APPROXIMATELY 24.90 ACRES OF LAND LOCATED AT 2553 ROCKY ROAD, UHLAND, TEXAS, WITH CALDWELL COUNTY CAD REFERENCE NUMBER(S) 28927; ESTABLISHING LAND USE AND DEVELOPMENT STANDARDS, TO INCLUDE ANNEXATION AND ZONING, FOR THE CONSTRUCTION AND OPERATION OF A MIXED USE PROJECT FEATURING RESIDENTIAL AND COMMERCIAL DEVELOPMENT; AND PROVIDING FOR: RULES, STANDARDS, PROCEDURES, AND SEVERABILITY.**

- WHEREAS, Patrick J Tighe, ("Owner") owns a total of 24.90 acres of land, more or less, located in Caldwell County, Texas, and more particularly described by the metes and bounds description and the survey which are collectively attached as Exhibit "A" to Attachment "A" (the "Property"); and
- WHEREAS, Owner plans to develop 23.97 acres of the Property as Residential Lots, Parkland and Community lots and to develop 0.93 Acres of the Property as Right of Way , which will benefit and serve the present and future citizens of the City, as generally delineated in the PD Master Plan attached as Exhibit "B" to Attachment "A", and the Permitted Uses attached as Exhibit "C" to Attachment "A" (the "Project"); and
- WHEREAS, a Planned Development ("PD") accommodates large or complex developments under unified control planned as a single continuous project providing greater design flexibility in return for desirable features not normally required under conventional development standards to create a superior development to that which would occur using conventional zoning regulations; and
- WHEREAS, the City of Uhlend, Texas ("City") seeks to protect the health, safety, and welfare of those living in, working in, and visiting the City; and
- WHEREAS, the City of Uhlend has been in negotiations with Owner and agents of the proposed PD Project and submits the following Attachment "A", Rocky Road Ranch Planned Development Agreement as application to zone the Property upon annexation as Rocky Road Ranch Planned Development District; and
- WHEREAS, Owner has submitted an application to the City to annex the Property; and
- WHEREAS, the City held discussions and invited public comment on the proposed Rocky Road Planned Development District; and zoning at a public hearings held at 6:00 p.m. on August 19, 2020 and September 2, 2020; and

WHEREAS, the City held discussions and invited public comment on the proposed Rocky Road Planned Development District; and zoning at a public hearings held at 6:00 p.m. on August 19, 2020 and September 2, 2020; and

WHEREAS, pursuant to Chapter 212 of the Texas Local Government Code, the City has specific authority to enter into a Development Agreement; and

WHEREAS, pursuant to Chapter 51 of the Texas Local Government Code, the City has general authority to adopt this Ordinance; and

WHEREAS, pursuant to Chapter 211 of the Texas Local Government Code, the City has broad zoning authority; and

WHEREAS, the City finds that the land use and development standards established in the proposed Project are consistent to promote the public health, safety, and general welfare of those living in, working in, and visiting the City.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Umland, Texas:

#### **ARTICLE I. FINDINGS OF FACT AND SHORT TITLE**

The foregoing Recitals are hereby adopted as findings of facts and are incorporated fully herein. This Ordinance shall be commonly cited as the "Rocky Road Ranch PD".

#### **ARTICLE II. ENACTMENT**

**A. Zoning Map.** The official zoning map of the City of Umland is hereby amended to reflect the zoning designations established in ***Attachment "A"***.

**B. Development Plan.** This Ordinance, together with *Attachment "A"* and the exhibits thereto constitutes the land use standards and development plan for the Rocky Road Ranch PD District upon the Property, as reflected in *Attachment "A"*, covered by this Ordinance. All land use and development on the Property shall conform to the limitations and conditions set forth in this Ordinance, *Attachment A* and the exhibits thereto. Enactment of this Ordinance shall constitute the City's approval of the land use standards and development plan.

**B. Planned Development (PD) Master Plan.** The PD Master Plan detailed in Exhibit "B" of *Attachment "A"*, is hereby approved. Approval of the PD Master Plan shall not constitute a waiver or approval of any platting requirements.

**C. Applicable Regulations.** Except as specifically provided by this Ordinance, the Rocky Road Ranch PD Project is subject to all provisions of the City's Ordinances in effect on the effective date of this Ordinance. To the extent any provisions of this Ordinance



conflicts with any provisions of City Ordinances or any related regulations, the provisions of this Ordinance shall control.

- D. Variances.** The approval of this Ordinance and Exhibits A-D of *Attachment "A"* constitutes the approval of the development standards and shall be deemed to be the functional equivalent of the approval of variances, exceptions, and alternative standards from conflicting provisions of City Ordinances. When considering a request for variances, exceptions, or alternative standards in the Rocky Road Ranch PD District that were not addressed by the development standards contained herein, the City shall consider this Ordinance, the PD Master Plan, and the City's, then existing, Ordinances collectively.
- E. Resolution of Conflicts.** The documents governing the Rocky Road Ranch PD Project should be read in harmony to the fullest extent possible. If a conflict arises between the charts included in the exhibits and the illustrations contained in the exhibits, the charts shall control. If a conflict arises between the terms of this Ordinance and the exhibits, the terms of this Ordinance shall control.
- F. Attachments and Exhibits.** The following Attachment and exhibits thereto are incorporated into this Ordinance in their entirety, as though set forth fully in the text of this Ordinance:

***Attachment "A"*** – Rocky Road Ranch Planned Development Agreement

<u>Exhibit "A"</u>	Description of the Property
<u>Exhibit "B"</u>	PD Master Plan
<u>Exhibit "C"</u>	Permitted Uses
<u>Exhibit "D"</u>	Open Space & Fencing Plan

### **ARTICLE III. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

### **ARTICLE IV. PROPERTY RECORDS**

The City Secretary is hereby directed to record a Notice of this Ordinance in the real property records of the County (so as to bind the City, the Owner and all future owners of the Property), and to provide regulatory certainty during the Term of this Ordinance.

## **ARTICLE V. PUBLICATION**

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Ordinances as authorized by Chapter 52 of the Texas Local Government Code.

## **ARTICLE VI. PROPER NOTICE & MEETING**


It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

## **ARTICLE VII. EFFECTIVE DATE**


This Ordinance shall be effective immediately upon passage by the City Council and publication as required by law.

PASSED, APPROVED AND ADOPTED this 4th day of November, 2020, by a vote of 5 ayes, 0 nays and 0 abstentions of the City Council of Uhlend, Texas.

**CITY OF UHLAND, TEXAS:**

  
Vicki Hunter, Mayor

Attest:

  
Traci R. McGinley, City Secretary

**Attachment "A"**

**ROCKY ROAD RANCH  
PLANNED DEVELOPMENT  
AGREEMENT**

**SECTION 1.  
ENACTMENT PROVISIONS**

- 1.1 Popular Name.**  
This Planned Development Agreement ("PDA") shall be commonly cited as the "Rocky Road Ranch PDA".
- 1.2 Parties.**  
This PDA is made by and among Patrick J Tighe, ("Owner") and the City of Umland, Texas, ("City").
- 1.3 Purpose.**  
This PDA memorializes the intent of the Parties to establish land use and development standards, to include annexation and zoning, for the construction and operation of a mixed use project featuring residential and commercial development.
- 1.4 Scope.**  
This PDA applies to the Property as described in Exhibit "A" attached hereto and incorporated herein for all purposes.

**SECTION 2.  
DEFINITIONS**

- 2.1 General.**  
Words and phrases used in this PDA shall have the meanings set forth in this section. Terms that are not defined below but are defined elsewhere in the City Code of Ordinances, shall be given the meanings set forth in the Ordinance for which it is defined. Words and phrases not defined in any City Ordinance shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense, words in the plural shall include the singular, and words in the masculine gender shall include the female gender; and vise-a-versa. The word "shall" is always mandatory and the word "may" is merely directory. Headings and captions are for reference only.



## 2.2 Specific.

1. **Applicable Requirements:** shall mean the applicable federal and state laws, city ordinances, rules and regulations, and the Rocky Road Ranch PD Standards stated herein.
2. **Applicant:** shall mean any owner, developer, person or entity engaging in subdivision or development of any of the Property or applying for any permit, approval, variance or waiver for any of the Property.
3. **Certified Inspector:** shall mean an independent certified state licensed inspector to inspect the Vertical Building Improvements as to their conformity with applicable city ordinances and building codes and related building plans.
4. **City:** shall mean the City of Uhland, Texas, a Texas Type A, general law city.
5. **City Administrator:** shall mean the person or entity engaged by City to serve in the capacity of City's chief administrative officer.
6. **City Code of Ordinances:** shall mean the collective duly adopted ordinances of the City, together with all related administrative rules and technical criteria manuals.
7. **City Council:** shall mean the governing body of the City of Uhland, Texas.
8. **City Engineer:** shall mean the person or entity engaged by the City to serve in the capacity of engineer for the City of Uhland, Texas.
9. **County:** shall mean Caldwell County.
10. **Development Standards:** shall mean the land use standards for the Property as described in this PDA. All land use and development of the Property in the Rocky Road Ranch PD District must conform to the limitations and conditions set forth in this Agreement.
11. **Development Plan:** shall mean this PDA and the exhibits attached hereto.
12. **Dwelling:** shall mean a residential unit providing complete, independent living facilities including permanent provisions for living, sleeping, eating, and cooking.
13. **Effective Date:** and similar references shall mean the date of the duly passed and approved Ordinance adopting this PDA.
14. **Final Plat:** shall mean the official map of a subdivision of the Property together with any applicable land development plan, covenants, restrictions, dedications or easements, to be recorded in the County property records after approval by City.

15. **Local Retail:** shall mean small neighborhood retail commercial to include only those commercial uses as listed on Exhibit "C" ("Permitted Uses").
16. **Lot:** shall mean any individual parcel of land subdivided within the Project for a specific permitted use.
17. **Masonry:** shall be defined as stone, simulated stone, brick, and hard-coat stucco,.
18. **Master Plan:** The Master Plan attached hereto as Exhibit "B" shows the boundary of the Property, location of Permitted Uses, Open Space and street layout. The Master Plan, along with the other exhibits attached hereto, also provides the location and detail of notable drainage areas, building setbacks, and other pertinent development features.
19. **Multi-family:** shall mean and include multiple residential dwelling units in a single structure.
20. **Open Space:** shall mean and include common areas, park land and any other improved Lot for the use by the general public or end purchasers of lots within the Project.
21. **Owner:** shall mean (i) the Owner named above, or (ii) any subsequent owner of a part of the Property that is a successor or assignee of rights from Owner.
22. **Preliminary Plat:** shall mean a map showing the salient features of a proposed development, submitted for the purpose of preliminary consideration and communication prior to the submission of a Final Plat.
23. **Project:** shall mean the Rocky Road Ranch Planned Development on the Property as generally delineated in the PD Master Plan attached as Exhibit "B".
24. **Property:** shall consist of the 24.90 acres of land, more or less, located in Caldwell County, Texas, and more particularly described in Exhibit "A".
25. **Residential Community:** shall mean, collectively, all of the lots developed for residential use, open space, common areas, and park land located within the Project.
26. **Single Family:** shall mean and include a residential dwelling unit for a single family in a single structure.
27. **Unit:** shall mean each individual space to be occupied for a particular use.
28. **Vertical Building Improvements:** shall mean the construction and reconstruction of a building, structure or any above ground improvement or development, not including roads, drainage facilities or utility facilities, and not



including manufactured homes, modular housing or industrialized structures or buildings covered by Chapters 1201 or 1202 of the Texas Occupations Code.

### **SECTION 3. ANNEXATION, LAND USE AND ZONING**

- 3.1 Annexation.** This PDA shall constitute Owner's acknowledgment and agreement to voluntarily annex the Property into the corporate limits of the City. Owner shall submit a formal application to the City for voluntary annexation of the Property into the corporate limits of the City. The City shall initiate the annexation process on the earlier of the effective date of this PDA or upon receipt of the formal annexation application.
- 3.2 Zoning.** This PDA shall constitute the Owner's acknowledgment and agreement to zone the Property as Rocky Ranch Road Planned Development District upon annexation. The City shall initiate the zoning change process simultaneously with the annexation process.
- 3.3 Permitted Uses.** The project may contain Single family, Multifamily, and Commercial uses in accordance with Exhibit "C" ("Permitted and Prohibited Uses").
- 3.4 Prohibited Uses.** The project shall not contain any uses not otherwise described in Exhibit "C".
- 3.5 Maximum Densities.**
- a. Residential Uses.** The Project shall not exceed more than 24 Single Family Residential Units and no more than 8 Multifamily Residential Units with a maximum gross density of 4.67 total Residential units per acre of the Property.
- b. Commercial Uses.** The Project shall not exceed more than 3 Commercial lots and shall not exceed the following maximum gross densities  
(minimum lot-size per use):
- 1) Fast-Food: 16,000 square feet
  - 2) Restaurant: 45,000 square feet
  - 3) Grocery Store: 100,000 square feet
  - 4) Hotel: 1 acre 200 rooms
  - 5) Movie Theater: 60,000 square feet
  - 6) Office Building: 20,000 square feet
  - 7) Gym or Health Club: 40,000 square feet

Shopping center lots which include multiple uses shall have a minimum lot size calculated by the combination of eight percent (80%) of each of the intended uses.

- 3.6 Restrictive Covenants and Property Owners Association.** For the better development and benefit of the Property, Owner shall impose certain covenants, conditions and restrictions applicable to the use and maintenance thereof. Owner shall establish a private Property Owners Association (POA) to enforce such covenants, conditions and restrictions upon any and all lots in the Project. The POA shall additionally be responsible for the maintenance of private landscape areas, private community park, water quality ponds, detention ponds and all community signage, screen walls and common open space areas within the Project. Imagination Place shall be a private road maintained by the Property Owner's Association. The Developer Shall provide an initial deposit of \$10,000.00 in an interest-bearing trust account to be used for the maintenance of the road and other common area improvements, as determined necessary by the Property Owner's Association. The Property Owner's association shall provide an Annual Report to the City of Uhland regarding the condition of the private road and information regarding the maintenance of the road. Street Parking Shall not be permitted in the Subdivision.
- 3.7 Permitting and Approval Criteria.** All applications for permits required by the City for the use and development of the Property shall be consistent with this Ordinance. All aspects of such approvals which are not specifically covered by this Ordinance shall be governed by the City Code of Ordinances. This PDA shall not constitute a site development permit or building permit.
- 3.8 Unified Development.** The Property shall be treated as a unified development for the purposes of requirements relating to drainage, structural and non-structural water quality and detention control, impervious cover, utility service, traffic impact analysis, landscaping, open space, green space, and tree replacement and mitigation.
- 3.9 Phased Development.** The Project may be developed in phases, as indicated by Final Plats, over time and the phasing of development may be changed from time to time, including phases being developed concurrently provided that the Final Plat for each phase has been approved by the City Council and recorded with the County.

## **SECTION 4.**

### **DEVELOPMENT STANDARDS**

- 4.1 Open Space Requirements.** The improved open space use of Lot 23 as detailed in Section 7.1 and the size of Lot 24 shall satisfy the Open Space Requirements.
- 4.2 Impervious Cover.** The Project shall not exceed an aggregate of 65 percent (65%) in impervious cover of the entire Property.

### 4.3 Residential Use Site Requirements.

<b>Lot Width</b>	
Minimum	40 ft.
Exception: Minimum for Corner Lots	55 ft.
<b>Front Setback</b>	Setbacks are measured from the lot line to the foundation.
Minimum	20 ft.
<b>Side Setback</b>	Setbacks are measured from the lot line.
Minimum (*) *Eaves may project a maximum of 18" into side setbacks.	6 ft.
Exception: Minimum for side setback adjacent to a street	15 ft.
<b>Rear Setback</b>	Setbacks are measured from the lot line.
Minimum	20 ft.
<b>Building Height</b> (maximum)	40 ft. and 3 stories
<b>Lot Area</b> (minimum)	9,000 sq. ft.

### 4.4. Commercial Use Site Requirements.

<b>Lot Width</b>	
Minimum	100 ft.
<b>Front Setback</b>	Setbacks are measured from the lot line.
Minimum	25 ft.
<b>Side Setback</b>	Setbacks are measured from the lot line.



Minimum	15 ft.
Street Corner	25 ft.
<b>Rear Setback</b>	Setbacks are measured from the lot line.
Minimum	25 ft.
<b>Building Height (Maximums)</b>	
Grocery Store, Movie Theater	45 ft. and 2 stories
Hotel	80 ft. and 5 stories
Office	60 ft. and 3 stories
All Other Buildings or Structures	40 ft. and 2 stories

**4.5 Underground Utility Service.** Except where approved in writing by the City Administrator, all utilities shall adhere to the following:

- a. All utilities within the Project to including water, wastewater, electrical, telephone and cable television distribution and service lines shall be underground.
- b. All utilities and the improvements thereof shall be the responsibility of Owner.

**4.6. Residential Boundary Fencing.** Wood fencing, tubular steel or decorative iron, masonry, or other fence approved by the City of Umland shall be constructed along the rear lot line and is permitted along the side lot line of all residential lots. Fencing shall be located along the residential property lines and shall not encroach into public right of ways or extend past the front elevation of residential units. All fencing shall be six feet (6') in height.

**4.7. Pedestrian Circulation and Cluster Mailbox.** Owner Shall Set a crushed-Granite pad, approximately 6' by 6' on lot one for a school bus stop and add a cluster mail box at the front of lot 22.

**4.8. Curbs and Gutters.** In consideration of Section 3.6 above creating a privately maintained road by the HOA, there shall be no requirement for curbs and gutters.

**4.9. Roadways.** All roadways within the project shall be constructed with a minimum of Forty (40') Right-of-Ways and an minimum of Twenty (26') of pavement.

**4.10 Parking Requirements.** Each parking space shall be a minimum of 9 feet wide by 18 feet deep.

**a. Residential Uses.** All residential lots shall include a driveway constructed of concrete, asphalt, chip seal, or other materials acceptable to the City of Umland across the City ROW, including culverts or swells as necessary, to provide a minimum for two off-street parking spaces per unit.

**b. Commercial Uses.** Each parking space shall be a minimum of 9 feet wide by 18 feet deep. All commercial uses shall provide the following minimum parking spaces and adjoining parking lots shall provide for circulation and connecting access through each lot from and to roadways so as to limit the number of roadway attachments:

1) Fast-Food: one space per 300 square feet of gross building floor area

2) Retail / Restaurant: one space per 200 square feet of gross building floor

area

3) Grocery Store: one space per 225 square feet of gross building floor area

4) Hotel: one space per room

5) Movie Theater or Drive in: one space per four seats

6) Office: one space per 275 square feet of gross building floor area

7) Gym / All Other: one space per 275 square feet of gross building floor

area

**4.11. Lighting.** Streetlights shall be provided at all four-way intersections and at intervals of 300 feet unless a subsequent lighting plan is submitted and approved by the City Administrator. No fixture or light source shall be turned up so as to disperse light into the night sky. All fixtures shall utilize Light-Emitting Diode (LED) lighting. Solar fixtures may be used.

**4.12 Landscaping Requirements.** All landscaping shall enhance the natural aesthetic beauty of the Umland area through diverse use of both native and non-invasive adapted species of plants. A minimum of 80 percent of the required landscaping shall be native plants and the remaining 20 percent may be non-invasive adapted plants. Invasive species, as defined by the Ladybird Johnson Wildflower Center, are prohibited. All landscaping materials shall be drought tolerant and native type materials. Native plants shall be defined as plants identified by the Ladybird Johnson Wildflower Center. Under no circumstance shall any non-invasive existing tree in excess of eighteen (18) inch DBH in diameter be removed or demolished from the site without prior specific approval of the City.



- a. Tree Protection, Mitigation and Preservation.** A tree survey, protection, mitigation and preservation plan for all healthy non-invasive trees with an eight (8) inch DBH in diameter shall be created and submitted to the City prior to the start of site development work. Prior to the start of site work all protection and preservation of all existing trees to remain on site shall be completed to prevent any disturbance within each tree's critical root zone. Replacement trees for all existing non-invasive trees shall be planted prior to completion of the Project.
- b. Residential Lots.** At a minimum the following shall be installed on each residential lot:
- (1) one (1) – two-inch (2") caliper shade tree and three (3) – one (1) gallon shrubs outside of the easements along the right-of-way located in the front yard;
  - (2) one (1) – two-inch (2") caliper shade tree, five (5) – one (1)-gallon shrubs and three (3) – five (5)-gallon shrubs and other drought tolerant natural landscaping for front, sides, and rear yards
- c. Commercial Uses.** All commercial landscaping shall be maintained by the Owner and each successive Owner. Parking lot islands shall be purposefully configured to accommodate existing trees on site.
- d. Planting Criteria.**
- (1) Planting shall remain at least five feet (5') from edge of roadways and driveways.
  - (2) Planting should be at least five feet (5') from underground utilities and twenty-five feet (25') from overhead lines
  - (3) Planting should be at least five feet (5') from fire hydrants.
- e. Shade Trees** shall be defined as the following:
- Bald Cypress
  - Burr Oak
  - Cedar Elm
  - Chinquapin Oak
  - Chinese (Lacebark) Elm
  - Chinese Pistache
  - Live Oak
  - Monterey Oak
  - Pecan
  - Shumard Oak
  - Texas Ash
  - Texas Red Oak
  - Mexican Sycamore



f. **Evergreen Ornamental Trees** shall be defined as the following:

Wax Myrtle  
Yaupon Holly  
Mountain Laurel  
Little Gem Magnolia  
Eastern Red Cedar  
Cherry Laurel

**4.13 Water Reuse.** If reuse service is currently offered by the wastewater provider, the Project shall install purple pipe to be used to irrigate the Open Space.

## **SECTION 5. RESIDENTIAL ARCHITECTURAL AND DESIGN STANDARDS**

**5.1 Residential Design Standards** shall defer to the City of Umland development code.

## **SECTION 6. COMMERCIAL ARCHITECTURE AND DESIGN STANDARDS**

**6.1 Commercial Design Standards** shall defer to the City of Umland development code.

## **SECTION 7. DEDICATIONS AND IMPACT FEES**

**7.1 Park and Open Space Dedication and Fees.** A parkland fee of \$1,200.00 per lot for lots 1 – 23, shall be assessed and paid at the time of final plat approval. However, as illustrated on Exhibit "D", the PD Master Plan provides for an activation of private open space and community parkland in which Owner shall provide improved recreational facilities in a private ownership/management format, when platted and constructed. Owner agrees to install improvements in the minimum value of \$27,600.00 , that may include a pond and trail around the Pond area on lot 23 with several viewing areas of the creek and open space complete with benches, picnic tables and trash receptacles, trailheads, a covered gathering area and a trailside orchard intended to utilize the abundant natural amenities of the Property. Any

approved actual improvement value shall be credited towards the parkland fee with the remaining balance being paid in full to the City at final plat approval.

All private landscape areas and common open space areas within the Property will be maintained by the homeowner's association including supplemental maintenance of the detention pond areas.

## **SECTION 8. AMENDMENTS**

Due to the fact that the Project comprises a significant land area and its development may occur in phases over a number of years, Owner may make major or minor amendments to the PD Master Plan upon notification to, and approval from, the City. Major amendments shall be those that (a) increase the density of single family home dwelling lots or units allowed by the Development Standards; (b) seek to allow a use which is prohibited by the Development Standards; or (c) increase the total Project's impervious cover. Major amendments to the PD Master Plan shall require approval by City Council. Any amendment which is not classified as a major amendment, including an amendment which alters the relative percentages of the various residential use types without changing the density permitted for a type of residential use, shall be classified as a minor amendment. Minor amendments shall be administratively approved by the City Administrator except that the City Administrator may at the City Administrator's sole discretion seek approval from the City Council. If the City Administrator and Owner dispute the classification of an amendment as major or minor, the issue shall be referred to City Council for final determination.

## **SECTION 9. LIST OF EXHIBITS**

The following list of exhibits, attached hereto, together with the requirements herein, constitute the land use standards and development plan for the Rocky Road Ranch PD District.

**Exhibit "A":** Description of The Property

**Exhibit "B":** PD Master Plan

**Exhibit "C":** Permitted Uses

**Exhibit "D":** Open Space & Fencing Plan

**Exhibit "E":** Lighting Plan

CITY OF UHLAND, TEXAS

  
Vicki Hunter, Mayor

ROCKY ROAD RANCH

\_\_\_\_\_  
Patrick J Tighe,

Attest:

  
Traci R. McGinley, City Secretary



CITY OF UHLAND, TEXAS

Vicki Hunter  
Vicki Hunter, Mayor

ROCKY ROAD RANCH

Patrick J Tighe  
Patrick J Tighe,

Attest:

Traci R. McGinley  
Traci R. McGinley, City Secretary

State of Texas  
County of Travis

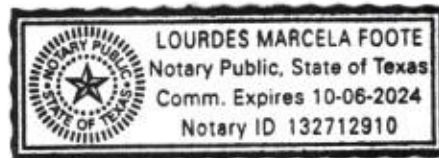
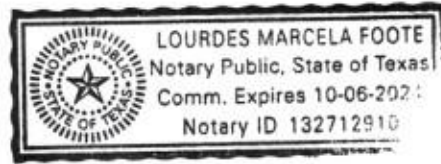
On January 21, 2021 before me, Lourdes Marcela Foote, Notary Public for the State of Texas, personally appeared Patrick Tybhe, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by the signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

(seal)

Witness My Hand and Official Seal



Notary Public State of Texas



**DESCRIPTION OF THE PROPERTY**

TRACT 1: FIELD NOTE DESCRIPTION FOR A 16.11 ACRE TRACT OF LAND,  
CALDWELL COUNTY, TEXAS:

BEING A 16.11 ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE LEWIS L. JOSEPH SURVEY, ABSTRACT NO. 164, CALDWELL COUNTY, TEXAS, BEING OUT OF THAT CERTAIN 24.90 ACRE TRACT OF LAND CONVEYED TO MICHAEL L. BRANDON BY WARRANTY DEED RECORDED IN VOLUME 261, PAGE 902, OFFICIAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron rod found lying in the south right-of-way line of Caldwell County Road 227 (Rocky Road), a public road, said point marking the northwest corner of Lot 1 of the Rocky Road Subdivision as recorded in Volume 13, Page 129, Official Public Records, Caldwell County, Texas, common with the northeast corner of that certain 24.90 acre tract conveyed to Michael L. Brandon by Warranty Deed in Volume 261, Page 902 Official Public Records, Caldwell County, Texas, for the northeast corner of this described tract;

THENCE South 15°15'41" East along the east line of this tract, common with the west line of said Lot 1 of the Rocky Road Subdivision and west line of that certain 5.56 acre tract, conveyed to Primitivo and Petra Maya by General Warranty Deed in Document No. 2015-007466, Official Public Records, Caldwell County, Texas, and certain 6.24 acre tract, conveyed to Jason and Aurora by General Warranty Deed in Volume 620, Page 119, Official Public Records, Caldwell County, Texas, and certain 5.55 acre tract conveyed to Jorge Guerrero Abundiz by Warranty Deed with Vendor's Lien in Document No. 117224, Official Public Records, Caldwell County, Texas, a distance of 1,174.89 feet to a ½ inch iron rod found lying in the north line of a 1.00 acre tract conveyed to Chris Tobias by General Warranty Gift Deed in Document No. 2017-0023356, Official Public Records, Caldwell County, Texas, for the southeast corner of this tract;

THENCE South 74°47'28" West along the south line of this tract, common with the north line of said 1.00 acre tract and a certain 2.00 acre tract conveyed to Maria C. Solis and Mayra A. Tovar by General Warranty Deed in Document No. 2017-002357, Official Public Records, Caldwell County, Texas, a distance of 886.15 feet to a ½ inch iron rod found lying in the east line of Lot 13 of the Laidley Acres Subdivision as recorded in Volume 14, Page 161, Official Public Records, Caldwell County, Texas, for the southwest corner of this tract;

THENCE North 15°22'21" West along the west line of this tract, common with the east line of Lots 8 through 13 of said Laidley Acres Subdivision, a distance of 500.44 feet to a ½ inch iron rod set lying in the east line of said Lot 8, for the lower northwest corner of this tract;


THENCE North 75°02'51" East along the north line of this tract, through and across said 24.90 acre tract, a distance of 508.35 feet to a ½ inch iron rod set, marking an interior corner of this tract;

THENCE North 14°14'12" West along the west line of this tract, continuing through and across said 24.90 acre tract, a distance of 716.03 feet to a ½ inch iron rod set lying in the south right-of-way line of said Rocky Road, for the northwest corner of this tract;



THENCE North 80°54'11" East along the north line of this tract common with the south right-of-way line of Rocky Road, a distance of 368.10 feet to the POINT OF BEGINNING, containing 16.11 acres of land, more or less.



  
George E. Lucas  
R.P.L.S. No. 4160  
Celco Surveying Firm Registration No. 10193975  
2205 Stonecrest Path  
New Braunfels, Texas 78130  
March 20, 2020

TRACT 2: FIELD NOTE DESCRIPTION FOR A 8.79 ACRE TRACT OF LAND,  
CALDWELL COUNTY, TEXAS:

BEING A 8.79 ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE LEWIS L. JOSEPH SURVEY, ABSTRACT NO. 164, CALDWELL COUNTY, TEXAS, BEING OUT OF THAT CERTAIN 24.90 ACRE TRACT OF LAND CONVEYED TO MICHAEL L. BRANDON BY WARRANTY DEED RECORDED IN VOLUME 261, PAGE 902, OFFICIAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron rod found lying in the south right-of-way line of Caldwell County Road 227 (Rocky Road), a public road, said point marking the northeast corner of Lot 1 of the Laidley Acres Subdivision as recorded in Volume 14, Page 161, Official Public Records, Caldwell County, Texas, common with the northwest corner of said 24.90 acre tract conveyed to Michael L. Brandon by Warranty Deed recorded in Volume 261, Page 902 Official Public Records, Caldwell County, Texas, for the northwest corner of this described tract;

THENCE North 80°54'11" East along the north line of this tract common with the south right-of-way line of Rocky Road, common with the northwest line of said 24.90 acre tract, a distance of 525.68 feet to a ½ inch iron rod set, for the northeast corner of this tract;

THENCE along the east line of this tract, leaving the south right-of-way line of Rocky Road, South 14°14'12" East through and across said 24.90 acre tract, a distance of 716.03 feet to a ½ inch iron rod set, for the southeast corner of this tract;

THENCE South 75°02'51" West along the south line of this tract, through and across said 24.90 acre tract, a distance of 508.35 feet to a ½ inch iron rod set, lying in the east line of Lot 8 of said Laidley Acres Subdivision, for the southwest corner of this tract;

THENCE North 15°22'21" West along the west line of this tract, and the east line of Lots 1 through 8 of said Laidley Acres Subdivision, common with the west line of said 24.90 acre tract, a distance of 769.62 feet to the POINT OF BEGINNING, containing 8.79 acres of land, more or less.



George E. Lucas  
R.P.L.S. No. 4160  
Celco Surveying Firm Registration No. 10193975  
2205 Stonecrest Path  
New Braunfels, Texas 78130  
March 20, 2020

SCHEDULE B:

TITLE SURVEY

LEGEND

10. THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS:

1. AN ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE AND/OR SYSTEM EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY AS DESCRIBED IN VOLUME 173, PAGE 332 AND VOLUME 173, PAGE 340 OF THE DEED RECORDS OF CALDWELL COUNTY, TEXAS MAY AFFECT THIS TRACT. NOT SUFFICIENT DATA TO PLOT.

2. A WATER PIPELINE EASEMENT GRANTED TO COUNTY LINE WATER SUPPLY CORPORATION AS DESCRIBED IN VOLUME 362, PAGE 522, VOLUME 362, PAGE 540 AND VOLUME 362, PAGE 541 OF THE DEED RECORDS OF CALDWELL COUNTY, TEXAS MAY AFFECT THIS TRACT. NOT SUFFICIENT DATA TO PLOT.

	IRON ROD FOUND
	IRON ROD SET
	BOUNDARY LINE
	EXISTING R.O.W. LINE
	EXISTING LOT LINE
	OVERHEAD ELECTRIC EASEMENT
	FIRE HYDRANT
	POWER POLE
	WATER METER
	CHAIN LINK FENCE
	WOOD PRIVACY FENCE
	IRON ROD FENCE
	BARBED WIRE FENCE

0' 200'  
SCALE 1" = 200'



LEGAL DESCRIPTION

TRACT 1 BEING A 16.11 ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE LEWIS L. JOSEPH SURVEY ABSTRACT NO. 164, CALDWELL COUNTY, TEXAS, BEING OUT OF THAT CERTAIN TRACT OF LAND CONVEYED TO MICHAEL L. BRANSON DESCRIBED IN WARRANTY DEED RECORDED IN VOLUME 241, PAGE 302, OFFICIAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS.

TRACT 2 BEING A 8.79 ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE LEWIS L. JOSEPH SURVEY ABSTRACT NO. 164, CALDWELL COUNTY, TEXAS, BEING OUT OF THAT CERTAIN TRACT OF LAND CONVEYED TO MICHAEL L. BRANSON DESCRIBED IN WARRANTY DEED RECORDED IN VOLUME 241, PAGE 302, OFFICIAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS.

THE UNDERSIGNED DOES HEREBY CERTIFY TO PATRICK TIGHE, MICHAEL L. BRANSON AND TITLE RESOURCES GUARANTY COMPANY, THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UPON THE GROUND OF THE PROPERTY SHOWN HEREON, AND THAT THERE ARE NO ENCROACHMENTS OF VISIBLE IMPROVEMENTS, EXCEPT AS SHOWN HEREON, AND THAT THIS PROPERTY HAS ACCESS TO A PUBLIC ROADWAY, EXCEPT AS SHOWN HEREON.

THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS MANUAL OF PRACTICE REQUIREMENTS FOR A CATEGORY 1A, CONDITION B, TSPS LAND TITLE SURVEY.

FLOOD INFORMATION: THIS SITE LIES WITHIN ZONE "B" FLOODPLAIN AREA, NO PORTION OF THIS PROPERTY LIES WITHIN A 100-YEAR FLOODPLAIN BOUNDARY ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM'S FLOOD INSURANCE RATE MAP FOR CALDWELL COUNTY, TEXAS.

COMMUNITY PANEL NUMBER 48055C0100  
FLOOD MAP DATED JUNE 15, 2012

BORROWER: PATRICK TIGHE  
TITLE CO: TITLE RESOURCES GUARANTY COMPANY  
C.F. NO: 1-126236

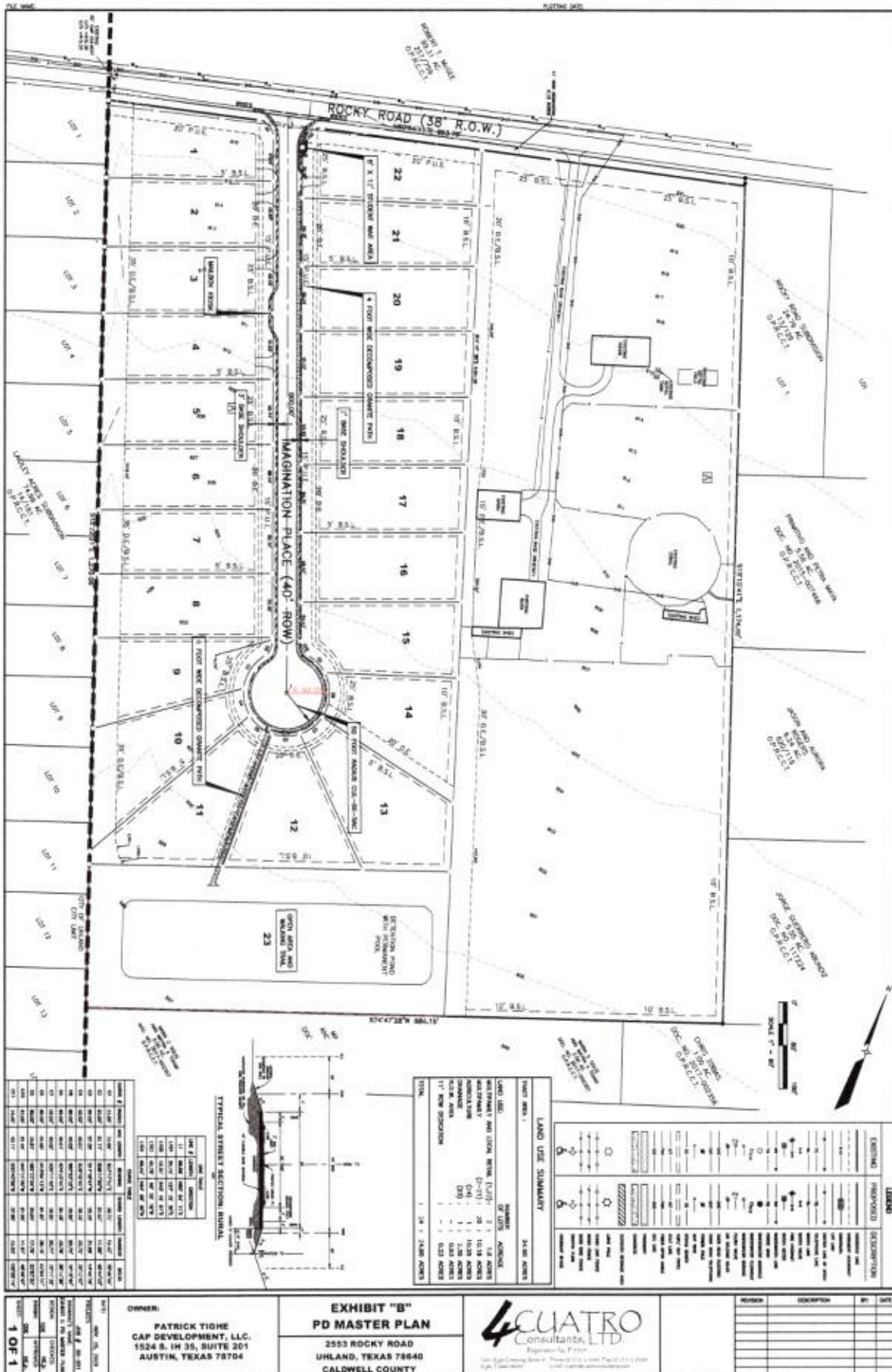


GEORGE E. LUCAS  
DATE: 3-15-2020  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 467  
CELO SURVEYING, FIRM REGISTRATION NO. 10-1836-15  
2205 STONECREST PATH  
NEW BRAUNFELS, TEXAS 78130  
OFFICE (512) 635-4807



# EXHIBIT "B"

## PD MASTER PLAN



## **EXHIBIT "C"**

### **PERMITTED USES**

Lot 1 : Mf 1-4 family residences, LR (Local Retail)  
Lots 02-21: MF 1-4 family residences  
Lot 22 : Mf 1-4 family residences, LR (Local Retail)  
Lot 23: Drainage and detention  
Lot 24: Agriculture/Commercial

#### **Local Retail Permitted Uses:**

Fire, EMS or Police Station  
Church  
School  
Utility Business Office  
Alcoholic Beverage Sales/Consumption  
Theater or Playhouse  
Art Gallery, Museum or Supply Store  
Antique Shop  
Retail Bakery, Smoothie Shop or Coffee Shop  
Bank  
Barber Shop or Beauty Salon  
Book or Stationary Shop or Newsstand  
Drug Store or Pharmacy  
Florist or indoor Garden Shop  
Food/Beverage Sales without Gasoline Sales  
Professional/Medical/Dental Offices  
Gift, Apparel, Accessory and Similar  
Decorator/Photographer/Dance/Music Studio

# EXHIBIT "D"

## OPEN SPACE & FENCING PLAN





## FILED AND RECORDED

**Instrument Number: 2021-000574 ORDINANCE**

Filing and Recording Date: 01/27/2021 01:49:42 PM Pages: 27 Recording Fee: \$126.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Caldwell County, Texas.



*Teresa Rodriguez*

Teresa Rodriguez, County Clerk  
Caldwell County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

**DO NOT REMOVE. THIS PAGE IS PART OF THE OFFICIAL PUBLIC RECORD.**