

**EL CAMINO RANCH  
RV RESORT**

**PLANNED DEVELOPMENT DISTRICT**

Approved January 6, 2021

ORDINANCE NO. 255

AN ORDINANCE REPEALING AND REPLACING ORDINANCE No. 240, CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 19.541 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF STATE HIGHWAY 21 AND GRISTMILL ROAD (CR 153), TO PLANNED DEVELOPMENT ("PD"); ESTABLISHING LAND USES AND DEVELOPMENT STANDARDS FOR THE CONSTRUCTION AND OPERATION OF A MIXED USE PROJECT FEATURING A RECREATIONAL VEHICLE RESORT AND COMMERCIAL/RETAIL USES; AND PROVIDING FOR: RULES, STANDARDS, PROCEDURES, AND SEVERABILITY.

WHEREAS, DLCL ENTERPRISES, INC., ("Owner") owns a total of 19.541 acres of land, more or less, located in Hays County, Texas, and more particularly described by the metes and bounds description and the survey which are collectively attached as Exhibit "A" to Attachment "1" (the "Property"). The Property is located wholly within the City's corporate limits; and

WHEREAS, Owner plans to develop approximately 16.541 acres of the Property as a recreational vehicle resort and approximately 3 acres of the Property as commercial/retail uses (the "Project"), which will benefit and serve the present and future citizens of the City; and

WHEREAS, a Planned Development ("PD") district 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 in conventional zoning districts to create a superior development to that which would occur using conventional zoning regulations; and

WHEREAS, the City of Umland seeks to protect the health, safety, and welfare of those living in, working in, and visiting the City; and

WHEREAS, the City of Umland entered into a Planned Development Agreement with the Owner and created the El Camino Ranch RV Resort PD District on February 5<sup>th</sup> 2020 under Ordinance No. 240; and

WHEREAS, Owner has submitted an application to the City to repeal and replace the existing Planned Development Agreement to change certain zoning regulations within the PD District; and

WHEREAS, the City has been in negotiations with the Owner of the Property to create a new PD Agreement to repeal and replace the original, attached hereto as Attachment "1", (the "PDA"); and

WHEREAS, the City held hearings and invited public comment on the proposed changes to the El Camino Ranch RV Resort PD District in public hearings held on the day of at o'clock P.M. and on the 14th day of December, 2020 at 4 o'clock P.M. and on the 16th day of December, 2020 at 6 o'clock P.M. and on the 6th day of January, 2021 at 6 o'clock P.M.; 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 El Camino Ranch RV Resort PDA 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:

#### **ARTICLE I. FINDINGS OF FACT**

The foregoing Recitals are hereby adopted as findings of facts and are incorporated fully herein.

#### **ARTICLE II. SHORT TITLE**

This Ordinance shall be commonly cited as the "El Camino Ranch RV Resort Planned Development".

#### **ARTICLE III. ENACTMENT**

- A. Zoning Map.** The official zoning map of the City of Umland is hereby amended to reflect the zoning designations established in the PD Master Plan attached as Exhibit "B" to Attachment "1".
- B. Development Plan.** This Ordinance, together with Attachment "1" and the exhibits thereto constitutes the land use standards and development plan for the El Camino Ranch RV Resort PD District upon the Property, as reflected in Attachment "1", covered by this Ordinance. All land use and development of the El Camino Ranch RV Resort PD on the Property must conform to the limitations and conditions set forth in this Ordinance, Attachment "1" and the exhibits thereto. Enactment of this Ordinance shall constitute the City's approval of the land use standards and development plan.

- C. Planned Development (PD) Master Plan.** The PD Master Plan detailed in Exhibit "B" of Attachment "1" to this Ordinance, is hereby approved.
- D Applicable Regulations.** Except as specifically provided by this Ordinance, the El Camino Ranch RV Resort 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.
- E. Variances.** The approval of this Ordinance, Attachment "1" and Exhibits A-D 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 for the El Camino Ranch RV Resort PD Project 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.
- F. Resolution of Conflicts.** The documents governing the PD 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.
- G. 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 "1" – El Camino Ranch RV Resort PD

Exhibit "A" Property Description

Exhibit "B" PD Master Plan

Exhibit "C" PD Greenspace/Open Space Plan

Exhibit "D" PD Phasing Plan

### **ARTICLE III. REPEALER**

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

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

The City Administrator 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 VI. PUBLICATION**

The City Administrator 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 VII. 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 VIII. EFFECTIVE DATE**

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

*[Signature Page Follows]*


PASSED AND APPROVED this, the 10th day of January 2021.

5 (five) **Ayes** 0 (zero) **Nays** 0 (zero) **Abstentions**

CITY OF UHLAND, TEXAS:

Vicki Hunter  
Vicki Hunter, Mayor

Attest:  
Karen Gallaher  
Karen Gallaher, City Administrator



**Attachment "1"**

**EL CAMINO RANCH  
RV RESORT**

**PLANNED DEVELOPMENT AGREEMENT**

## SECTION 1. ENACTMENT PROVISIONS

### 1.1 Popular Name.

This Agreement shall be commonly cited as the "El Camino Ranch RV Resort Planned Development" Agreement (the "PDA").

### 1.2 Purpose.

The enactment of the corresponding Ordinance memorializes the City Council's approval of this PDA as the "El Camino Ranch RV Resort Planned Development" and memorializes the City's legislative creation of the "El Camino Ranch RV Resort Planned Development" District.

### 1.3. Scope.

This PDA is by and between the City and DLCL ENTERPRISES, INC., ("Owner"), and replaces and supersedes the Planned Development Agreement approved and entered into by and between the City and DLCL ENTERPRISES, INC on February 5, 2020 and is hereby between shall apply 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 Agreement 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. **All-weather surface:** means an area, which is usable or operative in all kinds of weather over which emergency and the area's typical passenger vehicles can pass at all times and which is constructed of a material, such as brick, pavers, asphalt or concrete over compacted sub-base and base as appropriate based on the geotechnical recommendation.



2. **Applicable Requirements:** shall mean the applicable federal and state laws, city ordinances, rules and regulations, and the El Camino Ranch RV Resort PD Development Standards, contained herein.
3. **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.
4. **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.
5. **City:** shall mean the City of Uhland, Texas, a Texas Type A, general law municipality.
6. **City Administrator:** shall mean the person or entity engaged by City to serve in the capacity of City's chief administrative officer.
7. **City Code of Ordinances:** shall mean the collective duly adopted ordinances of the City, together with all related administrative rules and technical criteria manuals.
8. **City Council:** shall mean the governing body of the City of Uhland, Texas.
9. **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.
10. **County:** shall mean Hays County.
11. **Cottage:** means site-built or manufactured structure, which is (i) deliverable on a single chassis, (ii) between 120 square feet and 500 square feet, and (ii) equipped with bathroom and kitchen facilities, for guests of a recreational vehicle park.
12. **Development Standards:** shall mean the land use standards for the Property as described in this Agreement. All land use and development of the Property in the El Camino Ranch RV Resort PD District must conform to the limitations and conditions set forth in this Agreement.
13. **Development Plan:** shall mean this Ordinance, this Attachment "1" and the exhibits attached hereto, together, constitutes the development plan for the El Camino Ranch RV Resort PD on the Property.
14. **Driveway system:** means a private all-weather surface facility providing access for vehicles and pedestrians to parking spaces, garages, dwellings, or other structures or land uses within the recreational vehicle park.
15. **Effective Date:** and similar references shall mean the date this Ordinance is approved and adopted.

16. **Final Plat:** shall mean a map of a subdivision, addition or development, together with any applicable development plan, covenants, restrictions, dedications or easements, to be recorded in the County property records after approval by City.
17. **Masonry:** shall be defined as stone, simulated stone, brick, hard-coat stucco, and cement-based siding.
18. **Master Plan:** The Master Plan attached hereto as Exhibit "B" shows the boundary of the Property, location of water quality ponds and notable drainage areas. The Master Plan, along with the other exhibits attached hereto, also provides for parking, building setbacks, and other pertinent development features.
19. **Owner:** shall mean (i) the Owner named above, or (ii) any subsequent owner of any part of the Property that is a successor or assignee of any rights from Owner in the Property, in whole or in part.
20. **Park model:** means a recreational vehicle, which does not exceed 400 square feet, sits on a chassis typically placed on rented, leased or purchased sites in a recreational vehicle park and is built to the ANSI 119.5 standard as set forth by the Recreational Park Trailer Industry Association.
21. **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.
22. **Project:** shall mean the El Camino Ranch RV Resort Planned Development on the Property as generally delineated in the PD Master Plan attached hereto as Exhibit "B" and incorporated herein for all purposes.
23. **Property:** shall have the meaning set forth in the recitals to this Ordinance, and consists of the 19.541 acres of land, more or less, located in Hays County, Texas, and more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.
24. **Recreation area:** means an area designed for open space or recreation for exclusive use by the patrons of a recreational vehicle park.
25. **Recreational vehicle:** means a motor vehicle primarily designed as living quarters for recreational camping or travel use. The term includes a travel trailer, camping trailer, truck camper, 5th wheel, and motor home. The term Recreation Vehicle does not include Park Models or Cabins as defined herein.
26. **Recreational vehicle resort:** shall mean the 16.541 acres of the Property upon which recreational vehicle sites and/or cottage sites are located.

27. **Site:** shall mean any individual parcel of land within the Project designated for a specific permitted use.
28. **Recreational Vehicle Parking Pad:** shall mean the all-weather parking surface at each site upon which a recreational vehicle and at least one tow vehicle shall be parked, and including the required and optional utility connections.
29. **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 buildings covered by Chapters 1201 or 1202 of the Texas Occupations Code.

### SECTION 3. LAND USE AND ZONING

#### 3.1 Zoning.

The zoning classification of the property is hereby changed to El Camino Ranch RV Resort Planned Development.

#### 3.2 Permitted Uses.

The project may be developed to contain a recreational vehicle resort on approximately 16.541 acres of the Property, and commercial/retail uses, including convenience store with fuel sales, on approximately 3 acres of the Property. Specifically, there shall be no more than 340 recreational vehicle sites located within the Property.

#### 3.3 Prohibited Uses.

The project shall not contain any uses not otherwise allowed herein.

#### 3.4 Maximum Densities.

**a. Recreational Vehicle Resort.** The Project shall not exceed the maximum gross density of 20.4951 sites per acre and only one cottage and or recreational vehicle per site.

**b. Commercial/Retail Uses.** The Project shall not exceed the following maximum gross densities

(maximum site-size per use not including parking):

- 1) Fast-Food: 16,000 square feet
- 2) Restaurant: 60,000 square feet
- 3) Grocery Store: 100,000 square feet
- 4) Hotel: 200 rooms
- 5) Movie Theater: 45,000 square feet
- 6) Office: 60,000 square feet

- 7) Gym or Health Club: 12,000 square feet
- 8) Farmers Market
- 9) Fruit/Vegetable/Produce Stand
- 10) Food Truck Court
- 11) Beer Garden
- 12) Live Music and/or Event Venue
- 13) Convenience Store with Fuel Sales: 10,000 square feet \*

\* Refer to Section 6.4 for additional standards

### **3.5 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 Agreement. All aspects of such approvals which are not specifically covered by this Agreement shall be governed by the City Code of Ordinances.

### **3.6 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.

### **3.7 Phased Development.**

The Project may be developed in phases over time and the phasing of development may be changed from time to time, including phases being developed concurrently, in response to market conditions or other factors.

### **3.8 Traffic Impact Analysis**

Owner shall complete a Traffic Impact Analysis (TIA) for the entire 19.541 acre tract based on the projected land uses described in this PDA, as amended.

The Owner will scope the TIA with TXDOT and the City. A draft TIA scope will be provided for review and approval of TXDOT and the City prior to beginning the work. The TIA will be reviewed and approved by the City Engineer and TXDOT.

Improvements recommended by the TIA shall be borne by the Developer/Owner. Cost of improvements shall be described and prorated to the specific land use trip generation as described in the TIA. The City of Uhland reserves the right to ask the TIA be amended if land use and trip generation change from original assumptions.

Improvement construction will be phased based on certain triggering events identified in the TIA.

## **SECTION 4.**

## DEVELOPMENT STANDARDS

### 4.1 Open Space Requirements.

A minimum of 20 percent (20%) of the gross Property area, not including streets or sidewalks, shall be developed in the form of landscaped areas, green space, recreation area, open space, greenbelt or any combination thereof. Drainage easements, water quality ponds and detention ponds of which are designed as recreational space or park space, as illustrated in Exhibit "C", may be counted in the Open Space Requirements.

All landscape areas and open space areas within the Property shall be maintained by the owner including supplemental maintenance of any recreation, drainage and detention pond areas.

### 4.2 Impervious Cover.

The Project shall not exceed an aggregate of sixty percent (60%) in impervious cover.

### 4.3 Recreational Vehicle Resort Site Requirements.

Site Width Minimum	Twenty-five feet (25')
Site Length Minimum	Fifty feet (50')
Minimum setbacks measured from nearest improved parking space or cottage foundation	Five feet (5')
Average Site Area	Seventeen-hundred-fifty feet (1750')

### 4.4 Commercial Site Requirements.

The "Commercial Reserve" site illustrated on Exhibit "B" shall comply with all applicable rules and regulations of the General Business (GB) Zoning District not otherwise specified herein.

### 4.5 Utility Service.

Except where approved in writing by the City Administrator, all utilities shall adhere to the following:

- a. All wet and dry utilities to include water, wastewater, electrical, telephone and cable television distribution and service lines will be underground, other than overhead lines that are three phase or larger which are required to be brought to the project for service availability.
- b. All utility connections and the improvements thereof shall be the responsibility of Owner.

- c. Each recreational vehicle site shall be provided with a connection to an adequate water supply, wastewater collection system, and electrical connection as approved by the City and State.
- d. Individual wastewater connections shall be provided at each recreational vehicle site.
- e. Internal water, wastewater and electrical facilities within the Project shall be privately owned and maintained. No plats shall be approved until adequate water, wastewater and electrical services are provided pursuant to the requirements of the City.
- f. The Project shall provide safe and adequate facilities for the collection and removal of solid waste and garbage in accordance with all requirements of the City. If individual solid waste and garbage receptacles are not provided at each recreational vehicle site, a centralized location with adequate dumpsters shall be provided.

#### **4.6 Fencing Plan.**

At minimum, a split 3-rail fence to include landscaping on the exterior of the fence shall be constructed along the building line along HWY 21 and Grist Mill Road as illustrated on Exhibit "B".

#### **4.7 Pedestrian Circulation.**

A five-foot (5') wide sidewalk shall be constructed within the ROW and dedicated to the public along Grist Mill Road and Highway 21 (*subject to TxDOT Approval*) abutting the Property. All sidewalks shall be made of concrete.

#### **4.8 Internal Drives.**

To allow for adequate vehicular traffic circulation, all private drives within the recreational resort section of the Project shall have a minimum of twenty (20) feet of all-weather surface for one-way drives and a minimum of twenty-four (24) feet of all-weather surface for two-way drives; and all internal drive aisles within the commercial use section of the Project shall be designed to meet City standards.

#### **4.9 Drainage.**

The Project shall comply with all City of Umland ordinances and regulations related to floodplain and drainage. Owner shall create and submit a drainage plan to the City for approval prior to any permitting within the Project. The drainage plan shall incorporate the results of a drainage study conducted at the Owner's expense.

#### **4.10 Lighting.**

Area lighting shall be designed and installed to be Dark Sky compliant and shall be submitted to and approved by the City Engineer prior to installation. All fixtures shall utilize Light-Emitting Diode (LED) lighting or other alternative lighting as approved by the City. Solar fixtures may be used.

#### 4.11 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 20% of the gross acreage of the property (3.90 acres) shall be landscaped. 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 in the City of Austin's Grow Green Guide, 5th Edition Revised 2016. 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 specific prior approval of the City.

- a. **Maintenance.** All landscaping shall be maintained by the Owner and each successive Owner in accordance with the approved development plan for the property.
- b. **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.
- c. **Shade Trees shall be defined as the following:**
  - 1) Bald Cypress
  - 2) Burr Oak
  - 3) Cedar Elm
  - 4) Chinquapin Oak
  - 5) Chinese (Lacebark) Elm
  - 6) Live Oak
  - 7) Monterey Oak
  - 8) Pecan
  - 9) Shumard Oak
  - 10) Texas Ash
  - 11) Texas Red Oak
- d. **Evergreen Ornamental Trees shall be defined as the following:**
  - 1) Wax Myrtle
  - 2) Yaupon Holly
  - 3) Mountain Laurel
  - 4) Little Gem Magnolia
  - 5) Eastern Red Cedar
  - 6) Cherry Laurel

- e. **Commercial Buffer-yards.** At minimum a fifteen feet (15') wide landscaped buffer-yard shall be constructed and maintained between any commercial site and any adjoining recreational vehicle resort sites. The buffer-yard shall be located on the commercial site and shall consist of at least one (1) shade tree and two (2) evergreen ornamental trees per each seven-hundred-fifty (750) square feet of buffer-yard.

**4.12 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 for the Project and submitted to the City prior to the Start of site development work. Prior to the start of any site work all protection and preservation measures 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.

**4.13 Signage.**

All signage shall be erected at the expense of the Owner and subject to the applicable rules and regulations of the City and State.

## **SECTION 5. RECREATIONAL VEHICLE RESORT DESIGN STANDARDS**

**5.1 Recreational Vehicles.**

- 1) Recreational Vehicles shall be mechanically maintained, operable and maintain proper transportation registration.
- 2) Each recreational vehicle parking pad shall be constructed with an all-weather surface and provide space to accommodate one recreational vehicle and at least one tow vehicle.

**5.2 Cottages.**

- 1) When a cottage is utilized as a park model, such cottage placed within a recreational vehicle park must be in compliance with the ANSI Recreational Park Trailer Standard ANSI A119.5, 2009 Edition.
- 2) If a cottage is site-built, it must meet all requirements of the building codes of the city.

**5.3 Main Office and Visitor Parking.**

- 1) The recreational vehicle resort shall construct and maintain a main office in accordance with the commercial architecture and design standards described in Section 6.



- 2) There shall be a minimum of four (4) visitor parking spaces located at the main office of the recreational vehicle resort and one additional visitor parking space for every ten (10) recreational vehicle sites, with a minimum of twenty (20) additional visitor parking spaces, located throughout the resort, to include handicap spaces as required by the Americans with Disabilities Act.

#### **5.4 Recreation/Amenity and Common Area(s).**

- 1) The recreational vehicle resort shall contain at least one outdoor recreation and/or amenity area that shall be easily accessible to all recreational vehicle resort users.
- 2) If the recreation area includes a swimming pool, the swimming pool shall be permitted in accordance with all applicable regulations of the City and the State.
- 3) Any recreation or amenity facilities to be open after dark shall be lit and shall provide lighting that is appropriately designed to not spill onto adjacent properties and to provide appropriate lumens for nighttime foot traffic.
- 4) If pets are permitted in the recreational vehicle resort, there shall be a designated, clearly marked pet relief area that is to be maintained regularly to ensure exceptional sanitary conditions. Designated pet waste receptacles shall also be provided.
- 6) Sanitary facilities shall be provided at minimum as follows for every 50 sites:
  - a) two (2) non-ADA unisex restroom facilities;
  - b) one (1) ADA compliant restroom facility;
  - c) one (1) unisex shower; and
  - d) one (1) wash basin.

#### **5.5 Prohibitions.**

The following conditions are specifically prohibited within the recreational vehicle resort:

- 1) Detached accessory structures at recreational vehicle sites;
- 2) Parking of motorized vehicles on surfaces other than the all-weather pad;
- 3) More than one (1) recreational vehicle per site;
- 4) Campfires;
- 5) Tent camping outside of any designated tent camping area; and
- 6) Unleashed animals except in designated areas.

### **SECTION 6.**

#### **COMMERCIAL/RETAIL ARCHITECTURE AND DESIGN STANDARDS**

##### **6.1 Material Requirements.**

In addition to any other building product or material that is approved for use by the national model code adopted by the City and published within the last three code cycles, for non-residential construction, all non-residential buildings and structures may include the following materials:

- a. Wood or "Hardi-Board"
- b. Glass; except, mirrored glazing is prohibited
- c. Pre-finished, non-reflective metal siding
- d. Canvas awnings on steel or aluminum framing
- e. Steel and/or aluminum framing for trellis, canopies, awnings, roof elements, exposed columns and other architectural features of painted and/or galvanized finish

## **6.2 Masonry Façade Requirements.**

All commercial/retail buildings and structures shall include the following masonry standards excluding features such as doors, windows, trim and accent features on non-load bearing design elements:

- a. Buildings larger than 25,000 square feet of gross area: at least 65 percent of all exterior wall surfaces; and at least 85 percent of the front elevation
- b. Buildings larger than 4,500 square feet of gross area: at least 70 percent of all exterior wall surfaces; and at least 90 percent of the front elevation
- c. Buildings smaller than 4,500 square feet of gross area: at least 75 percent of all exterior wall surfaces; and at least 95 percent of the front elevation

## **6.3 Roofing.**

Flat roofs, metal roofs, parapet roofs, and facades are permitted. Raised parapet walls, sloped roofs shapes, awnings/canopies, trellis and similar architectural design elements shall be incorporated to add visual interest, shield the "flat-roof" from view and add continuity of design throughout.

## **6.4 Standards Applicable to Convenience Stores**

Notwithstanding any other provisions contained herein, the following additional standards shall apply to any Convenience Store use on the Commercial parcel:

- a. All customer facing exterior wall surfaces, excluding windows and doors, shall be constructed of ninety-five percent (95%) brick or natural stone and mortar as approved by the City.
- b. All lighting from the building and gas canopy shall be designed and located so as to prevent glare or direct illumination across the bounding property line from a visible source of illumination nor may any such light be of such intensity as to create a nuisance or detract from the use and enjoyment of adjacent property. The use of full cut-off down lighting or other dark sky techniques to minimize light pollution shall be required.

- c. A minimum 15 foot landscape buffer containing 1 shade tree and 10 shrubs (5 gallon minimum) every 40 feet of linear frontage shall be required along the frontage of Highway 21 and Grist Mill Road.
- d. All driveway access points to Highway 21 shall be subject to review and approval of TxDOT
- e. The number of and the construction of driveway access points to Gristmill Road shall be subject to review and approval of the City.
- f. All vehicular parking and circulation must be contained on-site within the commercial lot. Parking along Grist Mill Road and Highway 21 rights-of-way shall be expressly prohibited.
- g. Owner shall provide for the utility connection and parking space of at least two level 2 electric vehicle charging stations or at least one DC fast charging station as defined by the US Department of Energy.

## **SECTION 7. IMPACT, DEVELOPMENT AND PERMIT FEES**

### **7.1 Roadway Impact Fee.**

For the improvement of the City's public roadways affected by the Project, the Developer/Owner shall pay for any and all TIA required road or street enhancements required to serve the 19.541 acre tract.

### **7.2 Site Plan Review and Permit Fee.**

The Owner shall pay site plan review, permit and inspection fees based upon the uses defined herein:

- a. Commercial/Retail – the Owner/Developer of the Commercial/Retail shall pay the site plan review, permit and inspection fees as per the City Fee Schedule Ordinance, as amended at the time of permit application.
- b. Recreational Vehicle Resort – the Developer/Owner of the Recreational Vehicle Resort shall pay a fee to the City in the amount of thirty-thousand dollars (\$30,000.00) prior to issuance of the site development permit.

### **7.3 Other Development, Platting, Permit and Inspection Fees.**

All other development, permit and inspection fees required for the Project shall be in accordance with the City's Ordinances and applicable schedule of such fees, as amended at the time of permit application.

## **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 number of recreational vehicle sites, (b) increase or decrease the amount of land area allocated to each permitted use; (c) seek to allow a use which is prohibited by the Development Standards; or (d) 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 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. ADDITIONAL LAND**

Owner may, in the future, desire to add Additional Land to the Project. Owner may add Additional Land that it owns or acquires adjacent to the Property provided the following:

- 1) Prior to submittal of any replat applications for Additional Land, Owner shall provide the City with an updated Master Plan depicting the additional land and its corresponding use;
- 2) As part of the replat application the Owner shall have conducted a drainage study and traffic impact analysis for the additional land in relation to a 20year growth impact; and
- 3) Upon approval of the replat, unless otherwise agreed upon, the additional land shall be subject to the terms of this Agreement.

*[Signature Pages Follow and may be executed separately.]*

CITY OF UHLAND, TEXAS

By: \_\_\_\_\_  
Vicki Hunter, Mayor

Date: \_\_\_\_\_

STATE OF TEXAS §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me, on the \_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, by VICKI HUNTER, Mayor of the City of Umland, Texas, on behalf of said City.

\_\_\_\_\_  
Notary Public, State of Texas

DLCL ENTERPRISES, INC.,

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF TEXAS §

COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me, on the \_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, by \_\_\_\_\_, as the \_\_\_\_\_ of and on behalf of said DLCL ENTERPRISES, INC.

\_\_\_\_\_  
Notary Public, State of Texas

**EXHIBIT "A"**  
**PROPERTY DESCRIPTION**



*Ace Surveying, Inc.*

**RHONDA K. BUTLER**  
REGISTERED PROFESSIONAL  
LAND SURVEYOR #5409  
FIRM #10160700

P. O. BOX 597  
DEVINE, TEXAS 78016  
Phone: 830-334-7264  
Fax: 830-665-5796  
Email: [acesurveying@sbcglobal.net](mailto:acesurveying@sbcglobal.net)

**19.541 ACRES  
HAYS COUNTY, TEXAS**

A field note description of a 19.541 acre tract of land situated in Hays County, Texas, out of the August Reuss Survey, Abstract 398, also being out of and a part of a 26.891 acre tract of land described in deed recorded in Volume 1731, Page 802 of the Official Public Records of Hays County, Texas and being more particularly described as follows: (Note: Basis of bearing is WGS 84, NAD 83, Texas State Plane, South Central Zone 4204, iron pins set are ½" rebar with pink plastic cap stamped "RKB 5409")

Beginning at an iron pin found for the northeast corner of the herein described tract and the southeast corner of a 12.33 acre tract of land described in deed recorded in Volume 379, Page 380 of the Official Public Records of Hays County, Texas, in a curve to the right, in the west right-of-way line of State Highway 21;

Thence with said curve to the right having a radius of 4533.66 feet, an arc length of 1485.01 feet (Chord bears S 27°57'53" W, a distance of 1478.38 feet to an iron pin set for a southeast corner of the herein described tract, at a cut-back corner to Grist Mill Road;

Thence S 78°11'00" W, 91.15 feet to an iron pin found for the end of said cut-back, in the northeast right-of-way line of said Grist Mill Road;

Thence N 45°45'55" W, 996.21 feet along the southwest line of the herein described tract and the northeast right-of-way line of said Grist Mill Road to an iron pin set for the west corner of the herein described tract and the south corner of a 40' road easement described in deed recorded in Volume 5041, Page 492 of the Official Public Records of Hays County, Texas;

Thence N 44°00'26" E, 400.00 feet along a northwest line of the herein described tract to an iron pin set for the north corner of the herein described tract;

Thence S 45°45'37" E, 507.79 feet along an interior line of the herein described tract to an iron pin found for the re-entrant corner of the herein described tract;

Thence along a northwest line of the herein described tract the following 2 calls:

- 1) N 31°02'29" E, 281.22 feet to an iron pin found for an angle point;
- 2) N 32°30'52" E, 517.11 feet to an iron pin set for the northwest corner of the herein described tract, in the south line of aforesaid 12.33 acre tract;



Thence along the north line of the herein described tract and the south line of said 12.33 acre tract the following 2 calls:

- 1) N 85°01'40" E, 135.94 feet to cotton spindle found for an angle point;
- 2) N 88°35'58" E, 296.24 feet to the place of beginning and containing 19.541 acres of land according to a survey made on the ground on March 26, 2019 by Ace Surveying, Inc.



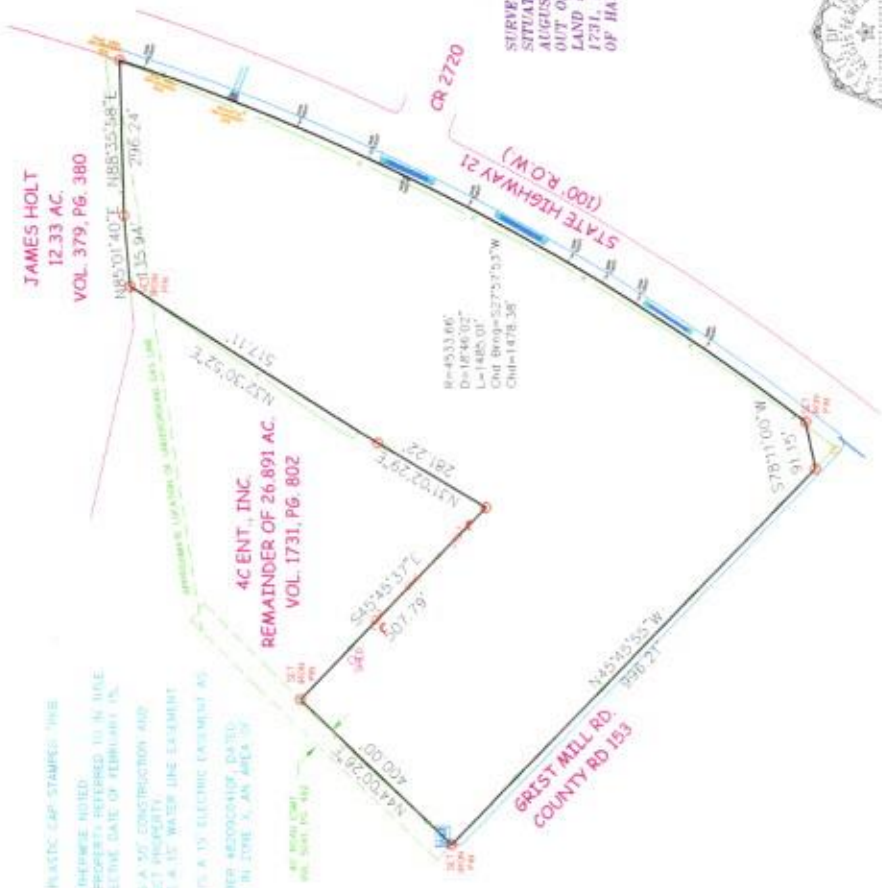
Rhonda K. Butler  
Registered Professional  
Land Surveyor #5409  
File: Merrill\_Clift\_State Highway 21



ALTA NPS Land Title Survey

- NOTES:
- 1) BASIS OF BEARING IS N55°14'
  - 2) ALL MON POINTS SET ARE SET FROM WITH IRON PLASTIC CAP STAMPED THE DATE.
  - 3) IRON PINS FOUND AT ALL CORNERS UNLESS OTHERWISE NOTED.
  - 4) THE PROPERTY SHOWN HEREON IS THE SAME PROPERTY REFERRED TO IN TITLE COMMITMENT WITH REF 19-0378-C, WITH AN EFFECTIVE DATE OF FEBRUARY 15, 2019.
  - 5) EASEMENT DESCRIBED IN VOL. 174, PG. 389 IS A 5' CONSTRUCTION AND MAINTENANCE EASEMENT AND MAY AFFECT SUBJECT PROPERTY.
  - 6) EASEMENT DESCRIBED IN VOL. 174, PG. 389 IS A 15' WATER LINE EASEMENT.
  - 7) EASEMENT DESCRIBED IN VOL. 174, PG. 389 IS A 15' ELECTRIC EASEMENT AS LINE IS NOT LAYED.
  - 8) ACCORDING TO THE T.E.M.A. - TOWN PANEL NUMBER 48200004109, DATED SEPTEMBER 2, 2005, THIS PROPERTY IS LOCATED IN ZONE 3, AN AREA OF MINIMAL FLOOD HAZARD.

- LEGEND:
- HOLLOW SQUARE - IRON PINS
  - POWER POLE
  - SIGN
  - ⊠ WATER METER
  - ⊞ CUT WIRE
  - ⊟ OVERHEAD ELECTRIC
  - ⊠ WIRE FENCE



SCALE 1" = 200'

SURVEY OF A 19.541 ACRE TRACT OF LAND SITUATED IN HAYS COUNTY, TEXAS, OUT OF THE AUGUST REUSS SURVEY, ABSTRACT 399, ALSO BEING OUT OF AND A PART OF A 26.891 ACRE TRACT OF LAND DESCRIBED IN DEED RECORDED IN VOLUME 1731, PAGE 802 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.

STATE OF TEXAS,  
 COUNTY OF MEDINA,  
 I, RHONDA K. BUTLER, DO HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA SURVEY LAND TITLE SURVEYS. JOBS I ESTABLISHED AND ADAPTED BY ALTA AND NPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7, 8, 11, 13, AND 14 OF TABLE A THEREOF, AND WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND BY ME, WORKING UNDER MY SUPERVISION.



*Rhonda K. Butler*  
**RHONDA K. BUTLER**  
 REGISTERED PROFESSIONAL LAND SURVEYOR #5409  
 SURVEYED: MARCH 26, 2019  
 FILE NO. MEDINA\_CUFT\_STATE HIGHWAY 21

**AS Ace Surveying, Inc.**

P. O. BOX 507 78016  
 DALLAS, TEXAS  
 832-331-7564  
 832-803-5796 FAX  
 asurveying@tscipol.com

THIS DRAWING IS THE PROPERTY OF ACE LAND SURVEYING, INC. AND IS TO BE USED ONLY FOR THE PROJECT AND PURPOSE FOR WHICH IT WAS PREPARED. ANY AND ALL OTHER USES WITHOUT THE WRITTEN CONSENT OF ACE LAND SURVEYING, INC. ARE STRICTLY PROHIBITED. COPYRIGHT 2019, ACE LAND SURVEYING, INC.

**EXHIBIT "B"**  
**PD MASTER PLAN**



**EXHIBIT "C"**

**PD GREENSPACE/OPEN SPACE PLAN**



**EXHIBIT "D"**  
**PD PHASING PLAN**



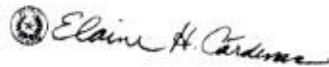


21003517 ORDINANCE Total Pages: 30  
Filed and Recorded: 1/25/21 10:09 AM

THE STATE OF TEXAS  
COUNTY OF HAYS

I hereby certify that this instrument was FILED on the  
date and the time stamped hereon by me and was duly  
RECORDED in the Records of Hays County, Texas.

21003517 ORDINANCE  
01/25/2021 10:09:43 AM Total Fees: \$138.00

 Elaine H. Cardenas

Elaine H. Cardenas, MBA, PhD, County Clerk  
Hays County, Texas