

**FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT**

THE STATE OF TEXAS       §  
  §  
COUNTY OF TRAVIS       §

This First Amendment to the Development Agreement (the "Amendment") is made and entered into as of the last date of execution below, by and between The City of Pflugerville, Texas ("City"), 130 Cactus Investment, LP, a Texas general partnership ("Landowner") and Tejas Viejo Land Company, a Texas Corporation ("Development Partner").

WHEREAS, the City, the Landowner, and the Development Partner entered into a Development Agreement on May 9, 2006 (the "Agreement") for development of approximately 1,500 acres that lies partially inside the City's corporate limits and extraterritorial jurisdiction and partially outside the City's jurisdiction; and

WHEREAS, the City, the Landowner and the Development Partner (collectively, the "Parties") desire to amend the Agreement to reflect further agreements concerning subdivision, land usage, and site development on the property identified in the Agreement ("Property"); and

WHEREAS, the Parties desire to incorporate that certain regulating plan titled "Cactus Residential ALUR, Version 3.4A, May 2006" as part of the Agreement and to require that the Landowner and the Development Partner develop the Property in accordance with the standards set forth therein.

NOW THEREFORE, for and in consideration of the mutual premises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Landlord, Development Partner and City hereby agree as follows:

1.     Definitions. Each capitalized term used herein has the meaning assigned to such term in the Agreement, unless the context hereof otherwise requires or provides.

2.     Article IX. Article IX subpart "A." is hereby deleted and replaced in its entirety as follows:

A.     The parties agree that the document titled "Cactus Residential ALUR: Cactus and Bohls North Properties, Version 3.4A, May 2006" as shown in Attachment M-1 ("Regulating Plan and Design Code") and the land plan for the Wildpflower Tract as shown in Attachment M-2 attached hereto (the "Wildpflower Land Plan") constitute the agreed plan for development of the Property. The Regulating Plan and Design Code and the Wildpflower Land Plan may be amended from time to time at the request of the Development Partner if a majority of the City Council of the City votes for approval of a major change or the City Manager or his designee authorizes a minor change as allowed in the Regulating Plan and Design Code.

The Parties agree that the Regulating Plan and Design Code attached hereto as Exhibit M-1 and the Wildflower Land Plan attached as Exhibit M-2 do not constitute and may not be construed to be a "permit" as defined in Chapter 245 of the Texas Local Government Code and that, as of the date of this Agreement, and that the City has not issued any permits, as defined by Chapter 245 with respect to the development of either the Cactus Tract, the Bohls North Tract or the Wildpflower Tract.

3. Attachments M-1 and M-2. The Parties agree that the Regulating Plan and Design Code as shown in Attachment M-1 and the Wildpflower Land Plan as shown in Attachment M-2 replace Attachments M-1 and M-2 in the Agreement.

4. Amending the Regulating Plan and Design Code. Amending the Regulating Plan and Design Code does not impact the regulations applicable to the property in the Cactus Towne Center, unless the Ordinance approving the rezoning of the Cactus Towne Center is also amended.

5. Notice to Purchasers of Land. The Development Partner and the Landowner must provide written notification to potential purchasers of land within the Property regarding the potential uses of land within the Property as shown on the Wildpflower Land Plan and the Regulating Plan before entering into a contract to sell any portion of the Property to the potential purchaser.

6. Article IX. Article IX subparts G., and H. are hereby added as follows:

G. The Development Partner agrees to develop a conceptual marketing site plan (the "Marketing Plan") for commercial property for the entire Cactus Commercial Property on Attachment "E" within 60 days of the date of this Amendment. The Marketing Plan will include the location of each building in the Cactus Commercial Property, the parking layout for each such building, the landscaping, open space, and uses of each building in the Cactus Commercial Property. A market area timing and demographic study describing the customer based and an explanation of the offsite improvements must also be part of the Marketing Plan.

H. The Development Partner also specifically agrees to place \$500 in escrow in accordance with the terms of an escrow agreement that is mutually agreeable to the City and the Development Partner for each residential lot sold in the Cactus Residential Property or Bohls North Tract at the time of final plat. The escrow agreement must be executed within 60 days of the effective date of the Amendment. The escrow agreement must specify that all amounts deposited and all interest earned on the amount in the escrow account may only be used by the City to fund off-site water and wastewater improvements to serve the Cactus Town Center ALUR, and if there are sufficient funds remaining after those improvements are completed, to fund internal water and wastewater improvements to serve the Cactus Town Center ALUR.

7. The Development Partner must file a preliminary plan application for the area within the Cactus Town Center ALUR within six months of the date of this Agreement.

8. Miscellaneous.

a. Entire Agreement. This Amendment, together with the Agreement, sets forth the entire understanding of the parties and supersedes all prior agreements or understandings, whether written or oral, with respect to the subject matter hereof. No amendments or modifications hereto will be valid unless made in writing and signed by all parties.

b. Binding Effect. This Amendment will extend to and be binding upon and inure to the benefit of the parties and their respective successors and assigns.

c. Execution. To facilitate execution, this instrument may be executed in any number of counterparts as may be convenient or necessary, and it shall not be necessary that the signatures of all parties be contained in any one counterpart hereof. Additionally, the parties hereby covenant and agree that, for purposes of facilitating the execution of this instrument: (i) the signature pages taken from separate individually executed counterparts of this instrument may be combined to form multiple fully

executed counterparts; and (ii) a facsimile signature will be deemed to be an original signature for all purposes. All executed counterparts of this instrument will be deemed to be originals, but all such counterparts, when taken together, constitute one and the same Amendment.

d. Governing Law. This Amendment will be governed by and construed in accordance with the laws of the State of Texas.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the last date set forth below.

**CITY OF PFLUGERVILLE**

By: Catherine T. Callen  
Printed Name: Catherine T. Callen  
Title: Mayor  
Date: August 29, 2006

Attest:

Karen Thompson  
City Secretary

**130 CACTUS INVESTMENT, LP.**

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**TEJAS VIEJO LAND COMPANY**

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**ATTACHMENT M-1**

**REGULATING PLAN AND DESIGN CODE**

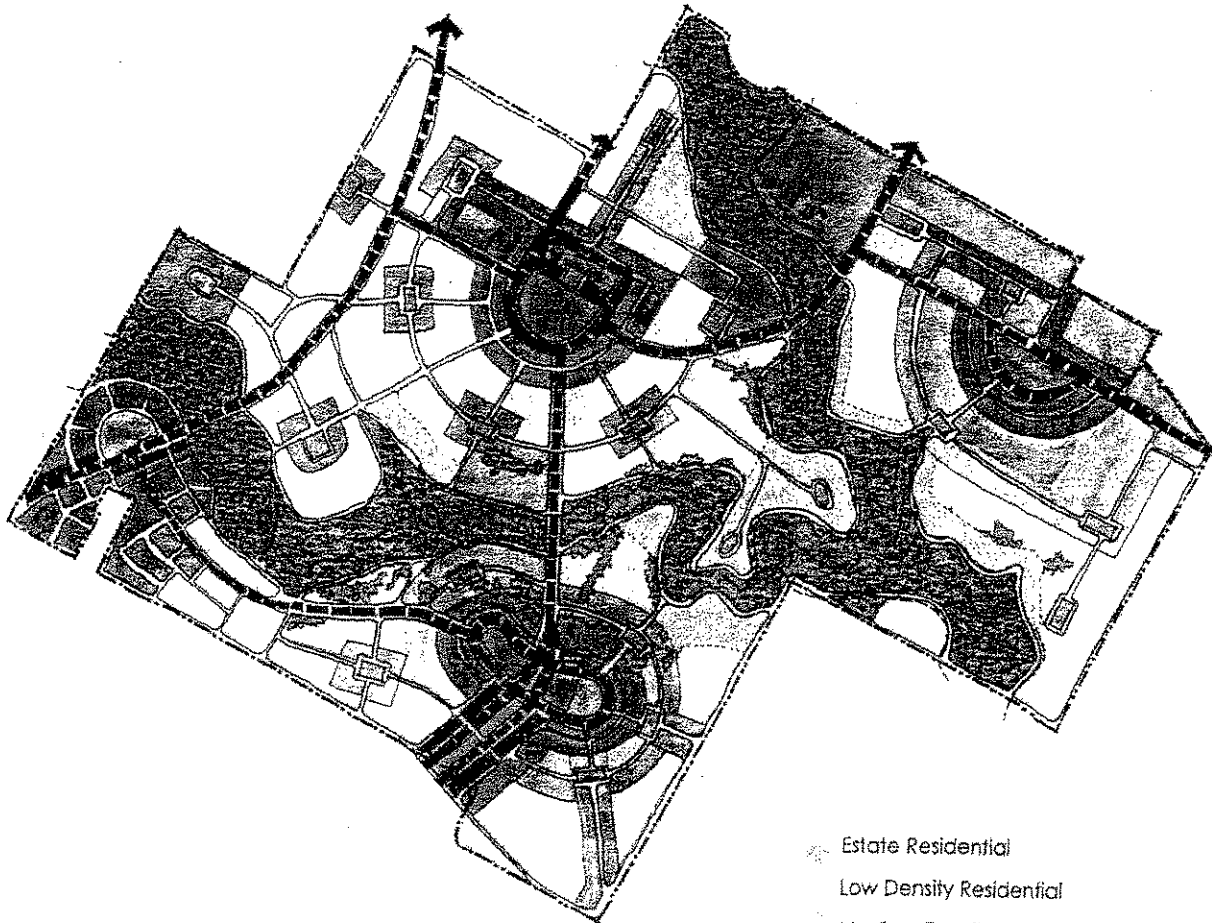
CACTUS RESIDENTIAL ALUR









Cactus and Bohls North Properties  
Version 3.4A, May 2006

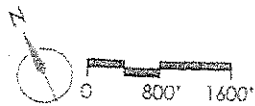
(ATTACHED)

ATTACHMENT M-2

WILDFLOWER LAND PLAN



-  Estate Residential
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Retail/Commercial
-  Civic/Education
-  Civic/Open Space
-  Natural Areas



ATTACHMENT  
M-1

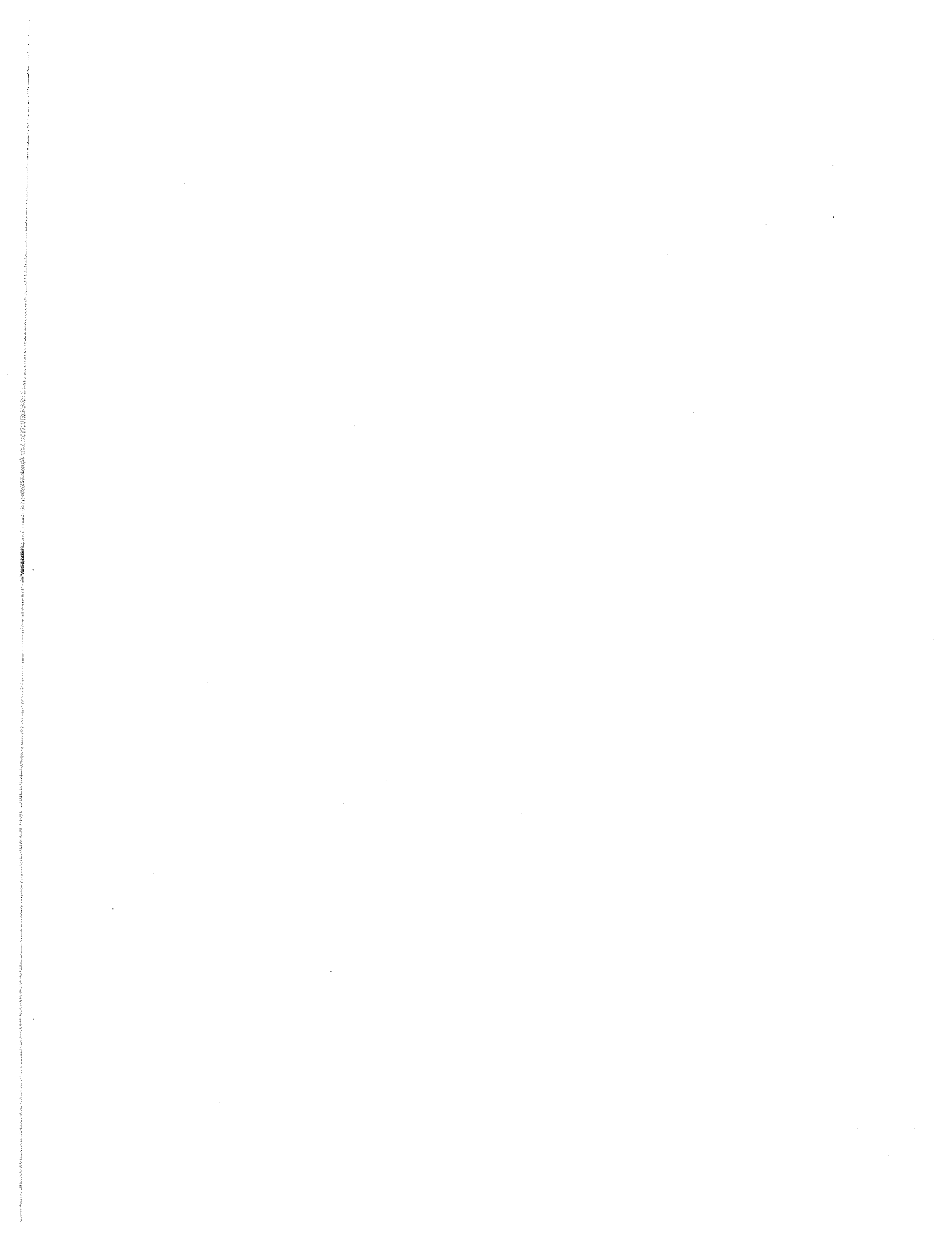


# Cactus Residential ALUR

Cactus and Bohls North Properties

Version 3.4A, May 2006

**TEJAS VIEJO LAND COMPANY**



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## Introduction

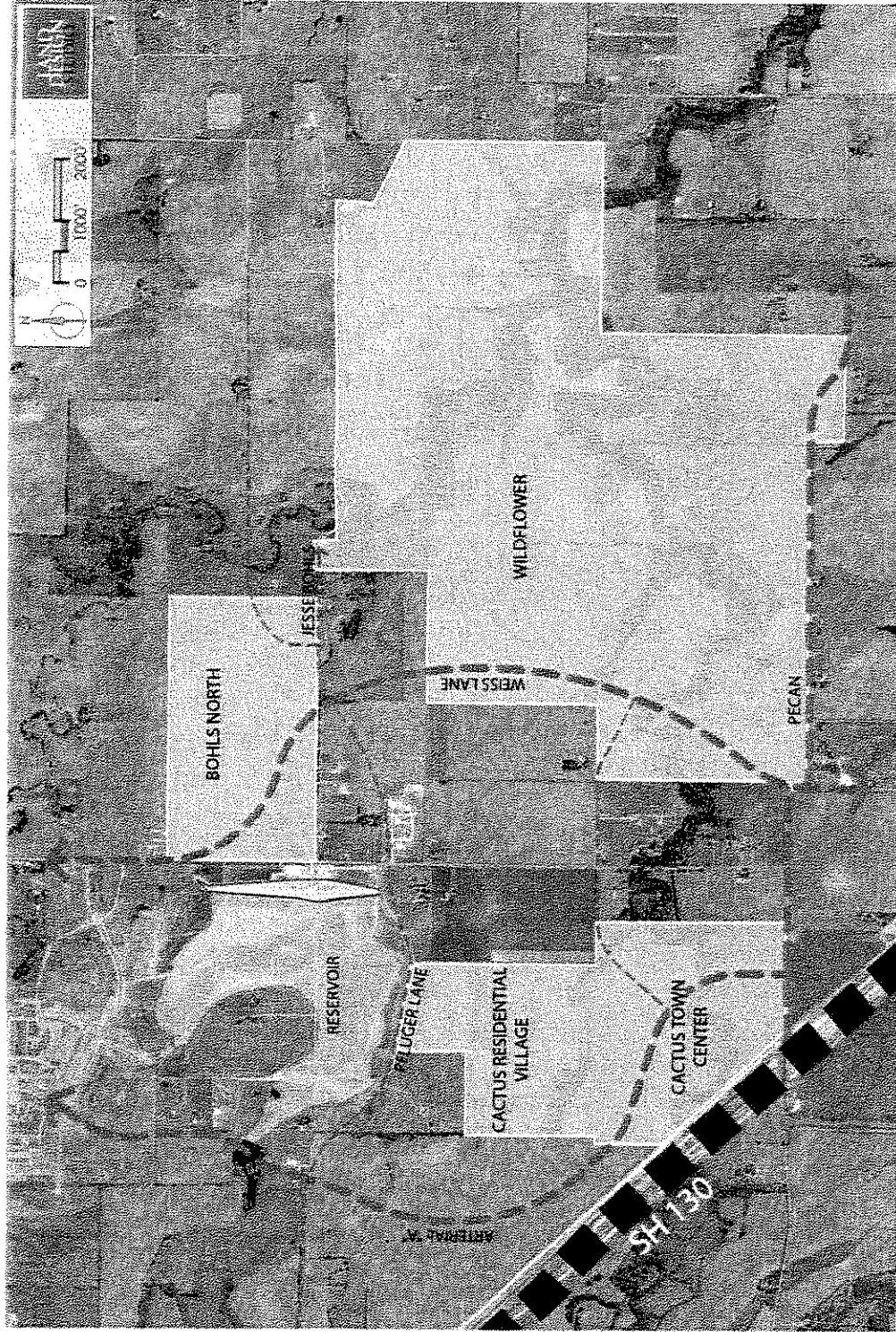
The Residential Regulating Plan and Design Code for Cactus and Bohls North is the culmination of a cooperative effort between the Development Team, the City of Phoenix Planning staff and the City Council. Each of these groups has recognized that cooperation and collaboration are essential to achieving the goals and objectives of the City as it grows and evolves.

In response to community goals, the Cactus and Bohls North Residential Regulating Plans integrate a mixture of open space, residential, commercial and public uses. Public spaces form the structure and character of neighborhoods and are treated with attention to aesthetics as well as function. Stakeholder emphasize the pedestrian by encouraging walking and opportunities for social exchange. The Plan encourages the integration of varying housing types that offer residential opportunities for a variety of incomes and age groups.

Combined with Residential Regulating Plans, the Design Code provides the desired result of the vision. The Code uses pictorial examples and graphic illustrations to clarify the intent of the development.

This Document specifically addresses the Cactus Residential Village and Bohls North.

General Provisions - ARTICLE 1



## Introduction

### Cactus





Cactus will be divided into two districts: the Residential Village and the Town Center. The Town Center is regulated by the Cactus Town Center ALR.

The Residential Village is primarily single family homes. All of the homes in the residential village are within a five-minute walk of either a park or the neighborhood amenity center. On the north edge of the Residential Village, two parcels of Commercial Mixed Use zoning serve as a node of local retail near the entrance and the amenity center along Highway 158.

# Cactus Master Plan



## LEGEND

-  Commercial Mixed Use
-  55' Single Family Residential Lots
-  70' Single Family Residential Lots
-  Public and Private Open Spaces



## Introduction

### **Bohls North**

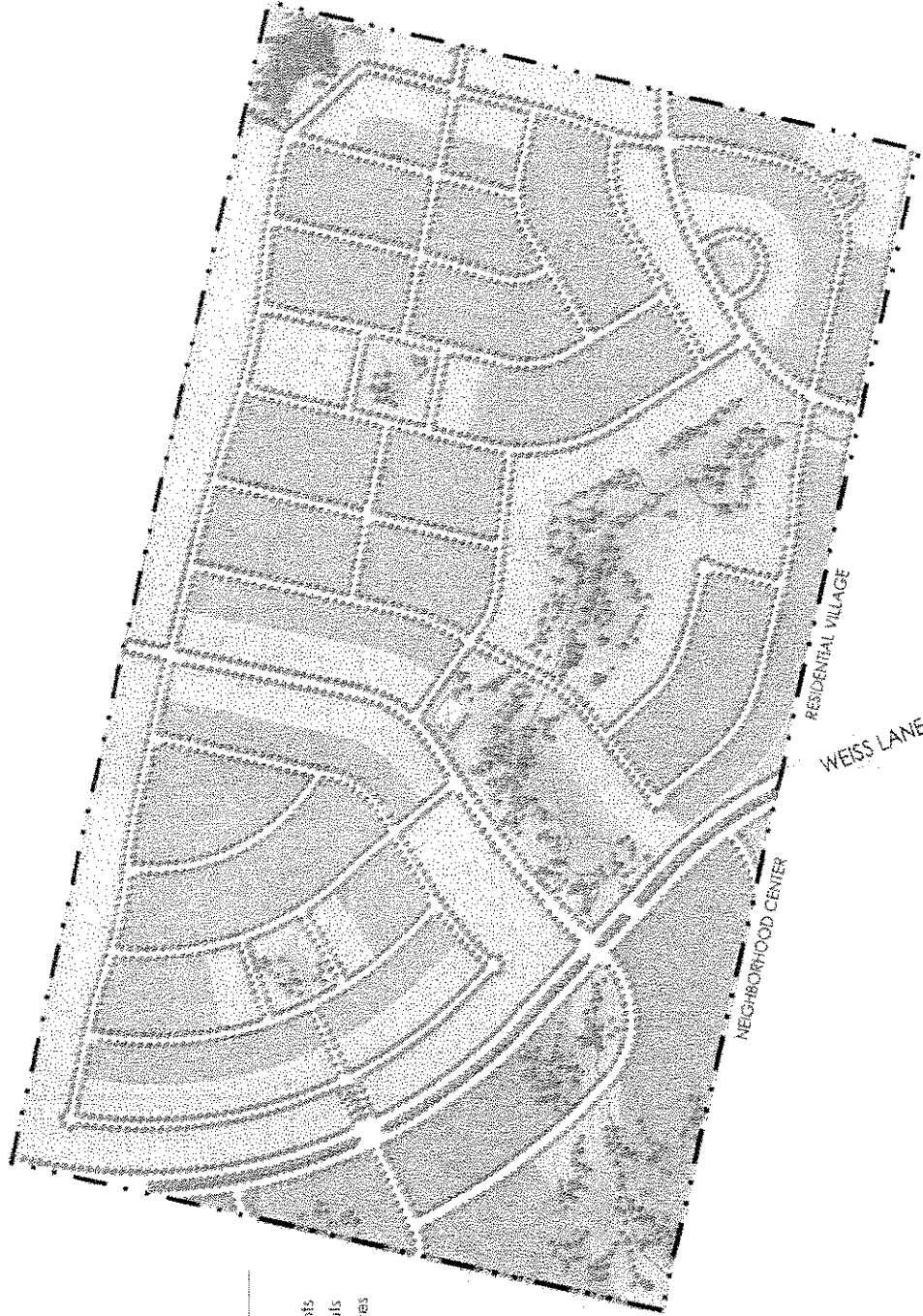
The Residential Villages will be divided into two districts, the Residential Village and the Neighborhood Center. Bohls North will be divided into two districts, the Residential Village and the Neighborhood Center. All of the homes in the Residential Village are within a five-minute walk of either a park or the neighborhood amenity center.

The Bohls North Neighborhood Center will feature a mix of neighborhood retail and moderately dense housing types. The Neighborhood Center will be designed for equal access by pedestrians and automobile traffic, with small-scale parking framing the street. Wide sidewalks will be provided along the street.





The street pavement is proposed to be paved in order to "calm" traffic and make the area safer for pedestrians. Shade trees, building awnings and canopies help to create an inviting place for Bohls North residents to shop and stroll. On-street angled parking is provided along the street frontage, and a parking is provided off-street at the rear of the buildings.

Trucks will turn along the boundary to Williams Creek. Shady tree parking will provide pleasant places to stop and rest.

**Bohls North Master Plan**



**LEGEND**

-  Neighborhood Mixed Use
-  55' Single Family Residential Lots
-  70' Single Family Residential Lots
-  Public and Private Open Spaces



## General Provisions - ARTICLE I

### Section 1.01 Purpose and Intent

- A. Purpose. The Regulating Plan and Design Code is adopted to protect, preserve, improve, and provide for public health, safety, and general welfare of the present and future citizens of the City of Pflugerville, and to encourage and support the development of the present and future from properties.
- B. Intent. The requirements of the Regulating Plan and Design Code shall apply to the property, consisting of approximately 300 acres of land located within the Corporate Limits and the East Municipal Jurisdiction (EMJ) of the City of Pflugerville, Texas, as more particularly described in the Regulating Plan (the "Property").

### Section 1.02 Definitions

- A. In this Design Code, the words "shall" and "must" will be deemed mandatory or directory in accordance with the intent and context of its use, and the word "may" will be deemed permissive. The word "including" will also mean "including without limitation" and "including, but not limited to."
- B. The following definitions provide interpretations and explanations for the many words, phrases and terms used in describe a particular activity will both in recommendations presented in the Regulating Plan and Design Code. These words, phrases and terms have been given the defined meaning as set forth below. Where words are used in the singular, they include the plural, and words in the plural include the singular. Where words are used in the present tense, they include the future tense and words used in the future tense include words in the present tense.
- Accessibility.** The condition of new (2) parking lot/pedal paving having a concrete surface that is or becomes, including sidewalks where two (2) or more the adjacent curb or curbside.
- Alignment (Architectural).** The condition of visual alignment and subsequent placement of such architectural elements as windows, doors, corner elements, and awnings from one building to adjacent buildings in order to promote continuity in new development character.
- ALLUR.** Allergenic and Irritant, a custom zoning district in the City of Pflugerville.
- Amenity Center.** A private building, owned or maintained by a private Developer, Homeowners Association, or other private enterprise for recreational or community purposes.
- Architectural Control Committee (ACC).** A selected panel, originally created by the Developer to review new architectural plans, offer design recommendations, and address Design Submittals. An Architectural Control Committee or similar named group is a private panel selected by a Property Owners Association or Homeowners Association, and is not a part of the City of Pflugerville.

**Barrier.** A thick low, architecturally designed vertical post or a series of vertical posts, that are placed to help define, or border, pedestrian and/or bicycle paths.

**Buffer/Landscape.** A strip of land as defined by the regulating plan intended to create a landscape screen between two adjacent lots.

**Building.** Any structure having an enclosed space and a roof for the housing and/or enclosure of persons, animals or property.

**Building Articulation.** As used in architecture, the degree or manner in which a building wall or surface is made of varied vertical and horizontal parts or elements.

**Building Coverage.** The area of a lot covered by building footprint, including enclosed porches, patios, covered decks, stairs, awnings, and other structures cover shall not be included in the Building Coverage calculations.

**Building Elevation.** The view of any building or other structure from any side showing the relationship of the building to the lot, and such features as design, construction materials, height, dimensions, windows and doors.

**Building Frontage.** The part of a building where the primary entry fronts a public street.

**Building Height.** The vertical height of a building measured in number of stories. Architectural flood elements such as canopies, windows and walkways, etc. are not included as part of the maximum building height.

**Building Massing.** The composition, use of two or more three-dimensional forms in the design of a building.

**City.** The City of Pflugerville, Tarrant County, Texas.

**Cornercut.** A space, open and unobstructed to the sky, that is located at or above grade level on a lot and bordered on three or more sides by the walls of a building.

**Curb.** A concrete barrier on the margin of a road or street that is used to direct stormwater runoff (water pavement edges) and prevent turning and otherwise from encroachment from vehicles.

**Curb Bulbout.** Generalized rounded extensions of a curb that narrow the street by adjoining the sidewalk and by the landscaped parking strip in order to make pedestrian street crossings safer, and easier and to provide a street crossing along the roadway to help increase driver awareness and slow the movement of traffic in heavy pedestrian areas.

**Decorative.** The element or element placed in a building or part of a building.

**Declaration.** A declaration of covenant, conditions and restrictions establishing a Homeowners Association and/or Property Owners Association and imposing certain restrictive covenants on all or part of the Property.

**Dedicated Utilities Corridor.** The space within a Public Right-of-Way reserved for utilities such as water lines, wastewater lines, gas or telephone lines.

**Developer.** The result achieved by dividing the total number of Residential Building Units in a Residential Section by the Gross Storage of the Section, expressed as Dwelling Units Per Acre compared from its original condition.

**Design Code.** Architectural design standards for the City of Pflugerville.

**Design Speed.** The automobile velocity for which specific roadway structures are generally designed.

**Detached Housing.** A single family detached building with minimum setbacks between adjacent lot lines, and whose setbacks are not attached.

**Developer.** The land or beneficial owner or owner of a lot or of any land included in an application for development approval including the holder of a system or contract to purchase or lease, persons having an enforceable property interest in such land.

**Dry Utilities.** Utilities services such as electrical, gas, fiber optic cable, cable television, and phone lines, which do not involve the transmission or storage of any form of energy.

**Dwelling Unit for DUO.** An enclosed space for human habitation with a living area, kitchen, sleeping area and bathroom.

**Eave Line.** The horizontal line at the lower edge of a roof.

**Egress.** A continuous and unobstructed way by which to exit from a given portion of a building, structure or site.

**Encroachment.** The illegal, allowable encroachment or increase of any type of private improvement line or established setback as established in the Lot Type Standards.

**Facade.** The exterior wall(s) of a building that is exposed to public view.

**Fence.** A barrier constructed of materials whether for the purpose of protection, confinement, ornamentation or privacy.

**Flood Plain.** Land in the 100-year flood stage.

**Front Setback.** A line parallel or approximately parallel to the property line at the Public Right of Way at and beyond which buildings may be erected.

**Grading.** Any leveling, cutting, filling or sloping of earth or land, including the land in its natural or graded condition, to create new grades.

**Greenbelt.** A linear Private Open Space that is reserved, but not owned, for trails. A greenbelt provides a pedestrian link through open space that also serves as a buffer for a house or property.

**Greenway.** Similar to a Greenbelt, although generally a more managed green space and smaller than a Greenbelt, a Greenway serves the same function of providing pedestrian connectivity through the neighborhood.

**Hardscape.** Any hardened, walkable paved surface such as a street, sidewalk, plaza or other walkable surface where the surface materials have been used to create and/or enhance public safety and/or for purposes of creating visual interest.

**High and Blue Trail.** An designated bicycle or pedestrian way suitable for recreational jogging, walking and/or cycling with an all-weather permanent paved surface.

**Homeowners Association (HOA).** An organization made up of the homeowners of an area, which is responsible for the maintenance of Private Open Spaces and other common areas and sometimes not considered by the City, and which shall have the authority to make and enforce amendments subject to approval with certain Private Open Spaces and other common areas. A Homeowners Association shall have the right to enforce deed restrictions.

**Landscaping.** An area that has been improved by grading, planting, and the installation of other landscape features.

**Landscaped Median.** An area between two generally parallel roadways and flared with shoulders or curbs, vegetated materials such as trees, shrubs and plants for flowers.

**Lot.** A parcel of land which is designated as a separate tract and which is subject to a deed or lot number or other on a subdivision plat approved in the manner required by Chapter 212, Local Government Code and by the Development Code, which has been properly filed of record and which is, or in the future may be, offered for sale, conveyance transfer or encumbrance.

**Lot Frontage.** The length of the front boundary line facing a Primary Street.

## General Provisions - ARTICLE I (continued)

- Minimum Lot Size** - The minimum square footage for each lot within a lot category.
- Minimum Standards** - The design standards that apply to all land and subdivisions of land to which this Code applies, regardless of the Permitted Use, or Permitted Density of a Residential Section. The Minimum Standards are outlined in Article 3.
- Municipal Millage District (MMD)** - The MMD selected to burden shall refer to the MMD created to have jurisdictional authority within the boundaries of this property.
- Nature Trail** - A trail found in Private Open Space areas, situated side a body of water or forest.
- Neighborhood Center** - A node of retail and high density parking in the southeast corner of the South North property, along Vieja Lane.
- On-Street Parking** - A single line of parking located along the curb line of a throughway immediately adjacent from a throughway.
- Overhang Encroachment** - Roof overhang, balconies, cantilevered balconies and suspended awnings.
- Owner** - High Land Company, a Texas limited liability partnership or successor and assigns.
- Parapet Wall** - A low wall generally running around the perimeter of a flat roof building at the rooftop.
- Park** - An Open Space, which may have one or more of the following landscaping consisting of paths and trails, open lawn, trees, open water, recreational facilities, or public or private Open Space improvements such as swimming pools, sports fields, courts and amenity centers.
- Parking Bay** - A paved parking area used for or allowed parking on local residential streets that is placed an adjoining side of the street within a modified street light-cut-way and designed to accommodate three (3) to five (5) cars.
- Parking Lot** - An enclosed, ground level open area for the temporary storage of eight or more vehicles.
- Pavement Width** - The portion of the street between faces of curbs.
- Pedestrian Network** - The system of interconnected sidewalks, plazas, pedestrian paths and walkways designed and constructed to accommodate the safe and efficient movement of pedestrians within and through neighborhoods and areas.
- Pedestrian Pathway** - A path, walkway, or similar trail for pedestrian use.
- Permitted Density** - The maximum density at which Residential Building Lots may be created in a Residential Section.
- Playground** - A small open area specifically designed and equipped for children to play.
- Porch** - An un-enclosed, raised structure attached to or a part of, and with direct access to or from a structure, used for social or other purposes.
- Principal Building** - A building in which the primary use of a lot is conducted.
- Principal Building Line** - A line formed by the front facade of the main body of a building which forms a public right-of-way or provides access.
- Principal Dwelling** - A Dwelling Unit that contains the largest dwelling unit on a lot or parcel.
- Private Open Space** - Open Space that is owned by a neighborhood association or other private entity.

- This may be a park, a meadow, or a greenbelt. This land is privately owned and maintained and is open for general public use.
- Property Owners Association (POA)** - An organization made up of the property owners of an area, which is responsible for the maintenance of Private Open Space and other common areas not conveyed to the City and which shall have the authority to make and collect assessments collected to operate and maintain private Open Space and other common areas.
- Public Parkland** - Open Space that is owned by the City or another governmental entity, including land that is dedicated for public parkland. This land may be publicly or privately maintained and is open for general public use.
- Public Right-of-Way** - This land reserved, used, or to be used for a street or alley. The Public Right-of-Way includes the total width of land reserved for public travel, including roadway pavement, utility, and adjacent public land.
- Recessed Garage** - The facade of the garage containing the door, and which faces the front yard and street, must be recessed a minimum of four feet (4') from the forward most face of any front building a porch or courtyard.
- Regulating Plan** - A plan for adoption of zoning and a conceptual plan that establishes the location of Districts and the permitted uses within each District, subject to change when they are prepared in the terms of the Design Code. It will also establish the location of various lot types and signs.
- Residential Building Lot** - A parcel of land on which a single family dwelling may be constructed.
- Residential District** - Any subdivision or proposed subdivision of land to which these standards apply and which has the effect of creating one or more Residential Building Lots.
- Residential Village** - The residential districts of Center and Safe North.
- Roof Architecture** - The composition of various shapes and forms in the design of a structure's roof and roof eaves.
- Screening** - A technique of shielding, screening, and/or spacing separating a portion of all of a site from an adjacent property or right-of-way by the use of vegetation, fences, walls, berms or a combination thereof.
- Setback** - A line which is set parallel to and measured from a corresponding lot line, establishing the minimum required yard.
- Shared Parking** - Parking areas shared by more than one user in an area or building.
- "Side Entry" Home** - A plan that allows for entry (from front) that is recessed in a porch that is equal to or greater than one third (1/3) the distance from the front most portion of the street sidewalk yard leads to the use of the home.
- Sidewalk** - The portion of a street between the curb line or lateral line of a roadway and the adjacent parking area that is improved and designed for or is ordinarily used for pedestrian travel.
- Sign** - Signs are classified as one of the following:  
 (1) Freestanding - A sign on a pole, pillar, or column or otherwise not attached to a building.  
 (2) Mounted - A sign mounted or affixed to the side of a building or in a window.  
 (3) Multiple - A sign used to display the identity of more than one entity at one location.  
 (4) Projecting - A sign attached to a building which projects off the building wall more than eight inches.  
 (5) Storage - A sign displayed from an overhanging structure such as an awning or balcony.

- Standards** - A requirement of action or compliance.
- Stoop** - A small raised platform or structure leading to the entrance of a doorway.
- Story** - The space in a building between two floors or between a floor and a roof. Basement, notwithstanding below grade, are not considered a building story.
- Street** - A paved right-of-way, publicly or privately owned, that serves as a means of vehicle travel.
- Street, Altered** - A street that has been widened, resurfaced, or altered in any way to increase access and through the City, and when has been designated as either a major or minor arterial.
- Street, Collector** - A street that may or may not provide some access to existing property that collects traffic from local streets and connects to the major system of arterial streets and highways.
- Street Intersection** - The area in which two (2) or more streets meet or cross at grade.
- Street, Local** - A street planned and designed to serve and provide access to existing property and to encourage through traffic.
- Street, Private** - Any street that is not dedicated to the public and is to be maintained by a private entity.
- Street, Sub** - A temporary portion of a street, usually not greater than one half length, that is allowed as a future extension to an adjacent subdivision or development phase.
- Streetscape** - The general appearance of a block or group of blocks with respect to the structures, setbacks from Public Right-of-Way, Open Space, landscaping, public art, lighting, signage, paving materials, street furnishings and other elements that contribute to the overall character and image of a city block.
- Street Furnishings** - All items that are placed within the Public Right-of-Way, for both an aesthetic and functional purpose, including, but not necessarily be limited to, benches, tree shelters, trash receptacles, plant containers, book racks, lighting fixtures, news kiosks and guards, bicycle racks, bollards, furniture and public art.
- Structure** - Anything that is constructed or erected that requires location above or below the ground, or that is attached to something having location above or below ground.
- Terrace** - A private or public, single or multi-level, used exclusive building structures for outdoor use.
- Town Center** - A district of retail, commercial, high density housing, and open space located on the south half of the Center property, bounded by State and Pecos Street, (see Center Town Center ALR).
- Traffic Island** - Residential landscaped area between freeways, other than Landscaped Medians.
- View Corridor** - The area or view along a street, pedestrian path, hiking trail or other path or route that allow for a clear and unobstructed view of, or known highlights or accomplishments, a prominent building object, site structure, nature, or landscape, patterns or rhythm of buildings, objects, signs or structures.
- View Type Fence** - A fence that is constructed in a manner that allows for a clear view of an area beyond the fence from any angle.
- Wet Utilities** - Utility services such as water, wastewater, and sewage, which involve the presence of liquid at 1/4 inch.







**Cactus Residential Regulating Plan - ARTICLE 2**

**Section 2.01  
The Cactus Residential Regulating Plan**

The Cactus Residential Regulating Plan establishes street types, design standards for Public Parks and open lot use and lot type. The lot type establishes the general development parameters for the various building types and uses in Cactus. Development of this lot must be consistent with the Cactus Residential Regulating Plan. The street type establishes required standards for the street including right-of-way width, pavement width, parking design speed, grade, and placement of street trees, lighting, and sidewalks. The Cactus Residential Regulating Plan presents the location of the Right-of-Way on various lots. Other standards describe the required quality of landscape, open space, and signage. Changes to the standards of the Districts may be approved administratively by the Director of Planning, pursuant to Section 1.03.

**Section 2.02  
District Descriptions**

**A. Residential Village**  
This area designated on the Regulating Plan, which is set aside for single family attached and detached housing and Open Space.

**B. Town Center (see Cactus Town Center ALUR)**  
This area designated in the Cactus Town Center ALUR which is set aside for development of Retail, Commercial, Office, Industrial, High-Density Residential and Open Space.

**Section 2.03  
Requirements in the Residential Village**

The Residential Village shall be regulated by lot type and by street type. In an effort to contribute to the aesthetic quality of each street, within each of the various lot types categories, there are specific rules that must meet the design treatment requirements of Article 4 - Residential Development Standards.

- A. There shall be a minimum of four (4) residential lot types defined in the Residential District which apply to all lots intended for residential use. Lot type locations are specified in the Regulating Plan. Residential lots shall meet the standards set forth in Article 4 - Residential Development Standards.
  - 1. Suburban House, 1 (see Section 4.04)
  - 2. Suburban House, 2 (see Section 4.05)
  - 3. Home House (see Section 4.06)
  - 4. Custom House (see Section 4.07)

B. In addition to residential lot types, Commercial Mixed Use lot types are allowed in the area designated on such in the Regulating Plan. Commercial Mixed Use lots shall meet the Commercial Mixed Use standards set forth in Article 5 - Commercial Development Standards.

- C. There shall be a minimum of three (3) street types used in the Cactus Residential District.
  - 1. 80'-60' Boulevard with 90' R.O.W. (see Section 4.03)
  - 2. 60'-40' Residential Street with 50' R.O.W. (see Section 4.02)
  - 3. 40'-20' Residential Drive with Variable R.O.W. (see Section 4.01)

D. Single family residential is the only permitted use for the residential lots in the Residential Village. Unless otherwise approved by the City Manager, the Residential District shall be closed to non-residential development. See Appendix D for detailed description of permitted and prohibited uses for all zones.

**Table 2.01: Allowable Uses, Commercial Mixed Use**

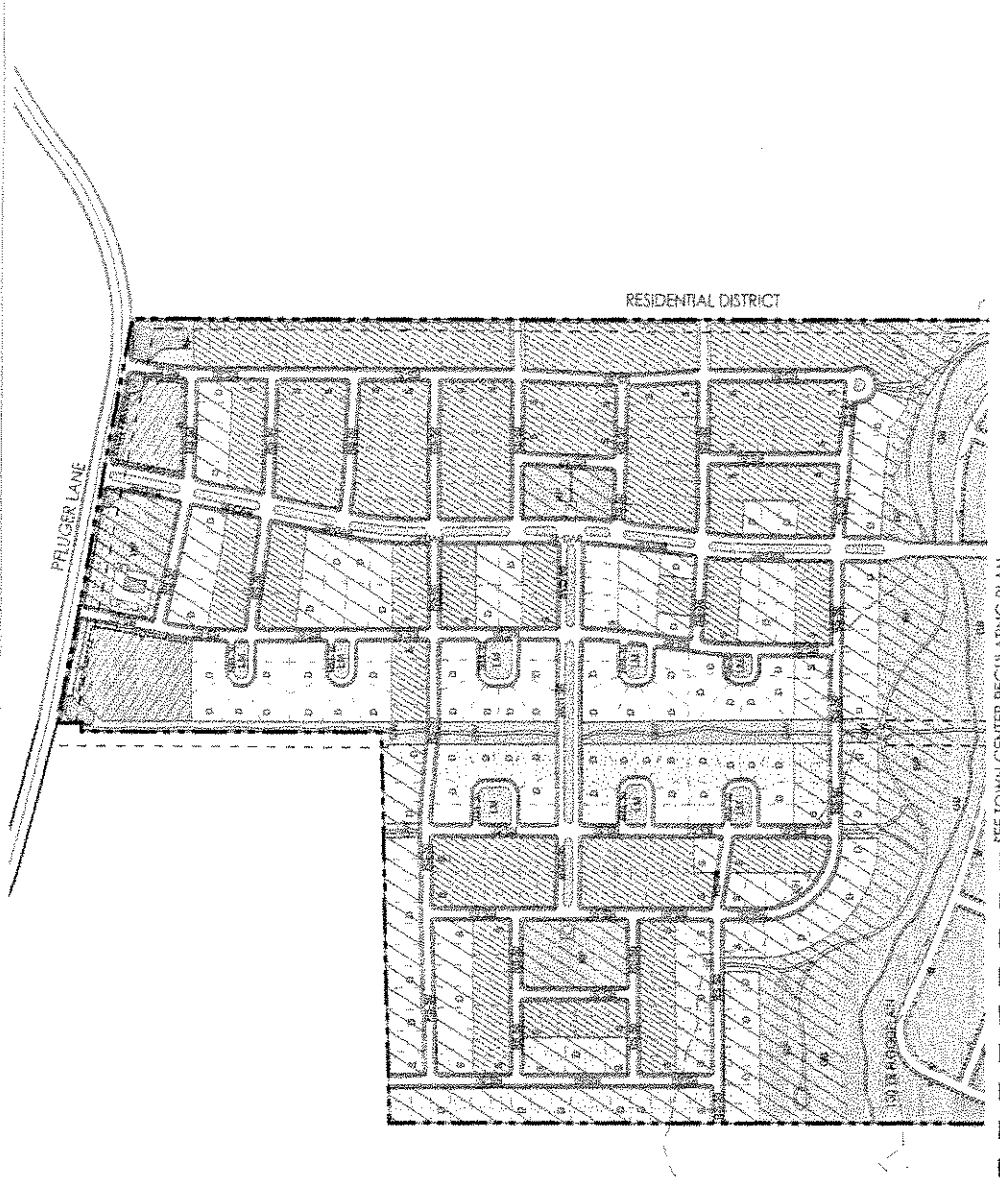
- 1. Retail
  - a. Retail uses include commercial enterprises established for the sales of goods and services, including shops, entertainment establishments, banking, restaurants and eateries.
  - b. The maximum area available for retail use shall be determined by the requirement of not less than one (1) assigned parking space for each two hundred square feet (200 sq ft) of gross retail area, a ratio which may be reduced according to the Street Parking Standards.
- 2. High Density Residential
  - a. Residential uses are those associated with buildings occupied for the purpose of long term rental, including, but not limited to, residential uses shall be built at a maximum density of eight units per acre.
  - b. The maximum number of buildings shall be determined by the requirement of one and one-half (1.5) assigned parking spaces per dwelling, a ratio which may be reduced according to the Street Parking Standards.
- 3. Office
  - a. Office uses are those associated with buildings occupied for the transaction of business, including manufacturing.
  - b. The maximum area available for office use shall be determined by the requirement of not less than one assigned parking space for each three hundred thirty-five square feet (335 sq ft) gross office space, a ratio which may be reduced by the Street Parking Standards.
- 4. Lodging
  - a. Lodging uses are those associated with buildings occupied for short term tourist habitation. The maximum number of lodging units available shall be determined by the requirement of one (1) assigned parking space for each lodging unit, a ratio which may be reduced according to the Street Parking Standards.
  - b. Not more than 20% of all hotel outside the 100 year floodplain within the neighborhood district, as Cause and Effect North shall be used for multi-family rental housing.

Summary of Commercial Mixed Use Requirements, Page Article 5 - Commercial Development Standards

| Regulation                               | Commuter Mixed Use   |
|--|----------------------|
| 1. Min. Lot Area (Minimum 10')           | 1,500 SF             |
| 2. Min. Lot Area (Maximum 10')           | 3,000 SF             |
| 3. Min. Lot Frontage (Minimum 10')       | 25'                  |
| 4. Min. Lot Frontage (Maximum 10')       | 30'                  |
| 5. Min. Lot Depth                        | 100'                 |
| 1. Max. Bldg. Coverage                   | 35%                  |
| 2. Min. Bldg. Front Setback              | 0'                   |
| 3. Min. Bldg. Side Setback               | 0'                   |
| 4. Min. Bldg. Rear Setback               | 0'                   |
| 5. Driveway and Required or Street Yield | 0'                   |
| 6. Min. Driveway 100' Sign               | 600 SF               |
| 7. Another Driveway Unit                 | Allowed              |
| 1. Max. Bldg. Height                     | as built             |
| 2. Min. Bldg. Height                     | 2 stories            |
| 3. Overhang Encroachments                | 4'                   |
| 4. All Grade Encroachments               | 0'                   |
| 1. Min. Open Parking Spaces              | 3 sq ft / 1,000 SF   |
| 2. Min. 10' Threshold from Building      | 1.5 sq ft / 1,000 SF |
| 3. Min. 10' Threshold from Building      | 5 sq ft / 1,000 SF   |
| 4. Min. Open Parking Required            | MA                   |
| 5. On-Street Parking Required            | MA                   |
| 6. Street Parking Company                | MA                   |
| 7. Street Parking Signage                | MA                   |
| 1. Alternative Street                    | See Art 5.0          |
| 2. Vehicle Access in Driveway            | MA                   |
| 3. Construction Signs                    | Allowed              |

1. On-Street Parking may include towed, self parking, wheelchair accessible, and other types of parking. 2. Commercial uses allowed are those listed in the Commercial Mixed Use Standards. 3. Commercial uses allowed are those listed in the Commercial Mixed Use Standards. 4. On-Street Parking may include towed, self parking, wheelchair accessible, and other types of parking. 5. Commercial uses allowed are those listed in the Commercial Mixed Use Standards. 6. On-Street Parking may include towed, self parking, wheelchair accessible, and other types of parking. 7. Commercial uses allowed are those listed in the Commercial Mixed Use Standards. 8. Commercial uses allowed are those listed in the Commercial Mixed Use Standards. 9. Commercial uses allowed are those listed in the Commercial Mixed Use Standards.

# Cactus Residential Regulating Plan



## LEGEND

### LOT TYPES

- Suburban House 1
- Suburban House 2
- Mews House
- Custom House
- Commercial Mixed Use

### STREET TYPES

- 95' R.O.W. Boulevard with Planted Median
- 50' R.O.W. with Parking Each Side
- 42' R.O.W. with Landscaped Mews

### PUBLIC/PRIVATE OPEN SPACE

- Recreational Park/Public Parkland
- Private Greenway
- Landscape Mews
- Nature Trails

### GARAGE TYPES

- Side Accessed
- Detached

### FRONTAGE TYPES

- Frontage A, Primary Streets
- Frontage B, Secondary Streets

--- Easements



# Bohls North Regulating Plan - ARTICLE 2A

## Section 2A-01 The Bohls North Regulating Plan

The Bohls North Regulating Plan, including street locations, street types, designations, etc. for Public Parkland and special land use and lot type. The lot type established in the general development plan for the various building types and uses in Bohls North. Development of lot type and use to be consistent with the Bohls North Regulating Plan. The street type establishes required standards for the street, including right-of-way width, pavement width, parking design speed, permeability, and placement of street trees, lighting, and signage. The Bohls North Regulating Plan provides the location of the BOHLS-20 Line on various lots. Other standards described in the Bohls North Regulating Plan, such as space and signage. Changes to the boundaries of the Districts may be approved administratively by the Director of Planning Pursuant to Section 1.03.

## Section 2A-02 District Descriptions

A. Neighborhood Center  
That area designated in the Regulating Plan which is set aside for development of Retail, Commercial, High Density Residential and open space.

B. Residential Village  
That area designated in the Regulating Plan which is set aside for single family detached housing and open space.

## Section 2A-03 Requirements in the Residential Village

The Residential Village shall be regulated by lot type and by street type. In an effort to contribute to the aesthetic quality of each street, within each of the various lot types, setbacks, open space, and lot type with parking treatment requirements (see Article 4 - Residential Development Standards).

- There shall be a minimum of three (3) residential lot types allowed in the Residential Village with regard to all lots intended for residential use. Lot type locations are specified in the Regulating Plan, Residential Village shall meet the standards set forth in Article 4 - Residential Development Standards.
- Subtown House 1 (see Section 4.03)
- Subtown House 2 (see Section 4.05)
- Movie House (see Section 4.06)
- There shall be a minimum of five (5) street types used by the Residential Village.
- RD-120 Roadway with 120' R.O.W. (see Section 5.02)
- RD-95 Roadway with 95' R.O.W. (see Section 5.03)
- CS-60 Collector Street with 60' R.O.W. (see Section 5.04)
- RD-50 Residential Street with 50' R.O.W. (see Section 5.05)
- RD-30 Residential Street with 30' R.O.W. (see Section 5.06)

C. Single family residential in the city permitted area for the residential lot in the Residential Village. These activities approved by the City Manager. The Residential Village shall be planned to meet these requirements. See Appendix D for detailed descriptions of permitted and prohibited uses for all lots.

D. Buffer. Along the entire northern boundary the Bohls North property (as identified in the Bohls North Regulating Plan, Page 17) the developer of this buffer must install a buffer that meets the standards in Section 3.01 of the Regulating Plan, and Design Code.

- Conversion to Standard Use  
Up to 70% of the lots in the Bohls North portion of this AUR may be converted to a standard city lot with a minimum width of 70 feet and a minimum area of 9,000 square feet if all standards in this Regulating Plan and Design Code are met, except those concerning Garage Treatment as described in Section 2.1 and 2.2.

## Section 2A-04 Requirements in the Neighborhood Center

Buildings and structures within the Neighborhood Center shall be regulated by street type and lot type. Allowable uses within the Neighborhood Center shall be regulated by zone.

- There shall be a minimum of two (2) street types used in the Neighborhood Center.
  - RD-120 Roadway with 120' R.O.W. (see Section 5.02)
  - CS-60 Collector Street with 60' R.O.W. (see Section 5.04)
- There shall be two frontage types used in the Neighborhood Center.
  - Primary Frontage (see Section 5.02)
  - Secondary Frontage (see Section 5.03)

C. Neighborhood Mixed Use is the only permitted use in the Bohls North Neighborhood Center. Neighborhood Transition shall meet the Neighborhood Transition standards set forth in Article 5 - Commercial Development Standards.

D. Allowable Uses, Neighborhood Mixed Use

- Retail uses include commercial activities established for the sales of goods and services, including shops, restaurants, entertainment, banking, restaurants and eat-ins.
- The maximum area available for retail use shall be determined by the ratio of net lot area to total area (1) assigned parking spaces for each lot based on 500 sq ft of gross retail area.
- High Density Residential
- Residential uses are those associated with buildings occupied for the purpose of being lived in, except those uses which are specifically prohibited. Residential uses shall be limited to a maximum density of eight units per acre.
- The maximum number of dwelling units shall be determined by the requirement of lot (2) assigned parking spaces per dwelling.
- Max. retail area shall be 20% of all land within the 100 year floodplain within the subneighborhood centers at Garden and Bohls North shall be used for multi-family rental housing.

E. Prohibited Uses

- Office
- Office uses are those associated with buildings occupied for the transaction of business, including manufacturing.
- Lodging
- Lodging uses are those associated with buildings occupied for short-term business habitation. Prohibited uses include any that involve sales, retail, and service of motor vehicles, including parts and accessories.
- Heavy Industrial: Prohibited uses include any that are solely related to, or require, other than the site's existing transmission towers visible beyond their site boundaries.
- Storage facilities - Prohibited uses include any that are designated solely for outdoor storage purposes.
- Specially Oriented Businesses.
- No building shall have an occupancy classification of "Hazardous."
- See Appendix D for a detailed description of permitted and prohibited uses.

G. See Article 5 - Commercial Development Standards for an expanded description of street types and lot type types.

Summary of Neighborhood Center Requirements (see Article 5 - Commercial Development Standards)

| Regulation                              | Allowable Mixed Use |
|---|---------------------|
| 1. Min. Lot Area (Square Feet)          | 2,000 SF            |
| 2. Min. Lot Area (Square Feet)          | 2,000 SF            |
| 3. Min. Lot Frontage (Feet)             | 20'                 |
| 4. Min. Lot Frontage (Feet)             | 30'                 |
| 5. Min. Lot Depth                       | 60'                 |
| 1. Max. Bldg. Coverage                  | 80%                 |
| 2. Min. Bldg. Front Setback             | 10'                 |
| 3. Min. Bldg. Side Setback              | 0'                  |
| 4. Min. Bldg. Rear Setback              | 0'                  |
| 5. Boundary and Highway or Street Yield | 0'                  |
| 6. Min. Driveway Driveway               | 60' SF              |
| 1. Max. Bldg. Height                    | 5 stories           |
| 2. Max. Bldg. Height                    | 2 stories           |
| 3. Overhang Protrusion                  | 4'                  |
| 4. All Glass Enclosure                  | 0'                  |
| 1. Min. Office Parking Requirement      | 80%                 |
| 2. Min. Office Parking Requirement      | 1.5:1, 2:1, 3:1     |
| 3. Min. Office Parking Requirement      | 4:1, 7:1, 10:1 ESF  |
| 4. Min. Office Parking Requirement      | NA                  |
| 5. On-street Parking Allowed            | yes*                |
| 6. On-street Parking Allowed            | yes*                |
| 7. On-street Parking Allowed            | no                  |
| 1. Allowable Uses                       | See App. D          |
| 2. Prohibited Uses                      | See App. D          |
| 3. Commercial Uses                      | See App. D          |

\* On-street parking may be used for non-parking activities.  
 \* Shared parking may exist between non-parking applications.  
 \* Commercial uses allowed on general city lots.  
 \* As Bldg. Requirements are being considered, unconditioned lot area in purchase, lease and joint.

**Bohls North Regulating Plan**

**LEGEND**

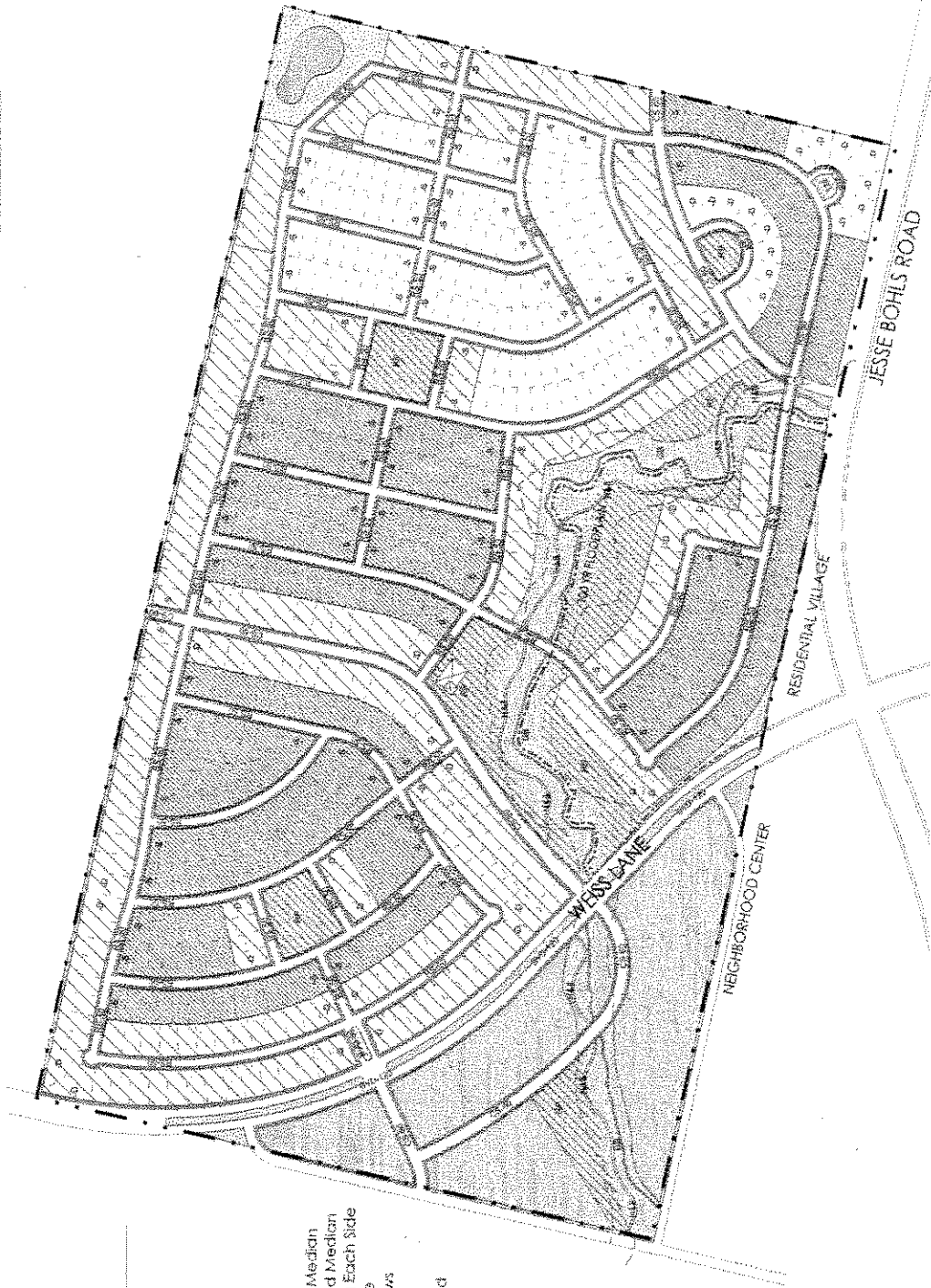
- LOT TYPES**
- Suburban House 1
  - Suburban House 2
  - Mews House
  - Custom House
  - Neighborhood Mixed Use

- STREET TYPES**
- 120' R.O.W. Arterial with Planted Median
  - 95' R.O.W. Boulevard with Planted Median
  - 60' R.O.W. Collector with Parking Each Side
  - 50' R.O.W. with Parking Each Side
  - 42' R.O.W. with Landscaped Mews

- PUBLIC/PRIVATE OPEN SPACE**
- Recreational Park/Public Parkland
  - Private Greenway
  - Private Greenbelt
  - Landscape Mews
  - Hike and Bike Trail

- GARAGE TYPES**
- Side Accessed
  - Detached

Site reserved for School  
+/- 18 Acres



## General Development Standards - ARTICLE 3

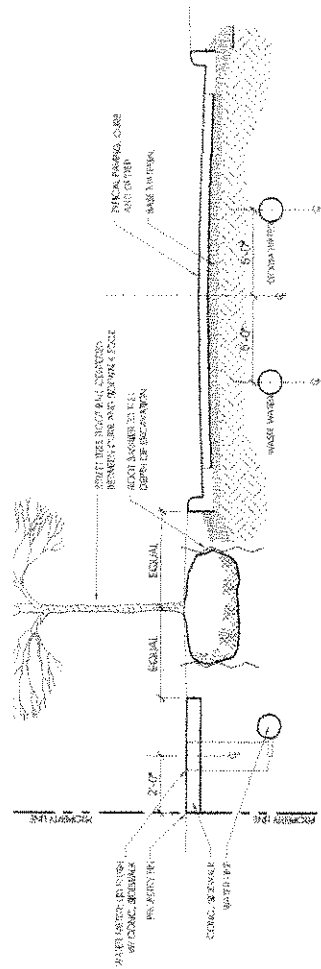
### Section 3.01 General Development and Construction

- A. Utilities**  
All utilities must be located in (1) a Dedicated Right-of-Way, (2) a Public Utility easement (PUE), or (3) an indicated on a final plat or by separate dedication instrument. This includes both By-Utility and Wet Utilities. Except for existing electrical transmission lines and temporary overhead lines installed for temporary construction site offices, utilities shall be located underground. Dry utilities in easement hierarchies are allowed, providing safe relocation alternatives are maintained. Utilities must follow the pattern in the Typical Utility Corridor Section diagram below unless the City Manager or the City Engineer's design authority deviates from the standards in the diagram.
- B. Encroachments**  
Unexcused parking and other encroachments are prohibited in the front yard setback, the 4'-Grade Encroachments, Overhang Encroachments, or any other type of vehicle encroachments or encroachments are prohibited on, or over a PUE, Dedicated Utility Corridor, or Public Right-of-Way (except, with regard to Public Right-of-Way an driveway set back barrier).
- C. Rear or Side Elevation Fencing a Public Way**  
Backfill and fence rear or side elevations facing a Public Right-of-Way, easement, Public Open Space or gateway must be lined with a fence of up to ten feet (10') width or masonry veneer, for plank, board, or masonry cladding is permitted.
- D. Shared Parking**  
Enclosed or open parking is permitted in the Design Code, all parking requirements shall be in accordance with current City Code. Any shared parking use or adjacent on-street parking may only be used for the minimum parking requirements. Shared Parking shall be indicated according to the Urban Land Institute symbols outlined in "Shared Parking - Second Edition, The Director of Planning may use his or her discretion to determine to what extent shared parking satisfies parking requirements for any use within the designated front yard or Commercial Mixed Use zoning.
- E. Temporary Buildings**  
Temporary structures necessary for storage of tools and equipment during development and construction and for office space for designers, builders, and tenants during actual development construction may be maintained on the Property. Temporary take buildings for storage and materials are also permitted. Temporary overhead utility structures to such buildings is permitted.
- F. Association Center and Swimming Pool**  
Amenities Center buildings and swimming pools are private amenities and may be accessed by any front lot. The pool and all buildings and other structures related to this pool must be located at least three feet (3') from the boundary line.
- G. Residential Garages and Oversees**  
Garages that are accessed from the front of the property must be recessed a minimum of ten feet (10') from the principal building line. Garages accessed from the side of the lot may be other attached to or detached from the principal building. Driveways serving front-lot side-rear lots shall be a minimum of ten feet (10') wide throughout its length.
- H. Home Occupation**  
Home Occupation is permitted as long as it is visible or noticed by the employment of persons outside the residents of the home, without the use of a sign to advertise the occupation and

which does not cause the generation of additional traffic on the street. Home Occupation may take place within the principal building or within a secondary building on a lot that is detached from or semi-detached to the principal building.

**D. Application of Development Standards**  
Minimum lot frontages shall be measured at the front property line. Minimum lot depth shall be measured front and generally perpendicular to the front property line.

TYPICAL UTILITY CORRIDOR SECTION



## Residential Development Standards - ARTICLE 4

### Section 4.01 Residential Design Code

The City will develop the Design Code. The goal of each standard will be to promote aesthetic quality and to encourage compatible architectural elements and an overall quality appearance and character of single-family houses constructed on the Property. The Design Code may be revised from time to time to better reflect the intent of the Ordinance of establishing a high-quality neighborhood. An Architectural Control Commission shall review and administer the Design Code, as set forth herein, and present to a Mayor/Declarator. The City shall not confer or administer the Design Code but shall inspect the site to ensure the code is being applied by the developer.

### Section 4.02 Architectural Elements and Standards

- A. Architectural Character  
Architectural design should reflect the vernacular traditions of the Central Texas region. The following architectural standards shall be a variety of interpretations, both contemporary and historical.
- B. Building Placement and Footings
  1. Existing lot setbacks, no building footings shall have more than two (2) vertical corners facing the front setback line.
  2. No deviation shall exceed within four (4) feet on either side of a wheel.
- C. Garage Location
  1. Garages must be set back a minimum of five feet (5') from the front facade of any house unless the lot is a corner lot and the garage is accessed from the side street.
  2. In addition to being recessed, garages must incorporate one of the following features:
    - a. A wall that extends beyond the front of the house from the garage face a minimum of five feet (5') or
    - b. an enclosed roof overhang or shade device structure that extends toward the front of the house from the garage face a minimum of five feet (5'), or
    - c. A balcony or overhang that projects a minimum of five feet (5') over the garage face, or
  3. A front porch that adheres to the porch standards outlined in this document.
  4. In lieu of being recessed, garages may be detached and, if detached, must be set back from the front facade of the house a minimum of fifteen feet (15').
  5. Refer to the Regulating Plan for footings of lots with detached and side-by-side garages requirements.
  6. On a minimum of 50% of the lot (designated by the Census and 2014 Health Regulating Plans with a "D", the house must have a detached garage. On this remaining house designated with a "D", the house may have an attached garage as long as (1) the garage is set back a minimum of five feet (5') from the front facade of the house, unless the lot is a corner lot and the garage is accessed from the side street; and (2) the house has a front porch that meets the standards in the Regulating Plan and Design Code.

- D. Walls
  1. Exterior walls shall be finished in brick, unless there is a stone, stone, stone, or conventional floor based siding (plywood, shingles or cementitious fiber based siding shall not comply more than 50% of the finished portion of the elevation. Wood trim is permitted. "Hardboard" trim is encouraged. Wood siding or exterior insulation finishing system (EIFS), is prohibited.
  2. Changes in materials shall occur along a horizontal line (with the heavier material at the bottom), or at the joint along an edge corner. Facades should include no more than two (2) major vertical material types, and no more than two (2) variations of the same material.
- E. Openings
  1. Fenestration, glazed openings shall be at least 25 percent of the wall surface along the front

2. Windows shall be placed to not exceed 80 percent of the window area, or the appearance of divided the windows are encouraged.
  3. Glazing shall be clear, no reflection or special glass is permitted.
  4. Window proportions shall be uniform or square. Vertical and square openings may be grouped within a horizontal opening.
- F. Roofs
    1. Pitched roofs may be clad in gabled or gambrel metal, clay or concrete tile, or 30-year dimensional composition shingles.
    2. Flat roofs are not permitted.
    3. Flat roof pitches shall be gable, hip, or shed with a pitch no less than 5:12. Flat roofs may be 2:12 minimum pitch. Roof penetrations or roof structures visible from the public R.O.W. and rooftop mechanical systems are not permitted.
  - G. Balconies
    1. Should be cantilevered or self-supporting. Vertical columns that rest on the ground may be used when the column is an enclosed, cantilevered beam. Balconies may not extend beyond the front setback line. Balconies shall be covered with roof.
    2. Balconies may extend to a depth of up to 80 percent of the footage of the house.
  - H. Ticks or Overhangs
    1. May be incorporated to enhance the architectural interest of a house and may be in the form of a decorative structural support, or an artistic device.
    2. Must be of a material compatible with the exterior finish of the house. Primarily made of wood, metal or "hardboard". No fabric materials are permitted.
    3. May encroach a maximum of four feet (4') beyond the front yard setback only.

- I. Porches
  1. Porches are permitted to encroach a maximum of four feet (4') into the front yard setback.
  2. Must be architecturally and materially compatible with the exterior finish of the house.
  3. Must be covered.
  4. Must be a minimum of seven feet (7') in depth and must extend at a minimum half the height of the non-garage footage of the house.
  5. A minimum of 20% of single family houses shall have front porches.
  6. Any single family home which a front porch as defined above shall have a covered back porch, deck or patio with a minimum area of 100 square feet.
- J. Color
  1. The color of exterior paint on the house must not be separated by a minimum of four (4) houses on either side of a street.
- K. Masonry
  1. Masonry must only be used on adjacent houses.
  2. Exterior masonry not to exceed two (2) times of masonry on any one house.
  3. All houses must be finished with masonry on all elevations.

### Section 4.03 Buildings and Houses Facing Public Right-of-Ways

- A. Architectural character  
Buildings and houses facing any public way (including a Public Right-of-Way, or Public Road) shall be architecturally distinct from the adjacent lot in the following ways:
  1. Color.
  2. Fenestration.

3. Masonry structure, such as blocks and pavers.
4. Building materials, with the exception of building materials.
5. Houses with their rear yard facing a Public Right-of-Way, must have a covered porch, or deck.
- B. Signs and Porches
  1. Buildings and houses with new or existing porches or decks may include a Public Right-of-Way or Public Roadland may be screened with plants or a fence to height six feet (6') in height.
  2. Porches facing a public Right-of-Way must be uniform in design and finish (1) 45' wood decks with 2" x 6" and 1 1/2" treads, metal, aluminum weighted glass, chain-link board and glass table or metal fence shall be used for the public Right-of-Way. Design and table shall be approved by the Architectural Control Commission.
  3. Porches facing public, green walls, or stucco walls must be uniform in design and finish (weight, finish with black powder coat finish). Design and color to be approved by the Architectural Control Commission.
  4. Masonry columns are permitted as well as masonry walls, not exceeding three feet (3') height.
  5. Vegetation may be placed along the fence line to improve privacy, but is not permitted to appear over the top of the public way.

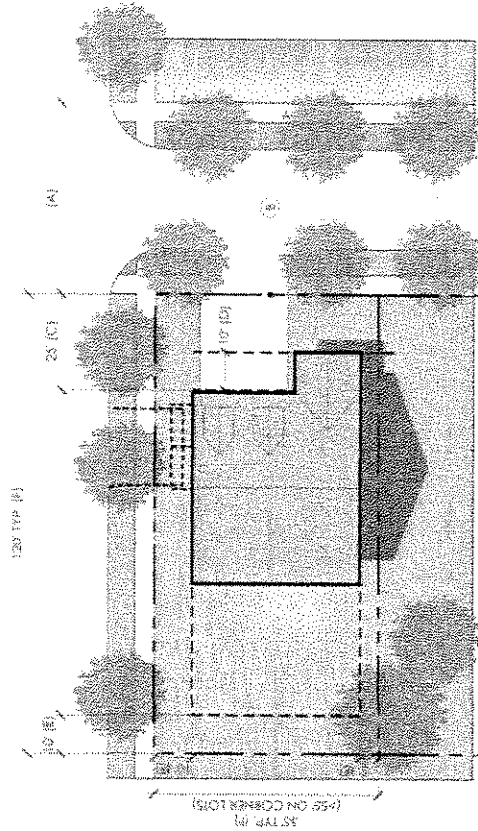
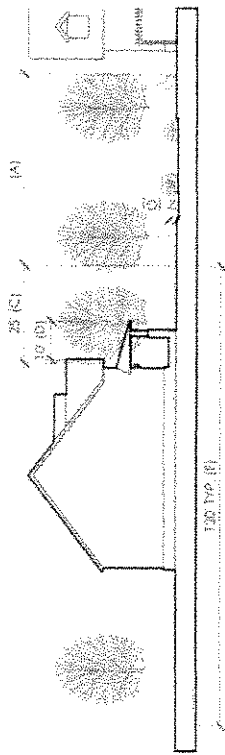


Residential Development Standards - ARTICLE 4 (continued)

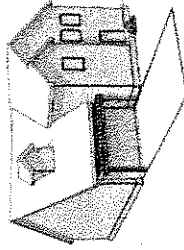
Section 4.04  
Suburban House 1

- A. Lot Size
1. Minimum Lot Area: Six thousand square feet (6,000 sq. ft.)
2. Minimum Lot Frontage: Fifty feet (50').
3. Maximum Lot Frontage: Sixty-five feet (65').
4. Minimum Lot Depth: One hundred ten feet (110').
- B. Residential Use
1. The number of dwellings is restricted to one (1) primary and one (1) secondary on this type of lot. The habitable area of the secondary dwelling shall not exceed seven hundred fifty square feet (750 sq. ft.).
2. Both dwellings shall be under one ownership sharing a single set of utility connections, which can be sub-metered.
- C. Building Placement and Size
1. Maximum Building Coverage: 45 percent.
2. Minimum Front Building Setback: Twenty-five feet (25'). A first yard setback for a porch is allowed.
3. Secondary Side Building Setback: Five feet (5').
4. Minimum Rear Building Setback: Ten feet (10').
5. Minimum Side Street Setback: Ten feet (10').
6. Minimum Size of Courtyard: Twelve hundred fifty square feet (1250 sq. ft.) of open conditioned area per dwelling unit.
7. Detached garages are permitted. Covenants must locate the garage on the side street except in cases where the side street is a boulevard with a landscaped median. Side parked garages may be no less than 30 feet from front property line.
8. Elevation of first floor shall be minimum of two feet (2') and a maximum of four feet (4') above the natural elevation at the front property line as determined by the M.U.D. engineer.
9. Porches or steps shall be achieved on all lots.
- D. Building Envelope
1. Maximum Building Height is two and one-half (2 1/2) stories.
2. Overhanging Eavelements: Overhanging eavelements may overhang up to ten feet (10') into the front setback, ten feet (2') into the side yard setback and eight feet (8') into the rear yard setback. Overhanging eavelements are not permitted into an existing lot or onto any easement or Public Right-of-Way.
3. All Grade Encroachments: All grade encroachments are limited to six inches in the front yard setback only, provided the front yard is permitted to encroach ten feet (10') into the front setback and may exceed the same height at the bottom of the building.
4. Other Encroachments are prohibited.
- E. Parking
1. Two (2) onsite parking spaces are required for dwelling plus one (1) for any auxiliary dwelling unit.

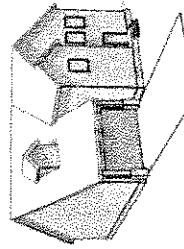
# Suburban House 1



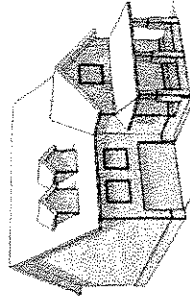
## GARAGE TREATMENT:



Option 1A: Recessed garage and full porch



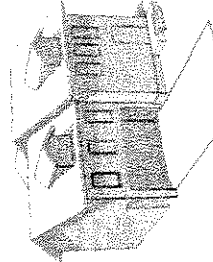
Option 1B: Recessed garage and roof extension



Option 2: Recessed garage and covered porch



Option 3: Side loaded garage



Option 4: Recessed garage and extended porch (see Figure 7)

TEXAS VIEJO LAND COMPANY

## BUILDING PLACEMENT DEFINITIONS:

- A. Street Right of Way ..... Reserved for streets, utilities, and public landscape
- B. Property Line ..... Lot lines that abut a public street or open space as determined by the Regulating Plan.
- C. Building Setback Line ..... A line set 25' from the front property line which determines the location of the primary building facade edge.
- D. Porch Encroachment ..... Area in which a covered porch is allowed to encroach beyond the building setback line (Refer to Regulating Plan Section 4.02).
- E. Side and Rear Setback Lines ..... A line offset from the property line 5' of all side yards that abut another lot 10' on all side yards that abut a public street and 15' at the rear of all lots.
- F. Lot Dimensions ..... Overall lot depth and width, as determined by the Regulating Plan.
- G. 1st Floor Elevation ..... The minimum and maximum height that the first floor shall be set above the adjacent sidewalk elevation (Refer to Regulating Plan Section 4.04).
- H. Garage Treatment ..... The garage must be recessed a minimum of 5' from the front face of the house and incorporate either a roof extension, full-width shade structure, a porch, or a balcony. Alternatively, the garage may be detached or side-loaded (Refer to Regulating Plan Section 4.02).

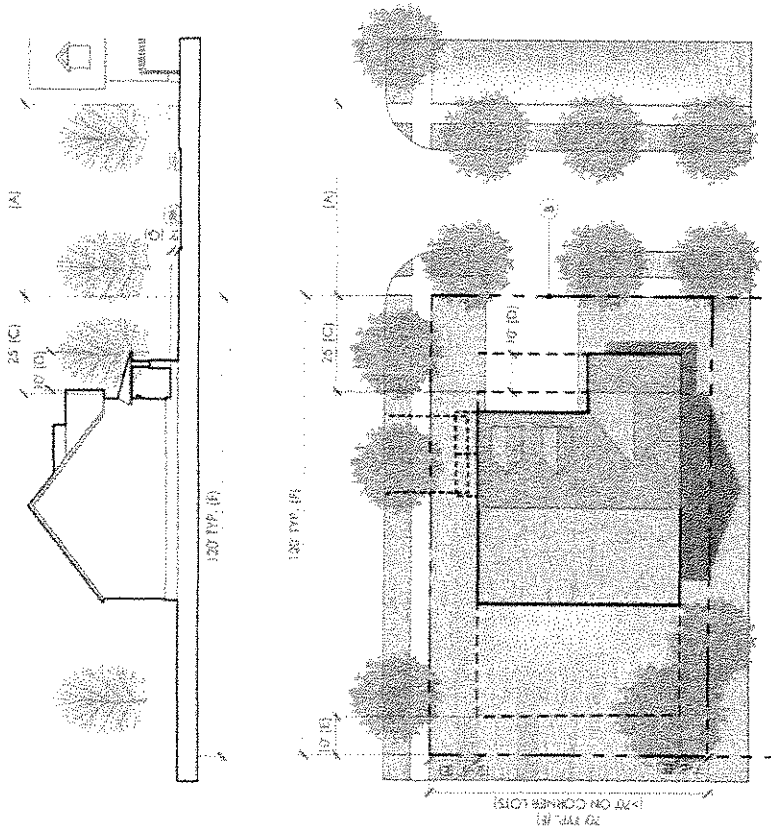
**Residential Development Standards - ARTICLE 4 (continued)**

**Section 4.05  
Suburban House 2**

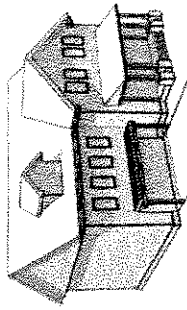
- A. Lot Size
  1. Minimum Lot Area: Eight thousand square feet (8,000 sf).
  2. Minimum Lot Frontage: Seventy feet (70').
  3. Maximum Lot Frontage: Eighty feet (80').
  4. Minimum Lot Depth: One hundred fifteen feet (115').
- B. Residential Use

The number of dwellings is restricted to one (1) within this principal building and one (1) within an auxiliary building (i.e., detached garage). The habitable area of the auxiliary dwelling shall not exceed seven hundred fifty square feet (750 sf).  
Site setbacks shall be under one occurrence during a single set of utility connections, which can be substaged.
- C. Building Placement and Size
  1. Maximum Building Coverage: 65 percent.
  2. Minimum Front Building Setback: Twenty five feet (25'). A foot yard encroachment for a porch is allowed.
  3. Minimum Side Building Setback: Seven and one-half feet (7.5').
  4. Minimum Rear Building Setback: Ten feet (10').
  5. Minimum Side Street Setback: Twelve and one-half feet (12.5').
  6. Minimum Side of Building Setback: Eleven hundred square feet (1,100 sq ft) of gross conditioned area per dwelling unit.
  7. The setback guidelines are provided and encouraged. Corner lots must locate the garage on the side street except in cases where the side street is a boulevard with a landscaped median.
  8. Elevation of first floor shall be a minimum of two feet (2') and a maximum of four feet (4') above the finished elevation of the first adjacent fire, as determined by the M.I.D., engineer.
  9. Porches or patios shall be achieved or allowed.
- D. Building Envelopes
  1. Maximum Building Height in Two and One-Half (2.17) stories.
  2. Overhanging Encroachments: Overhanging encroachments may encroach up to ten feet (10') into the front setback, two feet (2') into the side yard setback, and eight feet (8') into the rear yard setback. Overhanging encroachments are not permitted into an existing lot or onto any easement or Public Right-of-Way.
  3. Air-Conditioning Units: Air-conditioning units are limited to porch in the front yard setback only; porch in the rear yard are permitted to encroach two feet (2') into the front setback and may extend for the entire length of the frontage of the building.
  4. Other Encroachments are prohibited.
- E. Parking
  1. Ten (10) inside parking spaces are required per dwelling, plus one (1) for any auxiliary dwelling unit.

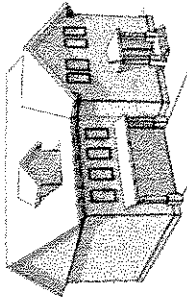
## Suburban House 2



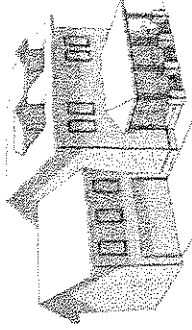
### GARAGE TREATMENT:



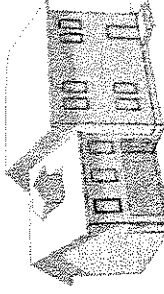
Option 1A: Recessed garage and walk



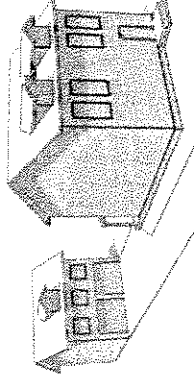
Option 1B: Recessed garage and car extension



Option 2: Recessed garage and car-est porch



Option 3: Recessed garage and attendant living space (balcony)



Option 4: Detached garage

TEXAS VIEJO LAND COMPANY

### BUILDING PLACEMENT DEFINITIONS:

- A. Street Right of Way ..... Reserved for street, sidewalks, and public landscape.
- B. Property Line ..... Lot lines that abut a public street or open space as determined by the Regulating Plan.
- C. Building Setback Line ..... A line set 25' from the front property line which determines the location of the principal building line.
- D. Porch Encroachment ..... Area in which a covered porch is allowed to encroach beyond the building setback line (Refer to Regulating Plan Section 4.02).
- E. Side and Rear Setback Line ..... A line offset from the property line 7.5' on all side yards that abut another lot, 12.5' on all side yards that abut a public street, and 10' at the rear of all lots.
- F. Lot Dimensions ..... Overall lot depth and width as determined by the Regulating Plan.
- G. 1st Floor Elevation ..... The minimum and maximum height that the first floor shall be set above the adjacent sidewalk elevation (Refer to Regulating Plan Section 4.04).
- H. Garage Treatment ..... The garage must be recessed a minimum of 5' from the front face of the house and recessed either a rear extension, freestanding structure, a porch, or a balcony. Alternatively, the garage may be attached or side located (Refer to Regulating Plan Section 4.02).

**Residential Development Standards - ARTICLE 4 (continued)**

**Section 4.06  
News House**

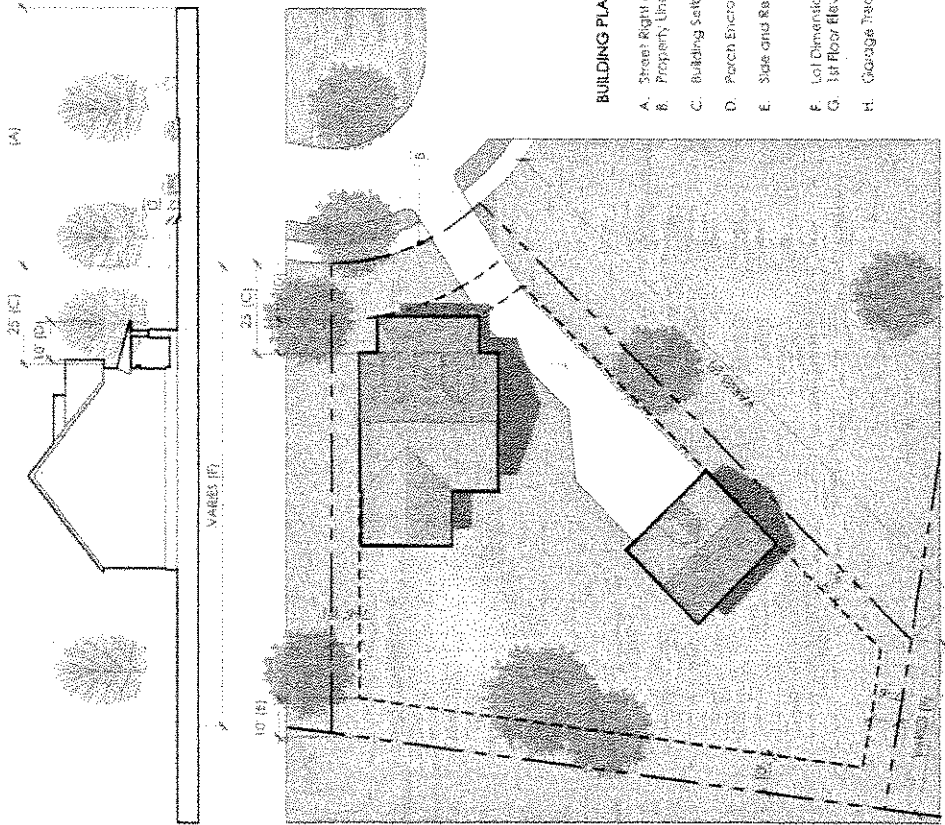
- A. Minimum Lot Size
  1. Minimum Lot Area: Six thousand square feet (7,000 sq. ft.)
  2. Minimum Lot Frontage: Fifty feet (55')
  3. Minimum Lot Frontage: None
  4. Minimum Lot Depth: One hundred ten feet (110')
- B. Residential Use
  1. The number of dwellings is restricted to one (1) primary and one (1) secondary on this lot type. The habitable area of the auxiliary dwelling shall not exceed seven hundred fifty square feet (750 sq. ft.).
  2. Back setbacks shall be under one acre, sharing a single set of utility connections, which can be a lot-rented.
- C. Building Placement and Size
  1. Minimum Front Building Setback: Fifteen feet (15'). A front yard encroachment for a porch is allowed.
  2. Minimum Side Building Setback: Five feet (5').
  3. Minimum Rear Building Setback: Ten feet (10').
  4. Minimum Side Street Setback: Ten feet (10').
  5. Minimum Side Setback: Twelve hundred fifty square feet (1,250 sq. ft.) of gross residential area per dwelling unit.
  6. Detached garages are permitted. Covered side yards to the garage on the side street, except in cases where the side street is a boulevard with a landscaped median.
  7. Elevation of the front porch shall be a minimum of two feet (2') and a maximum of four feet (4') above the adjacent elevation at the front property line as determined by the M.U.D. engineer.
  8. Positive drainage shall be achieved on all lots.
- D. Building Envelope
  1. Maximum Building Height: Two and one-half (2-1/2) stories.
  2. Overhang Encroachments: Overhang encroachments may encroach up to ten feet (10') into the front setback, ten feet (10') into the side yard setback, and eight feet (8') into the rear yard setback. Overhang encroachments are not permitted into an existing lot or onto any abatement or public right-of-way.
  3. Attachable Encroachments: Attachable encroachments are limited to porches in the front yard setback only, porches in the front yard are permitted to encroach ten feet (10') into the front setback and may extend for the entire length of the frontage of the building.
  4. Other Encroachments are prohibited.
- E. Parking
  1. Two (2) on-site parking spaces are required per dwelling unit, one (1) for any auxiliary dwelling unit.

- A. Minimum Lot Size
  1. Minimum Lot Area: Seven thousand eight hundred square feet (7,800 sq. ft.)
  2. Minimum Lot Frontage: Sixty-five feet (65') or forty-foot (40') street frontage, where frontage is curved.
  3. Minimum Lot Depth: One hundred twenty feet (120').
- B. Residential Use
  1. The number of dwellings is restricted to one (1) where the primary building and one where an auxiliary building (i.e., detached garage), the habitable area of the auxiliary dwelling shall not exceed seven hundred fifty square feet (750 sq. ft.).
  2. Both dwellings shall be under one acre, sharing a single set of utility connections, which can be a lot-rented.
- C. Building Placement and Size
  1. Minimum Front Building Setback: Twenty feet (20').
  2. Minimum Side Building Setback: Seven and one-half feet (7-1/2').
  3. Minimum Rear Building Setback: Ten feet (10').
  4. Minimum Side Street Setback: Twelve and one-half feet (12-1/2').
  5. Minimum Side Setback: Twelve hundred square feet (1,200 sq. ft.).
  6. Detached garages are permitted. Covered side yards to the garage on the side street, except in cases where the side street is a boulevard with a landscaped median.
  7. Elevation of the front porch shall be a minimum of two feet (2') and a maximum of four feet (4') above the adjacent elevation at the front property line as determined by the M.U.D. engineer.
  8. Positive drainage shall be achieved on all lots.
- D. Building Envelope
  1. Maximum Building Height: Two and one-half (2-1/2) stories.
  2. Overhang Encroachments: Overhang encroachments may encroach up to ten feet (10') into the front setback and ten feet (10') into the side yard setback. Overhang encroachments are not permitted into the rear yard setback or into any abatement or public right-of-way.
  3. Attachable Encroachments: Attachable encroachments are limited to porches in the front yard setback only, porches in the front yard are permitted to encroach ten feet (10') into the front setback and may extend for the entire length of the frontage of the building.
  4. Other Encroachments are prohibited.
- E. Parking
  1. Two (2) on-site spaces are required per dwelling unit, one (1) for any auxiliary dwelling unit.

**Section 4.07  
Custom House**

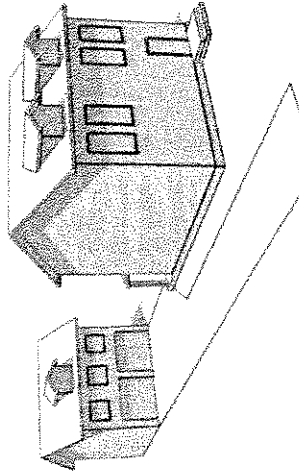
Custom houses are used as placeholders to address the odd-shaped, narrow parcels that result from being subdivided or divided. Not more than 1% of the lot within Custom and Single Lots shall be used as custom house lots.

**Mews House**



**GARAGE TREATMENT:**

Detached garage



**BUILDING PLACEMENT DEFINITIONS:**

- A. Street Right of Way . . . . . Reserved for streets, sidewalks and public landscapes.
- B. Property Line . . . . . Lot lines that abut a public street or other spaces as determined by the Regulating Plan.
- C. Building Setback Line . . . . . A line set 25' from the front property line which determines the location of the primary building facade on the lot.
- D. Porch Encroachment . . . . . Areas which a covered porch is allowed to encroach beyond the building setback line (refer to Regulating Plan Section 4.02).
- E. Side and Rear Setback Lines . . . . . A line other than the property line 7.5' or 10' side yards from abut another lot, 12.5' on all side yards that abut a public street, and 15' at the rear of lots.
- F. Lot Dimensions . . . . . Overall lot depth and width as determined by the Regulating Plan.
- G. 1st Floor Elevation . . . . . The minimum and maximum height that the first floor shall be set above the adjacent sidewalk elevation (refer to Regulating Plan Section 4.04).
- H. Garage Treatment . . . . . The garage shall be detached as per Regulating Plan and homes are encouraged to incorporate a covered porch (refer to Section 4.02).

## Commercial Development Standards - ARTICLE 5

### Section 5.01 Commercial Design Code

The Designer will provide the Design Code. The goal of such standards shall be to provide aesthetic quality and to encourage compatibility of architectural elements and an overall quality appearance and character of Commercial and Residential Buildings constructed along Parkway Lane in Cactus and in the Neighborhood Center of South Main. The Design Code may be revised from time to time by the Neighborhood Center of South Main. The Design Code shall be consistent with the City of Cactus Code of Ordinances and shall reflect the intent of the Developer of constructing a high-quality development. An Architectural Control Committee shall review and administer the Design Code, as set forth herein, and pursuant to a Master Declaration. The City shall not review or administer the Design Code, but shall enforce all city-enforced site development standards not otherwise prescribed in this Design Code. The City shall maintain the right to ensure the code is being upheld by the developer.

The Commercial Design Code is divided into two parts: First, the Street Frontage regulations which address building matching along Primary and Secondary streets. Second, the Architectural Standards, which address the styling and readability of the buildings. The intent is not to further restrict building types and business types, but to ensure a level of quality consistent with that of the Residential Village.

### Section 5.02 Primary Frontage Streets

For the Regulating Plan, specific streets within the Neighborhood Center and the Town Center are defined as Primary Frontage streets. Developments along Primary Frontage streets shall meet the Frontage standards outlined in this section.

Primary Frontage streets are intended to accommodate primary building facades facing along primary pedestrian streets. Streets not defined as Primary Frontage are not required to meet the standards in this section. Parking Standards and Architectural Standards apply to all developments within the Neighborhood Center and Town Center districts.

- A. **Maximize and Enhance**
  1. The Building Line.  
A line ten feet (10') from the property line, the Building Line is the vertical reference primary building facade edge that helps to define a public space between opposite buildings.
  2. Rear and side setbacks are not required.
  3. The Building Footprint shall be contained within the setbacks with a minimum of 80 percent of the total building footprint may be set back from the Building Line (B.L). Building setbacks shall not exceed 25' in depth.
  4. Encroachments:  
Canopies, stoops, awnings, balconies and other features with occupied or unoccupied spaces may encroach beyond the Building Line. Canopies, stoops, awnings and balconies shall encroach a maximum of 5 ft. and a maximum of 10 ft. beyond the Building Line. No other features shall encroach more than 400 SF on the ground floor encroaching beyond the Building Line. Balconies shall be cantilevered or self-supporting without vertical columns that rest on the ground.
  5. Minimum Lot Width.  
No Primary Frontage lot shall be less than 24' wide. No Primary Frontage lot shall be more than 540' wide.
  6. Lot Depth.  
Lot depth shall be as depicted in the Regulating Plan.
  7. Sidewalk Encroachment.  
The inner face of the first level shall not be elevated from the sidewalk level unless accessible to

disabled persons.

3. **Maximum and Minimum Wall Height.**  
The maximum height from average elevation to the roof edge of a parapet wall shall be 10 feet above the finished grade. A minimum of 6 feet shall be a minimum of two stories.

### Section 5.03 Secondary Frontage Streets

For the Regulating Plan, specific streets within the Neighborhood Center and the Town Center are defined as Secondary Frontage streets. Developments along Secondary Frontage streets shall meet the Frontage standards outlined in this section.

Secondary Frontage streets are intended to provide attractive facades consistent with the view along arterial thoroughfares and secondary collectors and local streets. This includes mitigating the view of less attractive building types and functions. For the Regulating Plan, all streets that are not defined as Primary Frontage streets shall be defined as Secondary Frontage streets. Frontage Standards and Architectural Standards apply to all developments within the Commercial Mixed Use and Neighborhood Mixed Use zoning.

A. **Maximize and Enhance**

1. **The Rear Setback Line.**  
A line eight (8') from the rear property line. If the rear wall of the building abuts more than fifty (50) percent of the rear setback line, a vegetative screen of 4' tall and three (3) feet wide shall be placed along the rear setback line for the entire length of the property.
2. **Encroachments:**  
Signage elements may encroach above the rear setback line along the entire length of the property.
3. **Setbacks:**  
All setbacks must be 5' tall. Screens shall match adjacent architecture. Three (3) feet of plant type 3' or more tall per linear foot (LF) of screen wall and planting even shall be required.

### Section 5.04 Architectural Elements and Standards

All architectural design shall reflect the architectural traditions of the Central Texas region. The following architectural standards shall be a study of interpretations, both contemporary and historical.

- A. **Building Massing and Proportions:**
  1. No single building height type shall exceed more than 200 feet in height, being a single story above the Building Line.
- B. **Windows:**
  1. Exterior walls may be finished in brick, masonry, stone, concrete, granite or terrazzo, cast stone, stone, with the exception of painted masonry. "Hardboard" siding, wood paneling, vinyl or other types of manufactured siding is prohibited. Split face concrete block may not occupy more than 20% of any building elevation.
  2. Facades may include either two or three major vertical materials.
- C. **Landmarking Elements:**
  1. Awnings and canopies may be made of wood, metal, or various materials. Panels or vinyl signage are not permitted. Trellises and awning devices are encouraged and shall be

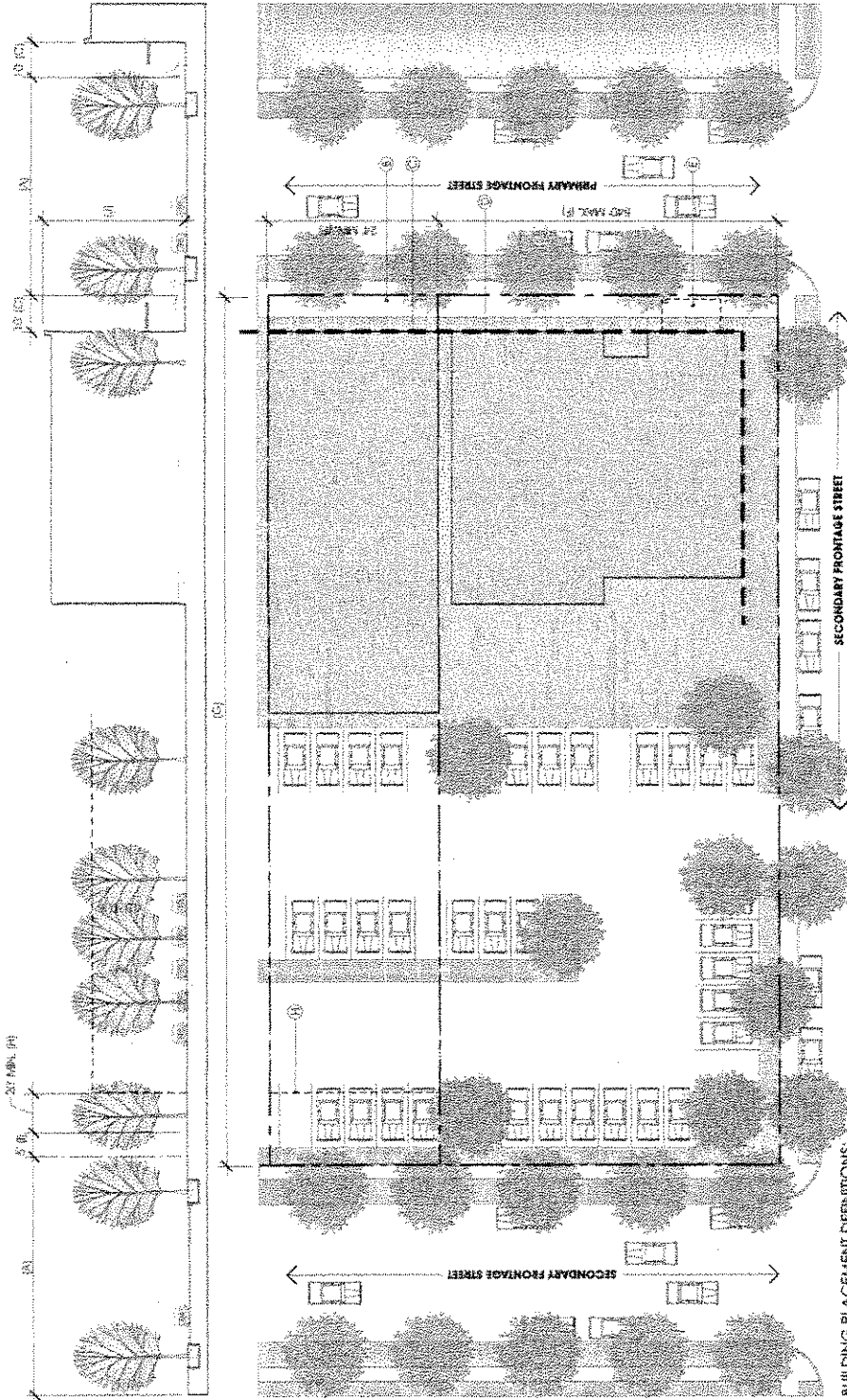
made of wood or metal.

2. **Signage:**  
Refer to Signage Standards (Section 9.0)
3. **Roof Profile:**  
One story structures shall be gabled with a pitch no less than 12:12. Two story structures shall be gabled with a pitch no less than 12:12. Pitch and ornate roofs may be 24:12 with a pitch no less than 12:12.
4. **Roof Materials and Roofing Mechanisms:**  
Roof materials shall be consistent with the character of the area. Roofing shall not exceed 25' in depth.
5. **Openings:**  
Roof openings shall be consistent with the character of the area. Roofing shall not exceed 25' in depth.
6. **Roofing:**  
Roofing shall be consistent with the character of the area. Roofing shall not exceed 25' in depth.
7. **Roofing:**  
Roofing shall be consistent with the character of the area. Roofing shall not exceed 25' in depth.

### Section 5.05 Parking Standards

- A. **Quantity:**
  1. Minimum parking requirements by zone type and use are outlined in the Regulating Plan.
  2. On-Street Parking is allowed only at the rear of the building unless a secondary or designated driveway is provided.
  3. Shared Parking Standards may require additional parking standards outlined in the Standards. Minimum parking requirements may be reduced by 25 percent shared parking spaces more than a single use (e.g. Restaurants and Offices).
  4. Minimum Parking Standards: Parking spaces may not exceed the minimum parking requirements outlined in the Regulating Plan by a factor of more than 25 percent.
  5. Parking Features: Structured parking is required for special use efficiency as depicted on the Regulating Plan. Parking structure shall meet architectural standards.
- B. **Location:**
  1. In parking areas, the vehicle lanes shall be placed in landscape islands at the end of all parking rows. A vehicle lane shall be provided for every 50' from each row. In addition, one vehicle lane may be provided for each four parallel parking spaces.
  2. Parking lots along arterial streets shall be landscaped and screened from view. A landscaped strip at least 3 ft. wide shall be provided with a street height of least 30 inches in height at the base of the landscape.
  3. Parking lot trees shall be 3' taller than the average height of the surrounding landscape trees of that type.

Commercial Development Standards - ARTICLE 5



**BUILDING PLACEMENT DEFINITIONS:**

- A. Street Right of Way ..... Reserved for streets, sidewalks, and public landscaping.
- B. Property Line ..... Lot lines that abut a public street or open space as determined by the Regulating Plan.
- C. The Bulk-To-Line ..... A line set 10' from the front property line which determines the primary building facade edge.
- D. Building Frontage ..... The minimum percentage of the total length of the Bulk-To-Line (C) which shall be built, continuous without any setback.
- E. Encroachment ..... Areas in which a suspended canopy, overhang, or balcony is allowed to encroach beyond the Bulk-To-Line (C).
- F. Lot Width ..... The minimum and maximum width that a lot may be platted in the Regulating Plan.
- G. Lot Depth ..... The overall depth of the lot as determined in the Regulating Plan.
- H. Rear Setback ..... A line set 20' from the rear property line which determines the closest distance between a rear building facade and a Secondary Frontage Street.
- I. Rear Encroachment ..... Areas in which off-grade landscape elements may encroach beyond the Rear Building Setback (H).
- J. Min. Wall Height/Max. Wall Height ..... The minimum and maximum height of signage from the sidewalk to the roof eave or parapet wall.



**Street Type Standards - ARTICLE 6**

**Section 6.01  
General**

All streets shall conform to the applicable standard as set forth herein, and as shown on the applicable Plan. Diagrams and details of each street type are set forth in Appendix 3. The following standards set forth in this Section 6.01 apply to all street types unless expressly stated otherwise in this Article.

- A. Generally Applicable Street Standards
  1. Minimum centerline radius for curves is one hundred twenty feet (120') unless noted otherwise by street type.
  2. Foot curbs shall be located within a designated urban corridor or public street R.O.W. which follow current city assignments.
- B. Generally Applicable Intersection Standards
 

This minimum radii of right-of-way sets at corners are:

  1. At the intersection of an existing roadway major arterial street with a boulevard: Twenty-five foot (25').
  2. At the intersection of an existing roadway major arterial street with a residential street: Twenty-five foot (25').
- C. At the intersection of a boulevard with a residential street: Fifteen foot (15').
4. At the intersection of a residential street with another residential street: Fifteen foot (15').

**C. Generally Applicable Parking Standards**

1. Parallel parking is permitted on all residential streets.
2. No angled parking is permitted on residential streets.

**D. Generally Applicable Lighting Standards**

1. All street intersections must be illuminated at a minimum of 1.0 foot-candle average maintained illumination, and a minimum of 0.1 foot-candle average maintained illumination.
2. In the 500-ft North Metropolitan Center District, street lighting poles are to be spaced no greater than one hundred feet (100') on center. In the Residential District, street lighting poles are to be spaced at three hundred and sixty feet (360') on center. In no event less than two hundred fifty feet (250') on center.

**E. Generally Applicable Street Tree Standards**

All required street trees must be three inch (3") caliper, container-grown, or four inch (4") caliper balled and burlapped Type 1 shade trees. Street trees of non-urban sites may be substituted. All street trees except 8 1/2" DBH trees at the street front for plantings of street entry way foot (20') on center in the planting strip. Where provided, street trees shall be planted in the center of the planting strip, between the sidewalk and the street. The Developer may make allowances for utility trenches, street breaks, and crosswalks. Street tree species and placement shall be approved by the ACC. Street trees shall be planted in the designated planting strip by the Developer prior to the start of construction. Street trees shall be planted per landscape requirements prior to issuance of a C.O. Street trees are not required to be installed prior to acceptance of subdivision or approval of final plat.

**Section 6.02  
Street Type: BVD-120 Boulevard with 120' R.O.W.**

- A. Description
  1. Public Right-of-Way width: One hundred twenty foot (120').
  2. Design Speed: 40 mph.
  3. Maximum Pavement Width: Two (2) lanes, each includes two (2) travel lane (12') through lanes).
  4. Maximum Pavement Width: Two (2) travel lane, each includes two (2) travel lane (12') through lanes, Two (2) travel lane, each includes two (2) travel lane (12') through lanes, and one (1) alley foot (11') total foot lane.

5. Corner radii: Thirty foot (30').
6. Minimum centerline radius for curves is one hundred feet (100').
7. Minimum sidewalk width: Six foot (6').
8. Landscaped Median: Twenty feet (20') to forty four foot (44') in width.
9. Minimum Planting Strip width: eight foot (8').

**Section 6.03  
Street Type: BVD-95 Boulevard with 95' R.O.W.**

- A. Description
  1. Public Right-of-Way width: Ninety-five foot (95').
  2. Design Speed: 30 mph.
  3. Pavement Width: Two (2) Lanes, each includes an Eight foot (8') parking lane).
  4. Travelway: One (1) lane, fifteen foot (15') in width in each direction.
  5. Corner radii: Fifteen foot (15').
  6. Minimum centerline radius for curves is three hundred feet (300').
  7. Minimum sidewalk width: Five foot (5').
  8. Maximum Landscaped Median as sixty foot (60') in width.
  9. Minimum Planting Strip width: Seven foot six inches (7'6").

**Section 6.04  
Street Type: CS-60: Collector Street With 60' R.O.W.**

- A. Description
  1. Public Right-of-Way width: Sixty foot (60').
  2. Design Speed: 30 m.p.h.
  3. Pavement Width: Twenty-eight foot (28') includes two (2) Eight foot (8') parallel parking lanes.
  4. Travelway: Two (2) Lanes foot (11') through lanes.
  5. Corner radii: Fifteen foot (15').
  6. Minimum centerline radius for curves: One hundred fifty foot (150').
  7. Minimum sidewalk width: Four foot (4').
  8. Minimum Planting Strip width: Seven foot (7').

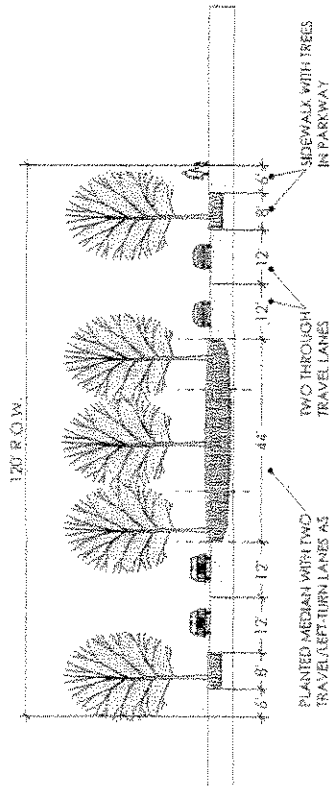
**Section 6.05  
Street Type: RS-50: Residential Street With 50' R.O.W.**

- A. Description
  1. Public Right-of-Way width: Fifty foot (50').
  2. Design Speed: 25 mph.
  3. Pavement Width: Twenty-eight foot (28') includes two (2) Seven foot (7') parallel parking lanes.
  4. Travelway: One (1) Lane, fifteen foot (14') lane.
  5. Corner radii: Fifteen foot (15').
  6. Minimum centerline radius for curves: One hundred twenty foot (120').
  7. Minimum sidewalk width: Four foot (4').
  8. Minimum Planting Strip width: Seven foot (7').

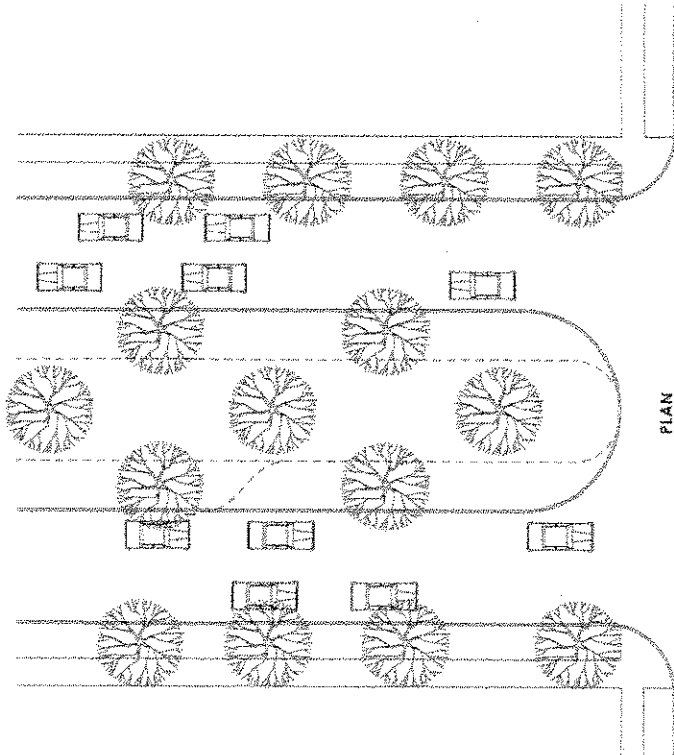
**Section 6.06  
Street Type: RM-30: Residential Mews With 42' R.O.W. (one way)**

- A. Description
  1. Public Right-of-Way width: Yards, see Regulating Plan.
  2. Design Speed: 20 mph.
  3. Pavement Width: Two (2) Lanes, each includes an Eight foot (8') parking lane).
  4. Travelway: One (1) Lane, fifteen foot (11') in width in each direction.
  5. Corner radii: Fifteen foot (15').
  6. Minimum sidewalk width: Five foot (5').
  7. Minimum Planting Strip width: Seven foot six inches (7'6").

**Street Type: BVD-120: Arterial Boulevard with 120' R.O.W.**



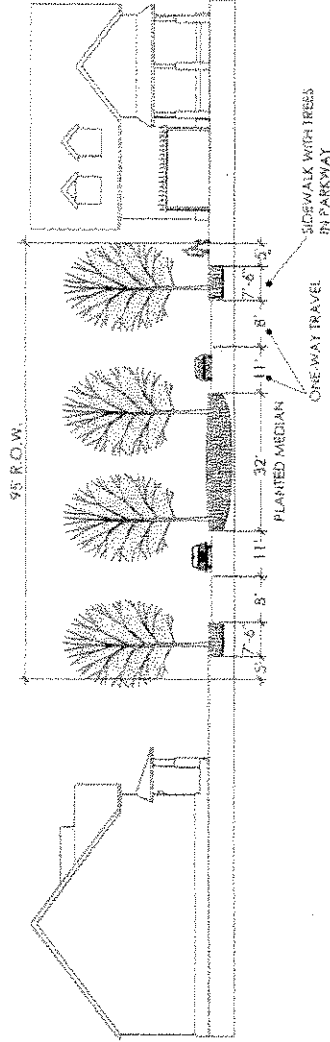
**STREET SECTION**



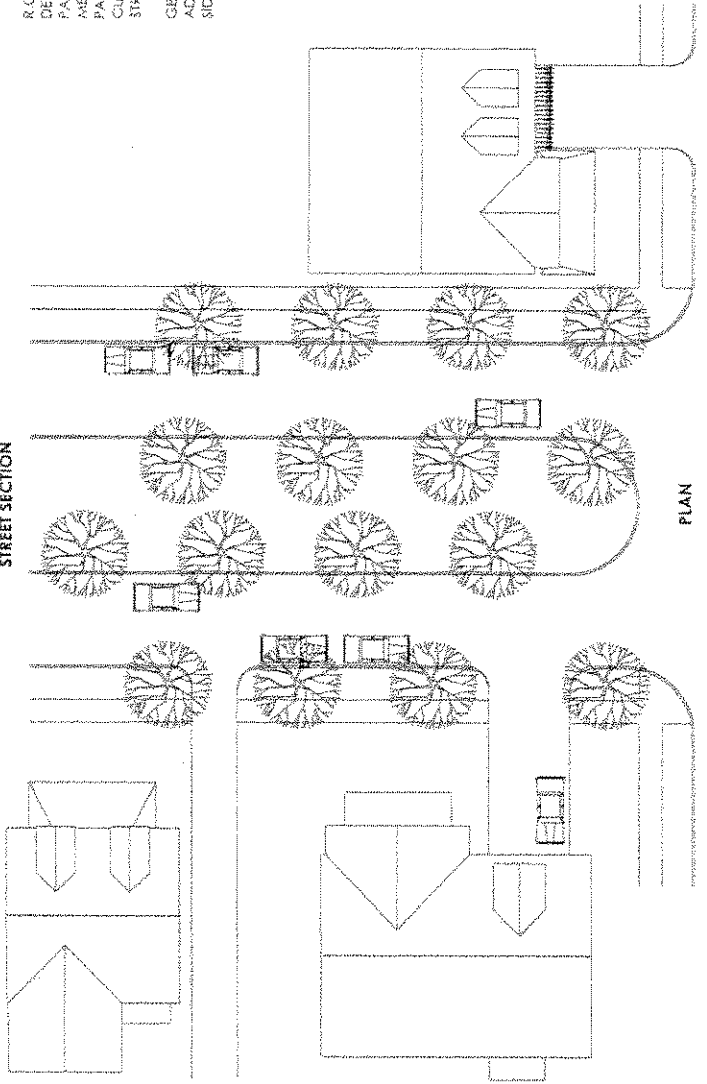
**SPECIFICATIONS:**

- R.O.W. 120'
- DESIGN SPEED: 45 mph
- PAVEMENT WIDTH: 2 - 24 lanes with 2 - convertible 11' left turn travel lanes
- MEDIAN: 44' Planted with 2 - convertible 11' left turn travel lanes
- PARKING: none
- CURB RADIUS: 25' radius at sheet corners
- STREET TREES: 1 tree/100 ft each side 2 across median. Greater than 30' O.C. See lighting plan
- GENERAL LENGTH: none
- ADJACENT LOT TYPES: none
- SIDE YARDS: none
- REAR YARDS: Architectural fencing and vegetative screen.

Street Type: BVD-95 Boulevard with 95' R.O.W.



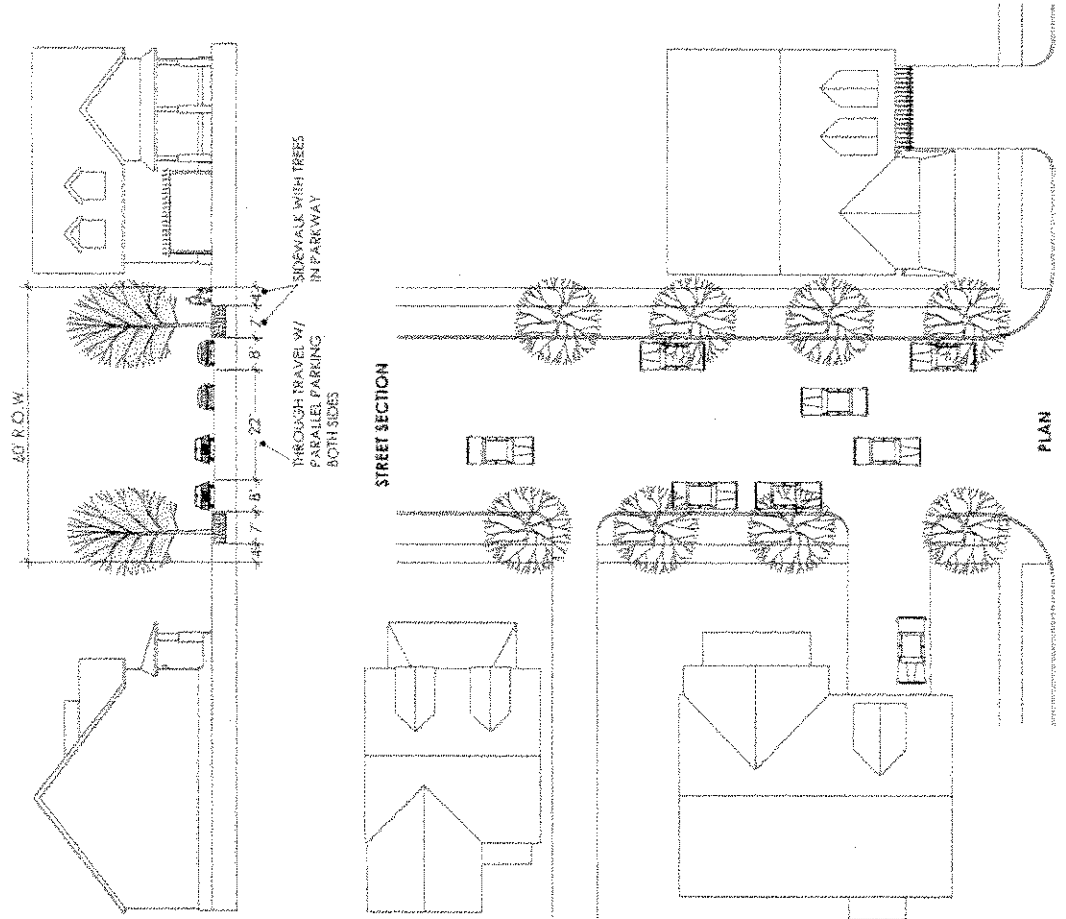
STREET SECTION



SPECIFICATIONS:

- R.O.W. 95'
- DESIGN SPEED: 35 m.p.h.
- PAVEMENT WIDTH: 2 - 19' lanes 18' parking, 11' travel
- MEDIAN: 32' Planted
- PARKING: 8' Parallel parking (one each side)
- CURB RADII: 15' radius of street corners
- STREET TREES: 1 street tree each side, 2 across median (not more than 30' O.C. Less than 1 mile See regulating plan Architectural Landscaping)

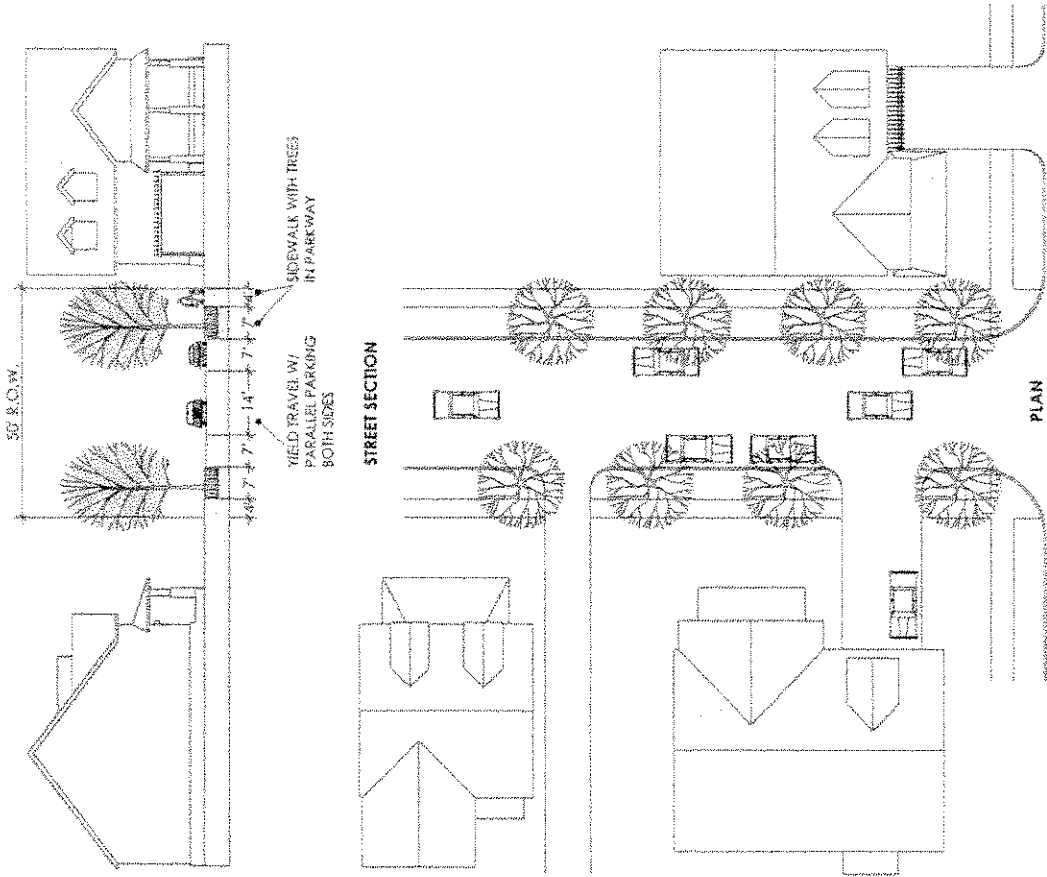
Street Type: CS-60: Collector Street with 60' R.O.W.



SPECIFICATIONS:

- R.O.W. 60'
- DESIGN SPEED: 25 m.p.h.
- PAYEMENT WIDTH: 1.38' (same as parking 2-11' travel)
- MEDEAN: None
- PARKING: 8' parallel parking area both sides
- CURE RADIUS: 15' radius of street corners
- STREET TREES: 1' street tree each side, not more than 30' O.C.
- GENERAL LENGTH: Less than 1/2 mile
- ADJACENT LOT TYPES: See regarding plan
- SIDE YARDS: Architectural detailing

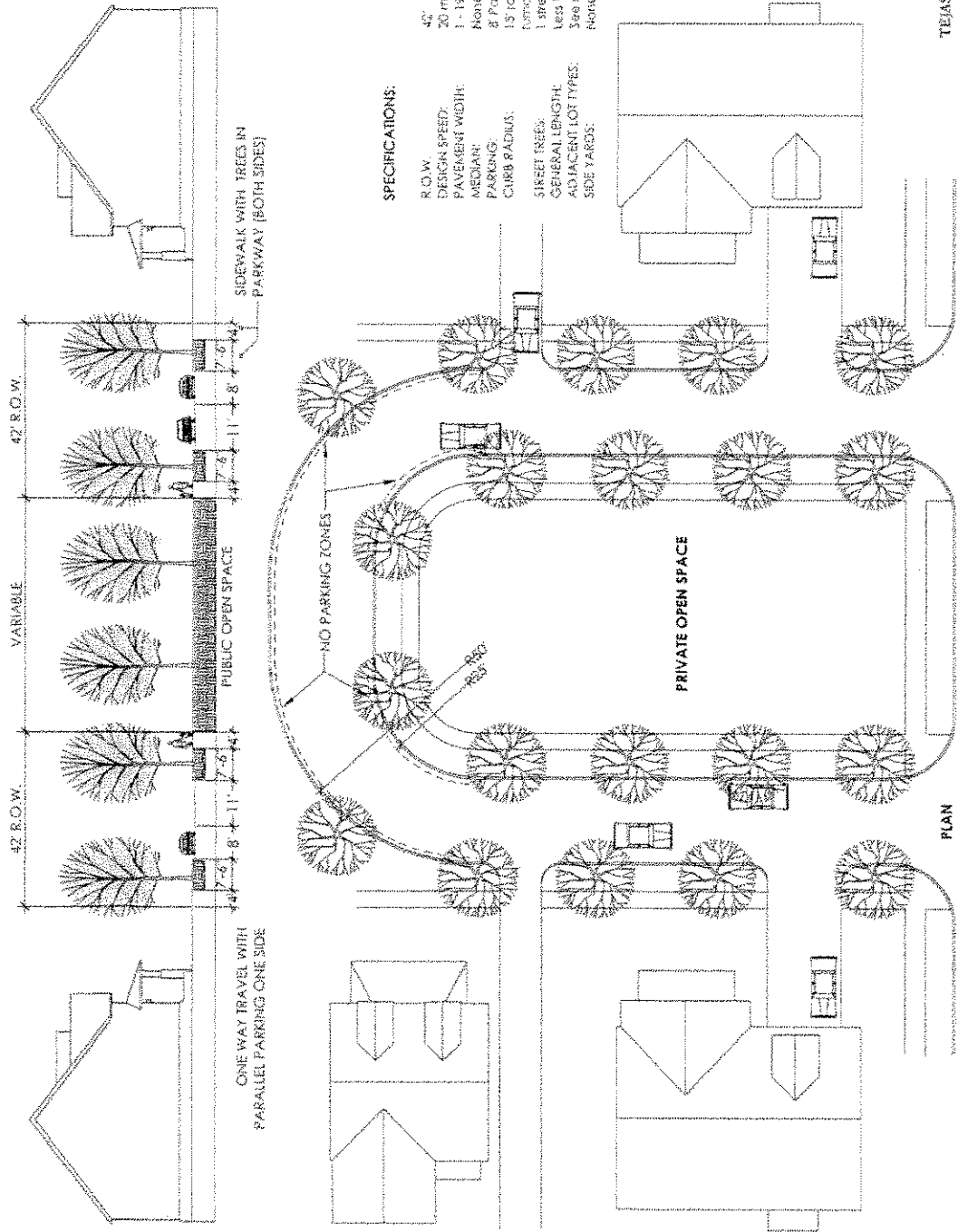
Street Type: RS-50: Residential Street with 50' R.O.W.



**SPECIFICATIONS:**

- R.O.W. 50'
- DESIGN SPEED: 25 m.p.h.
- PAVEMENT WIDTH: 1-28 lane (2 - 7' parking, 1 - 14' travel)
- MEDIAN: None
- PARKING: 7' Parallel parking lane both sides
- CURB RADIUS: 15' Radius at street corners
- STREET TREES: 1 street tree each side, not more than 30' O.C.
- GENERAL LENGTH: Less than 1/2 mile
- ADJACENT LOT TYPES: See regulating plan
- SIDE YARDS: Architectural fencing

Street Type: RM-30: Residential Mews with 42' R.O.W.



SPECIFICATIONS:

- 42'
- 20 m.p.h.
- 1 - 19' lane (8' parking, 11' travel)
- None
- 8' Parallel parking (one one side except for turn-around)
- 15' radius at intersecting street corners; 25' radius on inside turn-around corners; 50' on outside turn-around corners
- 1 street tree each side, not more than 30' O.C.
- Less than 1/8 mile
- See regulating plan
- None

- R.O.W.
- DESIGN SPEED:
- PAVEMENT WIDTH:
- MEDIARI:
- PARKING:
- CURB RADIUS:
- STREET TREES:
- GENERAL LENGTH:
- ADJACENT LOT TYPES:
- SIDE YARDS:

## Open Space Standards - ARTICLE 7

### Section 7.01

#### Intent

The City is in the midst of the Open Space standard:

- To create socially active open space.
- To improve a Public Parkland system which becomes a source of community pride and contributes to the overall quality of life in the City.
- To provide a range of open space areas and types.

### Section 7.02

#### Definitions & Standards

- A. **Public Parkland**  
 Any land owned by the City of Austin, Texas, or any other agency of the Government, which is owned by the City of Austin, Texas, and which is used for the purpose of providing recreational, cultural, or educational facilities for the public.
- B. **Private Parkland**  
 Any land owned by a private entity, which is used for the purpose of providing recreational, cultural, or educational facilities for the public.
- C. **Open Space**  
 Any land, whether public or private, which is used for the purpose of providing recreational, cultural, or educational facilities for the public.
- D. **Open Space Standard**  
 The minimum amount of open space that must be provided for each acre of land in a residential subdivision.
- E. **Open Space Plan**  
 A plan that shows the location and extent of open space in a residential subdivision.
- F. **Open Space Map**  
 A map that shows the location and extent of open space in a residential subdivision.
- G. **Open Space Inventory**  
 A list of all open space in a residential subdivision.
- H. **Open Space Committee**  
 A committee of the City of Austin, Texas, which is responsible for reviewing and approving open space plans and maps.
- I. **Open Space Fund**  
 A fund established by the City of Austin, Texas, to provide financial support for open space projects.
- J. **Open Space Grant**  
 A grant provided by the City of Austin, Texas, to provide financial support for open space projects.
- K. **Open Space Dedication**  
 The process of transferring ownership of open space from a private entity to the City of Austin, Texas.
- L. **Open Space Easement**  
 A legal right to use open space for a specific purpose.
- M. **Open Space License**  
 A temporary right to use open space for a specific purpose.
- N. **Open Space Lease**  
 A contract for the use of open space for a specific purpose.
- O. **Open Space Conveyance**  
 The transfer of ownership of open space from one entity to another.
- P. **Open Space Acquisition**  
 The process of obtaining ownership of open space.
- Q. **Open Space Preservation**  
 The process of protecting open space from development.
- R. **Open Space Restoration**  
 The process of returning open space to its natural state.
- S. **Open Space Rehabilitation**  
 The process of improving the quality of open space.
- T. **Open Space Maintenance**  
 The process of keeping open space in good condition.
- U. **Open Space Management**  
 The process of planning and implementing open space programs.
- V. **Open Space Policy**  
 A set of principles and guidelines that govern open space programs.
- W. **Open Space Strategy**  
 A plan that outlines the goals and objectives of open space programs.
- X. **Open Space Action Plan**  
 A plan that outlines the specific actions to be taken to achieve the goals and objectives of open space programs.
- Y. **Open Space Budget**  
 A financial plan that outlines the resources needed to implement open space programs.
- Z. **Open Space Report**  
 A document that provides information about open space programs.

### Cactus & Bolis North Regulating Plan & Design Code - February 2008

2. **Landscaping Requirements:** At least one (1) tree with (5') northern-grown or less than (4') Round and Diameter Type 1 or Type 2 shall be required per twenty-five (25) hundred square feet (2,500 sq ft) of area of a Residential Park Street. Street trees shall be located in the Public Right-of-Way shall not cover any other utility lines. Street trees shall be located in a minimum 10' wide right-of-way. All planting in a Residential Park Street shall be done in an approved irrigation system.
3. **Open Space:**
  - a. **Landscaping:** Landscaping shall be required but is not required to be irrigated. Light levels shall not exceed two (2) foot-candles average minimum illumination.
  - b. **Playgrounds:** Child care Playgrounds and Playspaces are permitted.
  - c. **Club Buildings:** Private and Public Club Buildings including Amenity Centers, recreation centers and community, clubhouse may be built in Recreational Parks.
4. **Open Space:**
  - a. **Open Space:** Open Space is a lot of land that is used for recreational purposes. It may be public or private. It may be used for a variety of purposes, including recreation, education, and cultural activities.
  - b. **Open Space:** Open Space is a lot of land that is used for recreational purposes. It may be public or private. It may be used for a variety of purposes, including recreation, education, and cultural activities.
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## Landscape Standards - ARTICLE 8

### 8.01

#### General Standards

- A. **Protection of Highways**  
Construction shall be limited to 200' of a strip or extension of a road plan must have certain front borders erected at the perimeter of the construction area and shall meet all applicable State of Texas and Federal requirements.
- B. **Undeveloped Natural Areas**  
Areas left undeveloped or natural must be properly fenced during construction.
- C. **Protected Trees**  
Existing hardwood trees eighteen (18") high or more are considered to be Protected Trees.
- D. **Replacement of Protected Trees**  
A Protected Tree may be removed with each planted tree; the aggregate volume of which would be equal to the original Protected Tree. Existing street trees may count toward the required replacement trees.
- E. **Residential Lawns and Yards**  
Only drought tolerant grasses and herbs should be used. St. Augustine grass is prohibited. Three shades of plant Type 3 are required per one thousand (10') of boulevard fronting a public street; one (1) calyx tree of plant Type 2 is required for every front yard. These trees are in addition to street trees. All planting beds must be mulched. Fencing of maximum six (6') height is permitted as defined in Section 4.02.
- F. **Screening of Utility Transformers**  
Utility transformers shall be located with a designated landscape area behind the sidewalk. Enclosure shall be screened to the maximum extent possible without obstructing any vehicle sight triangle.
- G. **Trigrids**  
Trigrids is prohibited within the R.O.W. provided that the irrigation system is maintained by a Homeowner, Homeowner Association or Property Owners Association.
- H. **Street Trees**  
Street trees shall be planted at an average of 30' O.C. as per street type standards. All street trees shall be planted to the maximum safe Rosemary Barometric soil depth to full depth of root ball per manufacturer specifications or site plan project approved by the A.C.C. See Street Type Standards for length of street tree planting.
- I. **Buffer**  
Landscape buffers may be offered to adjacent streets between two lots. Buffers shall be installed by the builder or developer and shall have a minimum of three (3) calyx Type 1 shade trees and twelve (12) tall (as the line of maximum) evergreen Type 2 shrubs for each 50' linear feet of buffer.

### Section 8.02 Plant Types

- A. **Type 1 Plants: Shade Tree**  
Type 1 plants are shade trees which provide shade and have an ability to tolerate tolerate competition, drought, and pollution typically associated with heavily trafficked roads. Representative species of shade trees which are Type 1 plants are listed in the Appendix.
- B. **Type 2 Plants: Ornamental Trees**  
Type 2 plants are ornamental trees

- Appendix C includes a list of species of ornamental trees which are Type 2 plants
- C. **Type 3 Plants: Drought Tolerant Shrubs**  
Type 3 plants are drought tolerant shrubs which include deciduous semi-evergreen and evergreen types. Appendix C includes a list of species of shrubs which are Type 3 plants.
  - D. **Type 4 Plants: Flowering Perennials**  
Type 4 plants are flowering perennials. The species of Type 4 plants preferred for the Property are drought tolerant and are listed in Appendix C.
  - E. **Type 5 Plants: Annuals, Biennials and Short-lived Perennials**  
Type 5 plants are annuals, biennials and short-lived perennials and are listed in Appendix C.
  - F. **Type 6 Plants: Groundcovers**  
Type 6 plants are groundcovers and are listed in Appendix C.
  - G. **Type 7 Plants: Ornamental Grasses**  
Type 7 plants are ornamental grasses as listed in Appendix C.
  - H. **Type 8 Plants: Tall Grasses**  
Type 8 plants are drought tolerant tall grasses, and the preferred species are listed in Appendix C.
  - I. **Type 9 Plants: Vines**  
Type 9 plants are vines and are listed in Appendix C.
  - J. **Type 10 Plants: Shade Tolerant/Partial Sun Plants**  
Type 10 plants are shade tolerant and partial sun plants and are listed in Appendix C.



**Signage Standards - ARTICLE 9**

The purpose of these regulations set forth in this Article is to coordinate the type, placement and physical dimensions of signs.

**Section 9.01 Permitted Signs**

A. Window Signs  
Window signs, provided that such signs are mounted 84 inches to the window glass and occupy no more than 10 percent of the total area of window in which they are displayed, are permitted.

B. Encroaching Signs  
Projecting signs, which are mounted under awnings or projected in the Public Right of Way perpendicular to a building facade, are permitted conditionally up to twelve square feet (12 sq ft) per sign.

C. Forwarding Signs  
One (1) forwarding sign is permitted for any commercial location with a fronted lot (100' or less in width). Sign area to exceed one square foot (1 sq ft) in sign area for each lot (2) fronted lot of frontage up to a maximum of twenty-four square feet (24 sq ft). For commercial premises with more than one hundred feet (100') in street frontage, one (1) forwarding sign up to a maximum of fifty-two square feet (52 sq ft) is permitted.

D. Rental Signs  
Temporary, non-illuminated signs advertising the sale, lease or rental of the premises upon which the signs are located are permitted. Signs shall not exceed six square feet (6 sq ft) in sign area. These signs are temporary and may remain for a period not exceeding one hundred eighty (180) days.

E. Name Plates  
Professional name plates and signs displaying the name and address of the occupants of the premises, which signs shall not exceed two (2) square feet in sign area. Such signs shall also include firm or estate identification signs and signs used by churches, synagogues, temples or other civic organizations.

F. Temporary Construction and Marketing Signs  
Signs on each street frontage not exceeding thirty-two square feet (32 sq ft) in sign area are permitted. Such signs shall not exceed two feet in height, be at least 10% from any property line.

G. Temporary Political Signs  
Such signs shall not be permitted up to a total sign area of eight square feet (8 sq ft). Signs shall not encroach into the sidewalk, gutter or street intersections. These signs are temporary and may remain for a period not exceeding one hundred eighty (180) days.

H. Electrical Information Signs  
Information signs not exceeding four square feet (4 sq ft) in area when signs may be non-illuminating or non-lit and shall not encroach into the sidewalk, gutter or street intersections.

I. Flags  
Official flags of governmental jurisdictions, including flags indicating weather conditions, are permitted.

J. Temporary Signs and Notices  
The zoning administrator of the City may issue zoning permits for temporary or banner signs not exceeding fifty-two square feet (52 sq ft) in area, which provide a special date, address or religious event, and are not limited to a fair, exposition, rally, concert or meeting sponsored by a governmental, charitable, educational or religious organization. Such signs may be allowed for a period not to exceed thirty (30) days from the date of the permit.

K. Special Events Signs  
The Architectural Control Committee may approve the use of a sign for special events in Cactus and Bohis North, provided that such signs may only be erected between 146 days prior to a special event and shall be removed no more than three (3) days following the event.

L. Neon Signage  
Neon signage is not permitted.

**Section 9.02 Subdivision Signs**

One (1) sign not to exceed twenty-four square feet (24 sq ft) in area or two (2) signs not to exceed twelve square feet (12 sq ft) each are allowed per entrance to a subdivision or tract. The total area of sign structures used to support or describe subdivision or tract name signs shall not exceed one hundred square feet (100 sq ft). Such signs shall not exceed six feet (6') in height.

**Section 9.03 Street Address Signs**

All buildings shall display a numerical address sign indicating the block address in letters not less than four inches (4") in height and be clearly visible from the street.

**Section 9.04 Materials**

Signs shall be painted and/or stained wood, wrought iron, cut out, non-reflective metal including such as brass or glass including stained glass. Signs painted directly on plain, asphalt, sidewalk and concrete surfaces are generally appropriate. Three-dimensional metal "box" signs are not permitted.

**Section 9.05 Prohibited Signs**

A. Illuminated High Intensity Signs  
Signs which contain or consist of flung, permanent, ribbon, streamer, spherical, strings of light bulbs, flashing lights, or other similar moving devices, are prohibited. These devices, when not part of any sign, are similarly prohibited. Special event signs or decorations approved as defined in Section 9.01 are permitted.

B. Board Signs  
Board signs or signs attached to trees, telephone poles, public benches, street lights or placed on any other structure or right-of-way are prohibited. Signs depicting cross (faith) property shall be permitted in accordance with the applicable easements in the lot types.

C. Signs on Vehicles  
Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying such signs are prohibited. This does not apply to allowed temporary signs or to signs or lettering on buses, taxis or vehicles operating during the normal course of business.

D. Signage on Billboards  
Signs advertising a business which are sign under federal, state or city laws or regulations are prohibited.

E. Signs Above Stock Lines  
Signs which are mounted so as to be displayed above the level of a sign or the building to which they are attached are prohibited.

F. Portable Signs  
Portable signs with the exception of those approved by the Architectural Control Committee, are prohibited.

G. Illuminated Signs and Monogram Signs  
Illuminating signs and monograms are prohibited. Illuminating signs advertising a business or profession in Cactus and Bohis North may be erected with the approval of the Architectural Control Committee, subject to the City's sign ordinance.

**Section 9.06 Illumination of Signs**

A. Staked Light  
The light from any staked sign shall be on a shaded shielded or directed that the light intensity or brightness shall not adversely affect surrounding or facing properties or adjacent streets, alleys, yards or courtyards of adjacent property or public or private roads, highways or parking areas. Light shall not shine or reflect in an offensive manner on or into residential dwellings, including inside of yards.

B. Exposed Filament  
No exposed filament-type bulbs or incandescent lamps may be used on the exterior surface of any sign in such a manner that will cause offensive glare or nuisance property or create a traffic hazard.

C. Beacon Lights  
No flashing beacon lights may be used.

Section 10.01 Objectives

To provide a high level of design standards for what will be built and to ensure a consistency in quality of construction and design.

Section 10.02 Architectural Control Committee

These standards as being provided and will be enforced by the Developer, a representative of the Owner and/or representative(s) from the Cactus and/or Bohls North Homeowner Associations. Two members constitute a quorum. Matters of judgment on what is appropriate or inappropriate or otherwise will be decided by the Architectural Control Committee (ACC). The Design Code is binding upon all persons who construct, rebuild, or alter any part of the exterior of a building or make other improvements upon, make or show any property, make any change in the existing surface or other in a way or in any other way that is shown or is shown.

Neither the ACC, nor the Declarant, nor their respective successors or assigns, shall be held liable in damages to anyone submitting plans or other materials to them for approval or to any owner by reason of reliance in judgment, negligence or malfeasance acting out of or in connection with the approval or disapproval or failure to approve any plans or other materials. Every owner or other person who submits plans to the Architectural Control Committee for approval, approval, by submission of such plans or other materials, that he will not, (and waives any right to) bring any action or suit against the Committee or Declarant for any purpose.

The Design Code may be enforced by the Committee, the Association or the Declarant as provided herein and in the Declaration.

The ACC shall have the right to amend and modify the Design Code at any time of its sole discretion. The amendments and modifications will be binding and enforceable to all owners.

Section 10.03 Jurisdictional Codes

A. ACC Compliance This shall not be construed as a binding agreement between the Declarant involved in the construction of homes and the Declarant under a representation of the Owner and its representative(s) from the Cactus and/or Bohls North Homeowner Associations. The Cactus Regulating Plan and Design Code shall be recorded with Tarrant County as Filed: Resubmission, County Declaration of Covenants, Conditions, and Restrictions (Original Declaration recorded Volume..., Page..., of the Real Property Records of Tarrant County).

B. Additional Jurisdictional Codes In addition to the Design Code, other jurisdictional government laws, ordinances, codes, regulations or other laws which are applicable to development in Cactus and Bohls North, because each of these are amended from time to time, it is important to state the latest edition of all documents before proceeding to design and construction of a residence. The following is a list of jurisdictional government laws for Cactus and Bohls North at the time of the writing of this document. The property owner is solely responsible for discovery and adherence to any applicable law. 1. Building Code enforced by Private Service 2. TXXI Electric Co. Easement Regulations

Section 10.04 Design Review Process

The Design Review Process for Cactus and Bohls North has been created to provide a methodology of review in which each individual or persons involved in the Design Review Process applies only to the plans development of development projects. The ACC will handle the design review into a two step process: Master Site Review, Site Plan/Review Material Public Review, Construction Start Permit, and Compliance Review.

- A. Master Site Review Before construction begins in the other Residential VIII, any building materials in the purchase of lots will be subject to submit to the ACC a set of drawings for each residential house plan to be offered to buyers in that stage, including those for model units. If a house plan, or alteration or plan option is added at a later stage, holders must submit those plans for review while this process before they are processed to construct that housing option. For each potential house type, the following shall be submitted: 1. Complete Architectural Plans of each that are signed and dated by designers. 2. Conditioned and unconditional front and garage square footage called out. 3. Typical site plan and exterior dimensions. 4. All proposed elevation systems and material callouts for that house plan. 5. All proposed floor plan options for each treatment (including porch and outdoor space above the garage). 6. All roof plan options and material callouts for that plan. 7. Application for approval of Master Site Review Plan (see form A, Appendix A).

- B. Site Plan Review Before construction of a house or a specific lot, holders must submit to the ACC the following, accompanied by a \$100 review fee: 1. A complete site plan showing address, property boundaries, setbacks, basement building footprint dimensions, and all paving. 2. Overall project site plan showing the site treatment compliance with the regulating plan. 3. House plan number and plan/alteration system to coordinate with pre-approved house plan and elevation. 4. Confirmation of conditioned and unconditional square footage. 5. Building cover calculations showing lot area, slab area including covered porch area and patios, and remaining buildable area. 6. Location of existing and/or proposed front, side and rear setbacks. 7. Proposed location for any pool, spa, hot tub, and/or amenity, and any other amenity chosen from the approved plan (see form C, Appendix C). 8. Application for approval of the Plan (see form B, Appendix B)

C. Material Palette Review When final exterior finish selections have been made and prior to start of construction, the material palette must be submitted to the ACC along with an overall project site plan showing finished driveway compliance with the regulating plan. (To apply for Material Palette approval, submit form C, Appendix A.)

D. Construction Start Permit Upon approval of the Site Plan and Material Palette, and after the date for the house has been issued, the ACC will conduct a final inspection to ensure compliance with the approved site plan and/or Construction Start Permit. For details on required inspections, see Appendix B. This should take place before framework is erected and inspected by a third party. A fee apply for a Construction Start Permit see form D, found in Appendix A).

E. Compliance Review

The ACC will complete an overall project review at least quarterly, beginning in the first quarter after the first houses have been completed. Inspecting, Architectural Design and Material Palette will be reviewed for compliance with the Regulating Plan and Design Code and submitted to the Master Site and Site Plan subcommittee and approved by the ACC. The ACC will submit to the holders a list of observations with specific findings and action to be taken upon completion of the review. The non-compliant features shall be corrected within 30 days of the issued notices. Failure to correct non-compliant work will result in a stop in future Construction Start Permits to the Builder in violation.

**APPENDIX A - FORMS**

**Cactus & Bohls North**  
 Architectural Control Committee  
 3801 Silverwood Springs Road, Ste. 201  
 Austin, Texas 78759

**FORM A**

DATE \_\_\_\_\_

**APPLICATION FOR APPROVAL OF MASTER HOUSE PLAN**

Submit this form with each concept design to the Master Sub submitter.

BUILDER'S NAME \_\_\_\_\_ PROJECT NUMBER \_\_\_\_\_  
 BUILDER'S ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_  
 ARCHITECT \_\_\_\_\_ PHONE \_\_\_\_\_  
 LANDSCAPE ARCHITECT \_\_\_\_\_ PHONE \_\_\_\_\_

|  | Yes | No  | Comments |
|--|-----|-----|----------|
| 1) Submittal items (b) complete sets                     | ___ | ___ | ___      |
| 2) Floor Plans   | ___ | ___ | ___      |
| 3) Site Plan   | ___ | ___ | ___      |
| 4) Typical Site Plan                                     | ___ | ___ | ___      |
| 5) Exterior Elevations                                   | ___ | ___ | ___      |
| 6) Proposed Elevation Options                            | ___ | ___ | ___      |
| 7) Proposed Plan Options                                 | ___ | ___ | ___      |
| 8) Proposed Roof Line Options                            | ___ | ___ | ___      |
| 9) Material Call-Out Options                             | ___ | ___ | ___      |
| 10) All Options Clearly Labeled as if Named for Builders | ___ | ___ | ___      |

**ACC COMMENTS**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

for the Architectural Control Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Submittal Conditionally Approved \_\_\_\_\_  
 Submittal Not Approved \_\_\_\_\_

**For ACC Use:**  
 Date Application received \_\_\_\_\_  
 Date of CRG Meeting at which application was reviewed \_\_\_\_\_  
 Date Applicant was notified \_\_\_\_\_

**Cactus & Bohls North**  
 Architectural Control Committee  
 3801 Silverwood Springs Road, Ste. 201  
 Austin, Texas 78759

**FORM B**

DATE \_\_\_\_\_

**APPLICATION FOR APPROVAL OF SITE PLAN**

BUILDER'S NAME \_\_\_\_\_ PROJECT NUMBER \_\_\_\_\_  
 BUILDER'S ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_  
 ARCHITECT \_\_\_\_\_ PHONE \_\_\_\_\_  
 LANDSCAPE ARCHITECT \_\_\_\_\_ PHONE \_\_\_\_\_

PRE-APPROVED MASTER HOUSE PLAN NUMBER \_\_\_\_\_  
 ELEVATIONS OPTIONS \_\_\_\_\_  
 PLAN OPTIONS \_\_\_\_\_

|  | Yes | No  | Comments |
|--|-----|-----|----------|
| 1) Submittal items (b) complete sets                         | ___ | ___ | ___      |
| 2) Site Plan @ 1/8"=1'-0"                                    | ___ | ___ | ___      |
| 3) Overall Project Site Plan (Consistent w/ Regulating Plan) | ___ | ___ | ___      |
| 4) Building Coverage Calculations                            | ___ | ___ | ___      |
| 5) Street Tree Locations                                     | ___ | ___ | ___      |
| 6) Yard Tree Locations                                       | ___ | ___ | ___      |
| 7) Site Plan Review Fee (\$150)                              | ___ | ___ | ___      |

**ACC COMMENTS**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

for the Architectural Control Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Submittal Conditionally Approved \_\_\_\_\_  
 Submittal Not Approved \_\_\_\_\_

**For ACC Use:**  
 Date Application received \_\_\_\_\_  
 Date of CRG Meeting at which application was reviewed \_\_\_\_\_  
 Date Applicant was notified \_\_\_\_\_

**APPENDIX A – FORMS**

**FORM C**

**Cactus & Bohls North**

Architectural Control Committee  
 3981 Spinnwood Springs Road, Ste. 201  
 Aubrey, Texas 76279

DATE \_\_\_\_\_

**APPLICATION FOR CONSTRUCTION START PERMIT**

BUILDER'S NAME: \_\_\_\_\_ PRODUCT NUMBER: \_\_\_\_\_  
 BUILDER'S ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 ARCHITECT: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 LANDSCAPE ARCHITECT: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 PRE-APPROVED MASTER HOUSE PLAN NUMBER: \_\_\_\_\_  
 ELEVATIONS OPTIONS: \_\_\_\_\_  
 PLAN OPTIONS: \_\_\_\_\_

Completed: Site Checklist Date Completed: \_\_\_\_\_

- 1) Master House Plan Review
- 2) Site Plan Review
- 3) Site Plan Review Fee
- 4) Sign stamped on ground

THE ARCHITECTURAL CONTROL COMMITTEE FOR CACTUS & BOHLS NORTH HEREBY APPROVES THE PLANS AND SPECIFICATIONS AND GRANTS PERMISSION TO COMMENCE CONSTRUCTION, PENDING OTHER REGULATORY JURISDICTION, ON THE ABOVE-DENOTED LOT.

**ACC COMMENTS**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

for the Architectural Control Committee  
 Date \_\_\_\_\_ Submitted Approved \_\_\_\_\_  
 Submitted Conditionally Approved \_\_\_\_\_  
 Submitted Not Approved \_\_\_\_\_

**For ACC Use:**  
 Date Application received \_\_\_\_\_  
 Date of DRB Meeting at which application was reviewed \_\_\_\_\_  
 Date Applicant was notified \_\_\_\_\_

**Cactus & Bohls North**

Architectural Control Committee  
 3981 Spinnwood Springs Road, Ste. 201  
 Aubrey, Texas 76279

DATE \_\_\_\_\_

**APPLICATION FOR APPROVAL OF MATERIAL PALLETTE**

BUILDER'S NAME: \_\_\_\_\_ PRODUCT NUMBER: \_\_\_\_\_  
 BUILDER'S ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 ARCHITECT: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 LANDSCAPE ARCHITECT: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 BUILDER: \_\_\_\_\_  
 PRE-APPROVED MASTER HOUSE PLAN NUMBER: \_\_\_\_\_  
 ELEVATIONS OPTIONS: \_\_\_\_\_  
 PLAN OPTIONS: \_\_\_\_\_

- 1) Facade Material 1
- 2) Facade Material 2
- 3) Facade Material 3
- 4) Porcelain Brick or Stone on All Elevations

NOTE: No more than two (2) material types may be used and no more than two (2) variations of the same material may be used on a single elevation

**ACC COMMENTS**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

for the Architectural Control Committee  
 Date \_\_\_\_\_ Submitted Approved \_\_\_\_\_  
 Submitted Conditionally Approved \_\_\_\_\_  
 Submitted Not Approved \_\_\_\_\_

**For ACC Use:**  
 Date Application received \_\_\_\_\_  
 Date of DRB Meeting at which application was reviewed \_\_\_\_\_  
 Date Applicant was notified \_\_\_\_\_

**FORM D**

**APPENDIX A - FORMS**

**Cactus & Bohls North**  
Architectural Control Committee  
3801 Spicewood Springs Road, Ste. 201  
Austin, Texas 78759

**FORM E**

DATE \_\_\_\_\_

**VARIANCE AND APPEAL FORM**

BUILDER'S NAME \_\_\_\_\_ PRODUCT NUMBER \_\_\_\_\_  
BUILDER'S ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_  
ARCHITECT \_\_\_\_\_ PHONE \_\_\_\_\_  
LANDSCAPE ARCHITECT \_\_\_\_\_ PHONE \_\_\_\_\_  
BUILDER \_\_\_\_\_ PHONE \_\_\_\_\_

**VARIANCES:** Variances can be granted by the ACC when circumstances such as topography, natural obstructions, hardship, aesthetic, or environmental considerations may require. Indicate below why circumstances require that a variance be granted.

**APPEAL:** Decisions of the ACC may be appealed. Within 15 days following the final decision by the ACC, a written request must be received to the above address. Indicate below why you feel the decision of the ACC should be reversed.

**ACC USE**

- The Variance/Appeal was:  
 Approved/granted as  
 Approved/granted on with the Conditions noted below.  
 Disapproved for the reasons noted below.  
 Incomplete Application.

**COMMENTS:**

## APPENDIX B – INSPECTIONS

The following inspection guidelines apply only to privately developed single family homes within Cactus and North Harts.

### A. ACC Inspections

The ACC may inspect the project site at any time during the construction process to assess compliance with this Code. Otherwise, scheduled inspections are:

1. Construction Start Permit Inspection - shall occur on the ground.
2. Construction Completion Certificate Inspection - including final landscape inspection - All improvements completed per plan.
3. To apply for a Construction Start Permit without Form D, found in Appendix A.

### B. Building Code Inspections

1. Concrete  
 Concrete is both North and outside the jurisdiction of the City of Phoenix building inspectors. In an effort to assure minimum standards for property improvements, the ACC requires a professional third party inspection service to perform building code inspections, unlike a municipal program.

The form for change from term to term due to a change in the requirement for inspection services or other recommended changes provided by the inspection service. The Building Code Inspection Services will be paid directly by the builder. The ACC's requirement with the inspection service is to provide a copy of the inspection report to the ACC. The ACC will not be responsible for any other building code inspection program. The ACC, however, does not allow for building code inspections, nor does it require any authority over parties or other inspectors performed by its inspection service.

### 2. Building Code Final

Upon completion of the project and after all inspections have been satisfactorily completed, a Certificate of Occupancy will be issued, certifying that the structure has been inspected and meets the following prescribed performance codes:  
 - Residential Building Code Standards - 2003 International Residential Code,  
 - CMBS Code - 1995 The One and Two Family Dwelling Code, as adopted,  
 - Any other codes as applicable within the Phoenixville ETL.

Failure to obtain a Certificate of Occupancy prior to occupancy of the residence results in a hold on future Construction Start permits for the builder in violation. In addition, in such circumstances, the ACC may pursue legal remedy for correcting such violation against the Cactus and North Harts Home Declarators of Covenants, Conditions, and Restrictions.

3. Inspections  
 NOTE: All of the following inspections are required. None of the inspections is taken, a contractor will be notified before proceeding. All builders are responsible for payment of all inspections. The rate for inspection fees are set by the Inspection Service. Inspections are charged to the Property Owner at the same rate as regular inspections.

- a. Layout Inspection  
 1. Post-tension, rebar, cast-in-place concrete walls, and other structural elements are to be in place.

- b. All property corners are located and flagged, along with any other items that are to be set out and marked. All pipes and conduits are to be installed and marked. All items are to be installed and marked. All items are to be installed and marked. All items are to be installed and marked.

- c. Plumbing Rough Drain lines and vents prior to plastic and steel. All other waste, vents and supports are in place and tested prior to setting slab. Test (10) foot head of pressure to be verified. All pipes and fittings to be prepared for final inspection prior to placement of plastic and steel.

- d. Pre-Pour Foundation Inspection  
 1. All trenches are excavated, forms erected and braced, burred, screeded, plastic on all slabs and reinforcement in place. Head-vents of slab after about 48 hours in place, and slabs are finished and ready to pour. Foundation is to be in compliance with engineered plans and code.

- e. Plumbing Copper or Supply Piping Inspection: All lines are in place and protected with no leaks in slab. Lines all allowed to protect pipes. Hot water lines installed below slab and all cold water lines installed within 3 feet of exterior beam face. Copper must have at least 100 psi air or water pressure test in place. Size water supply line according to future wall demand listed in code book.

- f. Framing Group Inspection  
 1. This inspection is called Framing Group and includes all framing, including top out, mechanical rough, and electrical rough. This is not to be used by the builder as a punch out inspection. The builder is expected to have own punch out and then call for inspection. Over two white tags on the inspection report available for an automatic turn down as not ready. The items below must be complete and ready at time of framing group inspection.

1. Frame Inspection: All framing, including blocking, bracing in place, roof dead in, framing installed, windows and exterior doors in place and finished.
2. Plumbing Rough Inspection: All pipes are in place, supports completed, vent, downspout, roof eave, and boots fixed, water heater location and trap arms are

completed. Water shown and gas flow tests in place and ready to verify. Tests shown part and P.V.C. fitted with water. Copper under 100 psi pressure.

3. Mechanical Rough Inspection: All gas work and vents are in place and ready to verify. All gas work and vents are in place and ready to verify. All gas work and vents are in place and ready to verify.

4. Electrical Rough Inspection: All wiring, boxes, piping, final meters, panels, and sub-panels, conduit drop and all work to be covered or installed but prior to plugging of conduits and sheathed.

5. Foundation Inspection  
 1. All foundation is finished and all back and penetrations sealed and baffles installed.

6. Walkout Inspection  
 1. To be called when all walkout is in place and finished properly according to schedule but prior to laying and flooring.

7. Final Inspection  
 1. To be called when the building is completed and ready for occupancy. The walkout is normally finished with the Final Inspection. It may be done separately if requested for an additional change per inspection.

8. Mechanical: All equipment has been installed and tested for gas, including gas valves, exhaust hoods, furnace and water heater vents and all supply and return air ducts installed, connected with no seal test on ducts in place. Pressure test and according to Texas N.R.C. rule.

9. Electrical: All boxes, switches, receptacles, grounds, appliances and equipment are installed and ready for use with meter box in place.
10. Plumbing: All valves and fixtures are installed, all waste completed. Water systems tested. Gas lines connected and tested. Supply is cover connected. Construction set ready for all gas load application.

11. The Application for Certificate of Occupancy will be signed at this time and submitted to ACC. If all inspections pass and if the inspection schedule has been paid in full for all service.

### C. Municipal Utility District Inspections

The following are additional scheduled inspections:

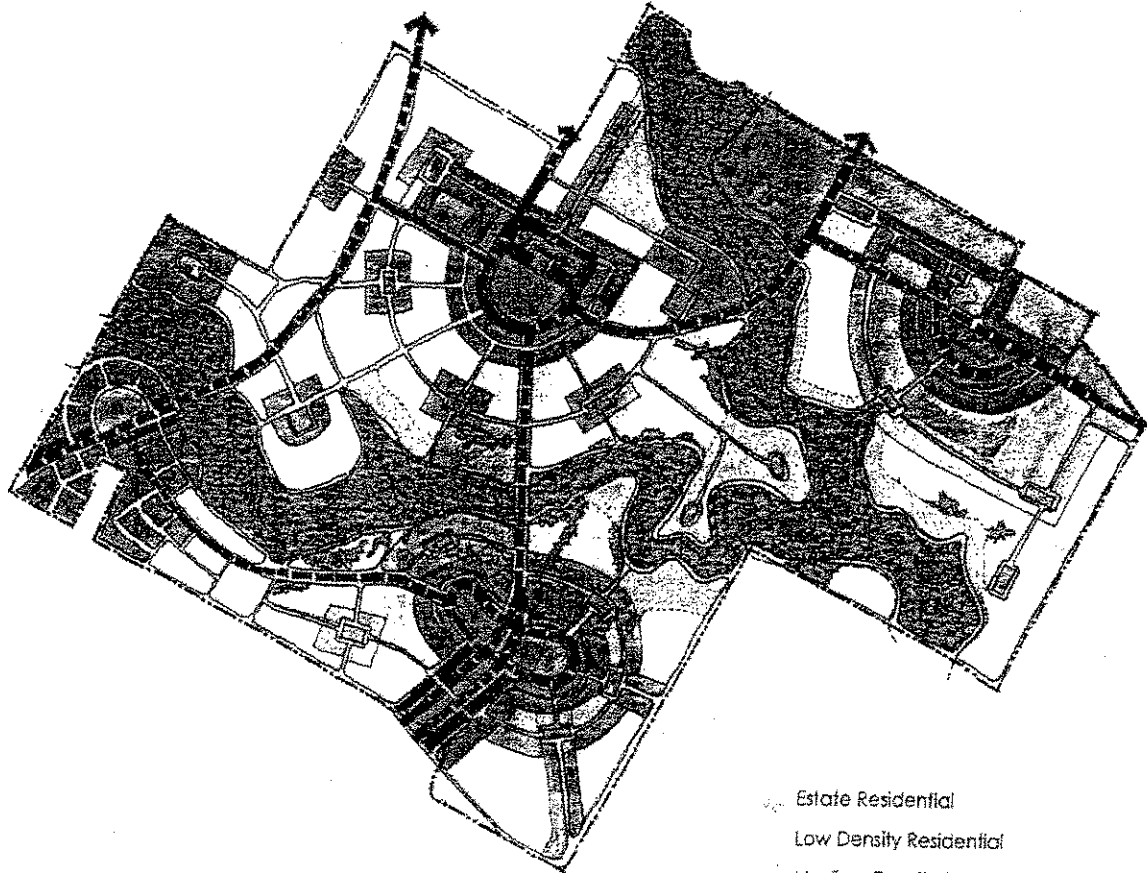
1. Yard area and utility connections from house to public N.C.W. prior to backfill.
2. Final lot grading and landscaping to provide drainage and to meet minimum PHD standards are met.











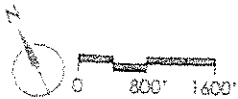




ATTACHMENT M-2  
WILDFLOWER LAND PLAN



-  Estate Residential
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Retail/Commercial
-  Civic/Education
-  Civic/Open Space
-  Natural Areas





Agendizer

July 25, 2006

Item Number: 11A

First amendment to the Cactus/Wildpflower development agreement regarding the proposed Cactus Alternate Land Use Regulation (ALUR) district. The Cactus property is located east of SH 130 and south of Pflugerville Parkway. The Bohls North property is located northeast of the intersection of Weiss Lane and Jesse Bohls Road.

**Summary:** The Cactus ALUR allows flexible development standards negotiated between the applicant and the City. Approximately 360 acres of the development will be located within the City of Pflugerville, with the remainder being located in the City's extraterritorial jurisdiction (ETJ).

The timing of commercial development has been addressed by the following:

- The applicant has agreed to participate with the City in future marketing efforts of the commercial component of the development through the provision of demographic data and marketing materials. Also, the applicant has committed to furnishing refined concept plans for this component for marketing and the joint economic development efforts of the commercial component.

The first amendment also addresses an escrow agreement for the purpose of funding off-site water and wastewater improvements to serve the Cactus Town Center ALUR. In addition, a Preliminary Plan application must be submitted within six months from the approval of this agreement.

Two revisions will be made to the regulating plan, Attachment M-1 of the development agreement, prior to the Council meeting. These changes are:

- The Developer may convert up to 70% of the lots in the Bohls North portion of the ALUR to standard City lots with a minimum width of 70 feet and a minimum area of 9,000 square feet. Lots that are converted to standard City lots will not be required to comply with the Garage Treatments called for under: Building Placement Definitions Item H. on Pages 21 and 23 in Section 4.02, including the garage being recessed a minimum of five feet from the face of the house, roof extensions, trellises, shade structures, porches and/or balconies. All other requirements of the ALUR shall remain in force under such a conversion.
- The definition of lot frontage will be amended to state: the length of the Front Setback as measured from its point of intersection with one side lot line to its point of intersection with the other side lot line.

The recommendation for denial from the Planning and Zoning Commission requires a majority plus one vote (4 votes) of the City Council to approve the ALUR.

The following issues were

addressed in the work session held on May 23rd and are reflected in the ALUR agreement:

**Recommendation:** The Planning and Zoning Commission recommended disapproval of the application (5-2) on April 17, 2006 since many of the issues remained unresolved at that time and the Commission did not have the authority to extend the review time. The Commission then participated in a work session with the City Council and the applicant on May 2, 2006, at which time some of the issues were resolved.

**Action Required by:** None.

**Prepared by:** Charles L. Simon, ACM

**Fiscal Impact:** None.

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**Attached Files:** (Click to display file.)

Development Agreement

Attachment M-1

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>> Return to the agenda. <<