



CITY OF FULSHEAR

"FIND YOUR FUTURE IN FULSHEAR"

30603 FM 1093 WEST/ PO Box 279 ~ FULSHEAR, TEXAS 77441

PHONE: 281-346-1796 ~ FAX: 281-346-2556

WWW.FULSHEARTEXAS.GOV

CHAIRMAN- AMY PEARCE
MEMBER- JOAN BERGER
MEMBER- JASON CHERUBINI

PLANNING & ZONING:
MEMBER- RANDY STACY
MEMBER- GREGORY EHMAN

CO-CHAIR- DAR HAKIMZADEH
MEMBER- JOHN DOWDALL

CITY MANAGER: Jack Harper

STAFF:

CITY SECRETARY: Kimberly Kopecky

CITY ATTORNEY: J. Grady Randle

PLANNING AND ZONING COMMISSION MEETING AGENDA NOVEMBER 8, 2019

NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF FULSHEAR TO BE HELD ON FRIDAY, NOVEMBER 8, 2019 AT 8:30 A.M. IN THE CITY HALL, 30603 FM 1093, FULSHEAR, TEXAS, FOR THE PURPOSE OF CONSIDERING THE FOLLOWING ITEMS.

"Incidental Meeting Notice: A quorum of the City of Fulshear City Council, Planning & Zoning Commission, City of Fulshear Development Corporation (Type A), Fulshear Development Corporation (Type B), Parks & Recreation Commission, Historic Preservation & Museum Commission, Zoning Board of Adjustment, or any or all of these, may be in attendance at the meeting specified in the foregoing notice, which attendance may constitute a meeting of such governmental body or bodies as defined by the Texas Open Meetings Act, Chapter 551, Texas Government Code. Therefore, in addition to the foregoing notice, notice is hereby given of a meeting of each of the above-named governmental bodies, the date, hour, place, and subject of which is the same as specified in the foregoing notice."

- 1. Call to Order**
- 2. Quorum**
- 3. Citizen's Comments**

Citizens who desire to address the Planning And Zoning Commission with regard to matters on

the agenda will be received at this time. The number of speakers will be limited to the first ten (10) speakers and each speaker is limited to three (3) minutes. Comments or discussion by planning and zoning members will only be made at the time the subject is scheduled for Consideration.

4. Public Hearing – Ordinance Amending Special Use Permit Regulations

In compliance with the City of Fulshear Code of Ordinances, Appendix A, Article V, Section 1-278, the City will hold two Public Hearings; the first Public Hearing will be held by the Planning and Zoning Commission on November 8, 2019 at 8:30 AM. The hearing will be held at City Hall located at 30603 FM 1093. The second hearing will be held by the City Council on November 19, 2019 at 7:00 PM. The hearing will be held at the Irene Stern Community Center located at 6920 Katy Fulshear Road. Both hearings will allow all interested persons an opportunity to be heard. The purpose of the hearing is to consider and take action upon an ordinance amending Special Use Permit procedures and allowances within the City of Fulshear.

A copy of said ordinance and documents is on file at the City of Fulshear City Hall located at 30603 FM 1093 Fulshear, Texas 77441 on Monday through Thursday from 8:00AM to 3:00PM and Fridays from 8:00AM to 3:00PM in the City Secretary’s office for all interested parties prior to said hearing.

If you have any questions regarding this request, please call the City Secretary’s office at 281-346-1796.

5. Consideration and possible action to approve Minutes from Planning and Zoning Commission meeting held on October 4, 2019

6. Consideration and possible action to recommend approval of a Sign Variance for Move It Storage located at 29625 FM 1093

7. Consideration and possible action to recommend approval of an ordinance amending Special Use Permit regulations

8. Consideration and possible action to recommend approval of Jordan Ranch Section 19 Final Plat

9. Consideration and possible action to recommend approval of Jordan Ranch Street Dedication No. 5 Final Plat

10. Consideration and possible action to recommend extension of approval for Tamarron Section 12 Final Plat

11. Adjournment

The Planning and Zoning Commission reserves the right to adjourn into Executive Session at any time during the course of this meeting regarding the matters listed above, as authorized by Texas Government Code Section 551.071 (if necessary consultation with attorney).

Note: In compliance with the American Disabilities Act, this facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive

service must be made at least 48 business hours prior to this meeting. Please contact the City Secretary's office at 281-346-1796 for further information.

I, Kimberly Kopecky, City Secretary of the City, do hereby certify that the above Notice of Meeting and Agenda for the Planning and Zoning Commission of the City of Fulshear, Texas was posted on Monday, November 4, 2019 by 5:00 p.m., in a place convenient and readily accessible at all times to the general public, in compliance with Chapter 551, TEXAS GOVERNMENT CODE.

Kimberly Kopecky

Kimberly Kopecky – City Secretary

PUBLIC HEARING

In compliance with the City of Fulshear Code of Ordinances, Appendix A, Article V, Section 1-278, the City will hold two Public Hearings; the first Public Hearing will be held by the Planning and Zoning Commission on November 8, 2019 at 8:30 AM. The hearing will be held at City Hall located at 30603 FM 1093. The second hearing will be held by the City Council on November 19, 2019 at 7:00 PM. The hearing will be held at the Irene Stern Community Center located at 6920 Katy Fulshear Road. Both hearings will allow all interested persons an opportunity to be heard. The purpose of the hearing is to consider and take action upon an ordinance amending Special Use Permit procedures and allowances within the City of Fulshear.

A copy of said ordinance and documents is on file at the City of Fulshear City Hall located at 30603 FM 1093 Fulshear, Texas 77441 on Monday through Thursday from 8:00AM to 3:00PM and Fridays from 8:00AM to 3:00PM in the City Secretary's office for all interested parties prior to said hearing.

If you have any questions regarding this request, please call the City Secretary's office at 281-346-1796.

POSTED: October 25, 2019 and October 28, 2019



CITY OF FULSHEAR

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30603 FM 1093 WEST/ PO Box 279 ~ FULSHEAR, TEXAS 77441

PHONE: 281-346-1796 ~ FAX: 281-346-2556

WWW.FULSHEARTEXAS.GOV

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MEMBER- JOAN BERGER
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PLANNING & ZONING:
MEMBER- RANDY STACY
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CO-CHAIR- DAR HAKIMZADEH
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CITY MANAGER: Jack Harper

STAFF:

CITY SECRETARY: Kimberly Kopecky

CITY ATTORNEY: J. Grady Randle

PLANNING AND ZONING COMMISSION MEETING MINUTES OCTOBER 4, 2019

1. Call to Order

A REGULAR MEETING OF THE FULSHEAR PLANNING AND ZONING COMMISSION WAS CALLED TO ORDER BY CHAIRMAN PEARCE AT 8:30 A.M. ON FRIDAY, OCTOBER 4, 2019 AT CITY HALL, 30603 FM 1093, FULSHEAR, TEXAS 77441.

2. Quorum

A QUORUM WAS PRESENT.

MEMBERS PRESENT

*AMY PEARCE
JOAN BERGER
RANDY STACY
GREGORY EHMAN
DAR HAKIMZADEH
JASON CHERUBINI*

MEMBERS ABSENT

JOHN DOWDALL

CITY STAFF

KIMBERLY KOPECKY

ZACH GOODLANDER

KERRY SIGLER

RODRIGO RODRIGUEZ

SHARON VALIANTE

CHANDLER MARKS

BYRON BROWN (ARRIVED AT 8:36 A.M.)

OTHERS PRESENT

KAYE KAHLICH

GERALD GRISSOM

TREY DEVILLIER

AND APPROXIMATELY 3 OTHERS THAT DID NOT SIGN IN.

3. Citizen's Comments

Citizens who desire to address the Planning And Zoning Commission with regard to matters on the agenda will be received at this time. The number of speakers will be limited to the first ten (10) speakers and each speaker is limited to three (3) minutes. Comments or discussion by planning and zoning members will only be made at the time the subject is scheduled for Consideration.

KAYE KAHLICH SPOKE REGARDING THE SIGN VARIANCE.

4. Consideration and possible action to approve Minutes from Planning and Zoning Commission meeting held on September 6, 2019

A MOTION WAS MADE BY PLANNING AND ZONING MEMBER STACY TO APPROVE MINUTES FROM THE PLANNING AND ZONING COMMISSION MEETING HELD ON SEPTEMBER 6, 2019. IT WAS SECONDED BY PLANNING AND ZONING MEMBER HAKIMZADEH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PLANNING AND ZONING MEMBERS BERGER, CHERUBINI, EHMAN, HAKIMZADEH, STACY, AND PEARCE

NAYS: NONE

ABSENT: PLANNING AND ZONING MEMBER DOWDALL

5. Consideration and possible action to recommend approval of a Sign Variance for Move It Storage located at 29625 FM 1093

A MOTION WAS MADE BY PLANNING AND ZONING MEMBER STACY TO DENY THE REQUEST REGARDING A SIGN VARIANCE FOR MOVE IT STORAGE LOCATED AT 29625 FM 1093. IT WAS SECONDED BY PLANNING AND ZONING MEMBER HAKIMZADEH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PLANNING AND ZONING MEMBERS BERGER, CHERUBINI, EHMAN, HAKIMZADEH, STACY, AND PEARCE

NAYS: NONE

ABSENT: PLANNING AND ZONING MEMBER DOWDALL

6. Consideration and possible action to recommend approval of Golden Manor Dr. Street Dedication Preliminary Plat

A MOTION WAS MADE BY PLANNING AND ZONING MEMBER HAKIMZADEH TO RECOMMEND APPROVAL OF GOLDEN MANOR DR. STREET DEDICATION PRELIMINARY PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER BERGER. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PLANNING AND ZONING MEMBERS BERGER, CHERUBINI, EHMAN, HAKIMZADEH, STACY, AND PEARCE

NAYS: NONE

ABSENT: PLANNING AND ZONING MEMBER DOWDALL

7. Consideration and possible action to recommend approval of Bonterra at Cross Creek Ranch Section 11A Preliminary Plat

A MOTION WAS MADE BY PLANNING AND ZONING MEMBER EHMAN TO RECOMMEND APPROVAL OF BONTERRA AT CROSS CREEK RANCH SECTION 11A PRELIMINARY PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER HAKIMZADEH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PLANNING AND ZONING MEMBERS BERGER, CHERUBINI, EHMAN, HAKIMZADEH, STACY, AND PEARCE

NAYS: NONE

ABSENT: PLANNING AND ZONING MEMBER DOWDALL

8. Consideration and possible action to recommend approval of a plat extension for Argonne Drive Final Plat

A MOTION WAS MADE BY PLANNING AND ZONING MEMBER EHMAN TO RECOMMEND APPROVAL OF A PLAT EXTENSION FOR ARGONNE DRIVE FINAL PLAT FOR A PERIOD OF 12 MONTHS. IT WAS SECONDED BY PLANNING AND ZONING MEMBER CHERUBINI. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PLANNING AND ZONING MEMBERS BERGER, CHERUBINI, EHMAN, HAKIMZADEH, STACY, AND PEARCE

NAYS: NONE

ABSENT: PLANNING AND ZONING MEMBER DOWDALL

CHAIRMAN PEARCE ASKED TO TAKE ITEMS 9 AND 10 TOGETHER. NO MEMBER OPPOSED.

9. Consideration and possible action to recommend approval of Creek Trace at Cross Creek Ranch Section 2 Final Plat

10. Consideration and possible action to recommend approval of Creek Trace at Cross Creek Ranch Section 3 Final Plat

A MOTION WAS MADE BY PLANNING AND ZONING MEMBER BERGER TO RECOMMEND APPROVAL OF CREEK TRACE AT CROSS CREEK RANCH SECTION 2 AND CREEK TRACE AT CROSS CREEK RANCH SECTION 3 FINAL PLATS. IT WAS SECONDED BY PLANNING AND ZONING MEMBER HAKIMZADEH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PLANNING AND ZONING MEMBERS BERGER, CHERUBINI, EHMAN, HAKIMZADEH, STACY, AND PEARCE

NAYS: NONE

ABSENT: PLANNING AND ZONING MEMBER DOWDALL

11. Consideration and possible action to recommend approval of Flewellen Way NWC Tract Final Plat

A MOTION WAS MADE BY PLANNING AND ZONING MEMBER HAKIMZADEH TO RECOMMEND APPROVAL OF FLEWELLEN WAY NWC TRACT FINAL PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER EHMAN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PLANNING AND ZONING MEMBERS BERGER, CHERUBINI, EHMAN, HAKIMZADEH, STACY, AND PEARCE

NAYS: NONE

ABSENT: PLANNING AND ZONING MEMBER DOWDALL

12. Consideration and possible action to recommend approval of a vacation and abandonment of the Rustic Oaks Subdivision Plat

A MOTION WAS MADE BY PLANNING AND ZONING MEMBER HAKIMZADEH TO RECOMMEND APPROVAL OF A VACATION AND ABANDONMENT OF THE RUSTIC OAKS SUBDIVISION PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER STACY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PLANNING AND ZONING MEMBERS BERGER, CHERUBINI, EHMAN, HAKIMZADEH, STACY, AND PEARCE

NAYS: NONE

ABSENT: PLANNING AND ZONING MEMBER DOWDALL

13. Consideration and possible action to recommend approval of an amendment to Ordinance No. 2013-1091, Section 34-29 and Section 34-115 “Plat Requirements”

A MOTION WAS MADE BY PLANNING AND ZONING MEMBER HAKIMZADEH TO RECOMMEND APPROVAL OF AN AMENDMENT TO ORDINANCE NO. 2013-1091 TO RELIEVE THE BURDEN REGARDING “PLAT REQUIREMENTS” IN THE INTERIM. IT WAS SECONDED BY PLANNING AND ZONING MEMBER EHMAN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PLANNING AND ZONING MEMBERS BERGER, CHERUBINI, EHMAN, HAKIMZADEH, STACY, AND PEARCE

NAYS: NONE

ABSENT: PLANNING AND ZONING MEMBER DOWDALL

14. Adjournment

A MOTION TO ADJOURN WAS MADE BY PLANNING AND ZONING MEMBER HAKIMZADEH. IT WAS SECONDED BY PLANNING AND ZONING MEMBER CHERUBINI. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PLANNING AND ZONING MEMBERS BERGER, CHERUBINI, EHMAN, HAKIMZADEH, STACY, AND PEARCE

NAYS: NONE

ABSENT: PLANNING AND ZONING MEMBER DOWDALL

CHAIRMAN PEARCE ADJOURNED THE MEETING AT 9:46 A.M.

**AGENDA MEMO
BUSINESS OF THE PLANNING &
ZONING COMMISSION
CITY OF FULSHEAR, TEXAS**

AGENDA OF:	November 8, 2019	ITEM NUMBER:	
DATE SUBMITTED:	October 28, 2019	DEPARTMENT:	Planning and Development
PREPARED BY:	Zach Goodlander, Director of Development Services, Kerry Sigler, Building Official	PRESENTER:	Zach Goodlander, Director of Development Services
SUBJECT:	Sign Variance Request – Move-It Storage		
ATTACHMENTS:	1. Application and Related Documents		

EXECUTIVE SUMMARY

Move-It Storage has made an application for a façade/wall sign permit which has been denied for non-compliance with Chapter 28, Section 28-4, (2), (b) of the City of Fulshear Code of Ordinances. The property is located within the Special Highway Sign District, specifically 29625 FM 1093 Road. This variance request was previously brought to the Planning & Zoning Commission and denied unanimously. According to the City Attorney's office the City of Fulshear does not have anything in its code of ordinances that would prevent a variance applicant from reapplying for the same variance for the same sign. What the Planning & Zoning Commission can do however if it wishes to deny the variance again is make the denial effective for a certain period of time when it rules, making the time part of its motion.

Chapter 28, Section 28-4, (2), (b), specifically states;

b. Façade or wall signs. Façade or wall signs shall be allowed only on a wall or façade that is parallel to a public street, and only so long as the total sign area does not exceed ten percent of the area of the façade or wall on which it is mounted or painted,

The applicant has paid all associated fees for this variance and provided all necessary documentation.

STAFF RECOMMENDATION

Move-It Storage is requesting a variance to be allowed to place a sign not only parallel to the street (FM 1093) but also on it's east side. A variance is also requested that the two signs be allowed to exceed ten percent of the area of the façade or wall on which they will be mounted. The reason cited by the applicant is the distance the store front will now be from westbound traffic.

City Staff recommends that the Planning & Zoning Commission having unanimously denied the request previously, do so again but add in their motion a time limit before they may make the same request before this body again.

The applicant does have the right within 10 days of a denial by the Planning and Zoning Commission to appeal the decision to the City Council.

HARDSHIP: It shall be incumbent upon an applicant to conclusively prove at the hearing that, if compelled to meet the provisions of this Ordinance, the applicant cannot secure reasonable use of the property; that the hardship claimed results from the application of the provisions of this Ordinance; that the hardship claimed is suffered by the property directly; and not merely by other properties; that the hardship claimed is no the result of the applicant's own actions.

Please Note: Monetary or cosmetic reasons will not pass the hardship standard.

ITEM 1

Completed Sign Variance Application



CITY OF FULSHEAR

DEVELOPMENT SERVICES

PO Box 279 / 29255 FM 1093 #12C
Fulshear, Texas 77441
Phone: 281-346-8860 ~ Fax: 281-346-8237
www.fulsheartexas.gov

SIGN VARIANCE APPLICATION

APPLICATION FEE: \$75.00 NON-REFUNDABLE

APPLICATION DATE: 10/31/19

ADDRESS OF PREMISES AFFECTED: 29625 Fm 1093

LEGAL DESCRIPTION: _____

OWNERS INFORMATION:

NAME Move it Storage
ADDRESS 29625 Fm 1093 CITY, STATE, ZIP Fulshear, TX
EMAIL _____ PHONE NUMBER _____

APPLICANTS NAME (if different than owner) Katlyn McBoidnick
ADDRESS 11201 Fm 1093
CITY Conroe STATE TX
ZIP CODE 77306 EMAIL permits@bakusigns.com PHONE NUMBER 936-446-1239

EXPLAIN REQUEST: (fully explain the existing conditions that make this request necessary)

(1) I am requesting a variance to allow a sign on an additional elevation that is not on direct road frontage. The east Elevation which allows greater visibility to vehicles therefore allowing drivers to clearly identify the property in time to turn safely.
(2) The actual wall signs on each elevation are less than 10% of each facade when taking the entire 2 story wall into account. Each sign is only 21.27 sq ft. We are requesting the size to be allowed to maintain clarity & legibility for all.

Status of the Project: Existing Under Construction Proposed

Have there been previous variance requests for this property? NO

Are there similar situations in the area? _____

Addresses: _____

Have you informed your Home Owners Association? _____ or Neighbors? _____

Request Proposal and Description: Provide a description of the existing and or proposed physical property improvements relative to this case (ie: materials, structure type and height, dimensions, etc.) Please also supply and identify photos where applicable, to support your case:

Please see attached photos of business with signs not facing
direct road frontage

Acknowledgement: I certify that the information herein provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will cause this case to be presented in public hearing before the Planning Commission, unless I withdraw same prior to the City's posting of public notice. Should I initiate withdrawal after public notice is posted, I understand that the Board action shall constitute denial of the case, and the filing fee will be non-refundable. I understand that if I receive approval, I must still obtain approval from all other required departments within the City and that I must obtain required permits within 180 days from the date of the Board approval.

Signed by the Applicant/Owner Agent:  Date: 10/31/19

ITEM 2

Sign Details

F. M. 1093
(220' ROW)

Proposed new edge
of roadway

Farm to Market 1093 Rd

Proposed new
property line

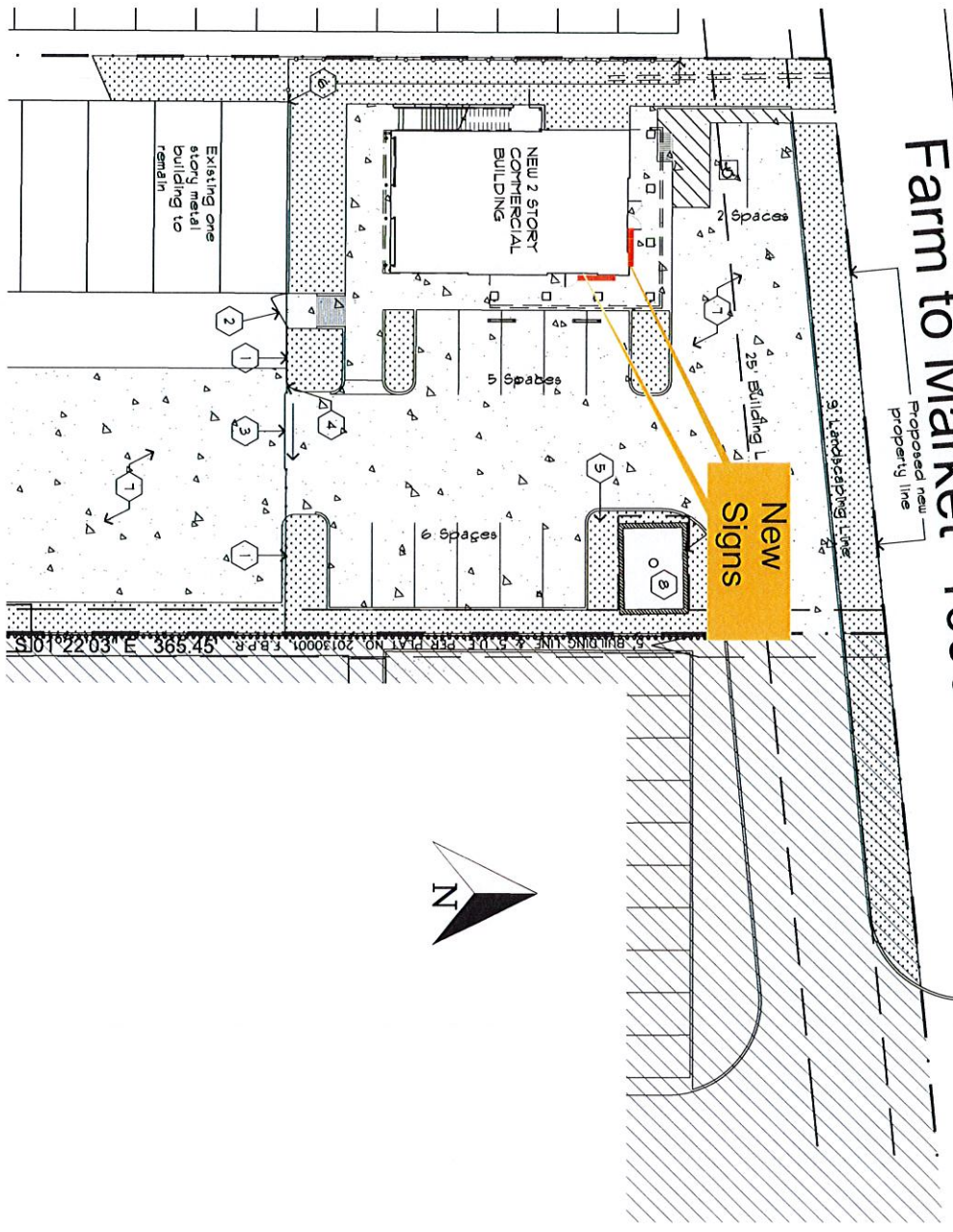
9' Landscaping Line

New
Signs

25' Building L

NEW 2 STORY
COMMERCIAL
BUILDING

Existing one
story metal
building to
remain



14 Enlarged Site Plan

Color renderings are for presentation only and should not be considered as manufacturing drawings.

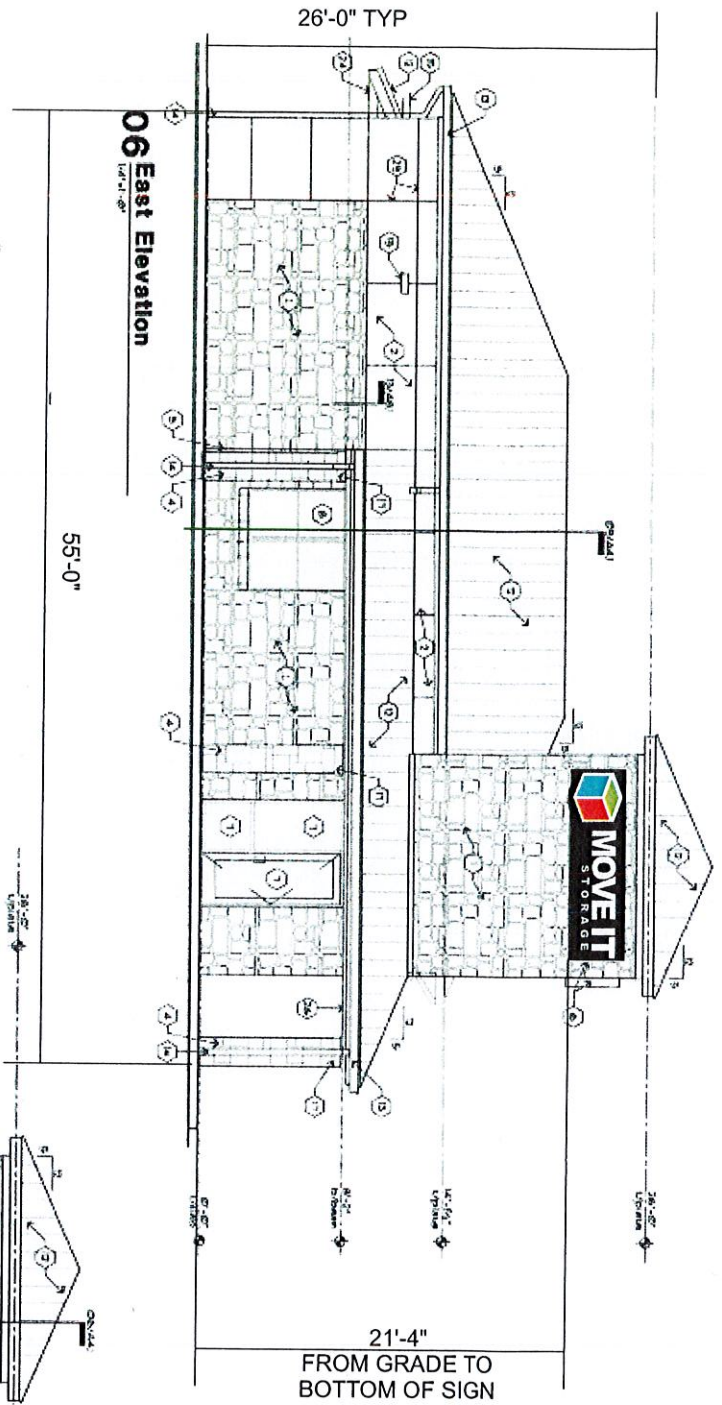
Move It Self Storage
29625 FM 1093
Fulshear, TX (Fort Bend County)

Approval:

Date:

Customer: Move It Self Storage
Created: 8-14-19
Revised: 8-21-19
Dwg: Site 103 Fulshear

Scale: Proportional
Illustrated by: Smith



Color renderings are for presentation only and should not be considered as manufacturing drawings.

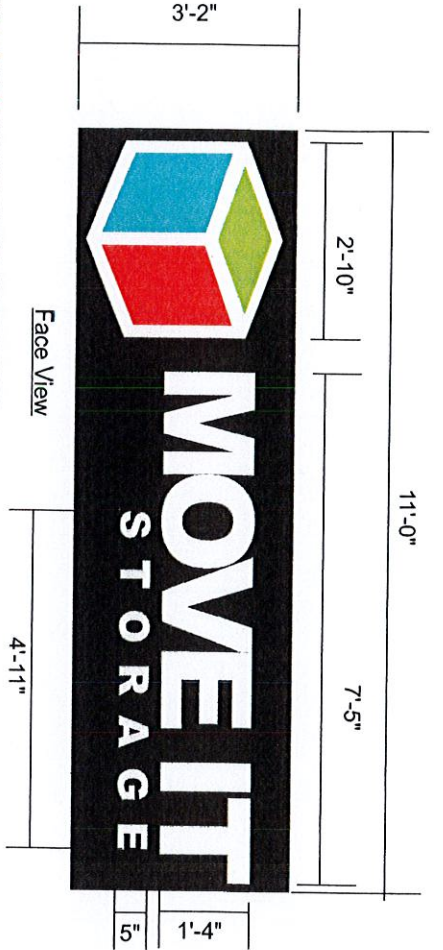
Move It Self Storage
 29625 FM 1093
 Fulshear, TX (Fort Bend County)

Approval:

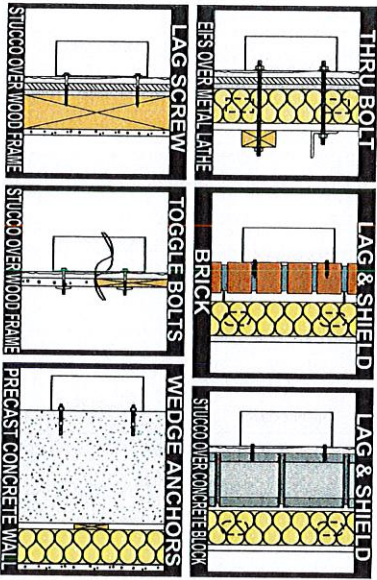
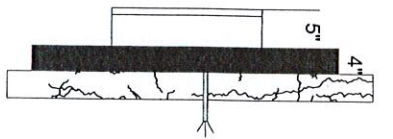
Date:

Customer: Move It Self Storage
 Created: 8-14-19
 Revised: 8.21.19
 Dwg: Permit 102 Fulshear

Scale: Proportional
 Illustrated by: Smith



Logo=	8.97 SF
MOVE IT=	9.8 SF
Storage=	2.5 SF
Total=	21.27 SF



ELECTRICAL NOTES



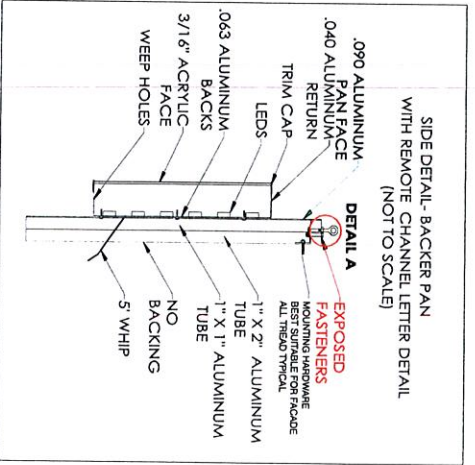
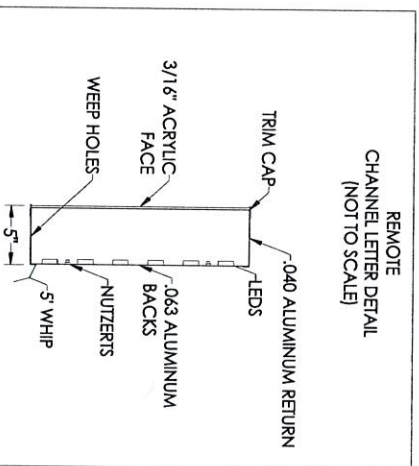
All signage to be installed in compliance with National and Local Electrical Code



All signage to be constructed and installed in compliance with UL Standards

ELECTRICAL NOTE-Actual # of circuits to be determined by a Licensed Electrical Contractor
 TOTAL AMPS- 5
 # OF CKTS- 1 20 AMP(RECOMMENDED)
 VOLTS- 120
 ALL SIGNAGE WILL BE (U.L.) LISTED, (U.L.) 2161 COMPLIANT AND CARRY (U.L.) LABELS.

U.L. Approved Sign w/ Labels. All Components U.L. Approved.
 Install Per NEC 2011, Grounding As Per NEC Article 250 and FBC 2017, 6th Edition.
 LED Power Supply 120 Volt input 12 Volt DC Output. Each Power Supply 1.0 Amp



Proposed:
 New Logo & Channel Letters w / Black Carrier Cabinet
 White PCB Face w/ White Trim & Returns
 Internally Illuminated w/ White LED Modules
 Survey Required To Determine Exact Size

Color renderings are for presentation only and should not be considered as manufacturing drawings.

Move It Self Storage
 29625 FM 1093

Fulshear, TX (Fort Bend County)

Customer: Move It Self Storage
 Created: 8-14-19
 Revised: 9-21-19

Dwg: Permit101 Fulshear

Approval: _____ Date: _____

Scale: Proportional
 Illustrated by: Smith

**AGENDA MEMO
BUSINESS OF THE PLANING &
ZONING COMMISSION
CITY OF FULSHEAR, TEXAS**

AGENDA OF:	November 8, 2019	ITEM NUMBER:	
DATE SUBMITTED:	October 25, 2019	DEPARTMENT:	Planning and Development
PREPARED BY:	Zach Goodlander, Director of Development Services, Brant Gary, Assistant City Manager	PRESENTER:	Zach Goodlander, Director of Development Services
SUBJECT:	An Ordinance Amending Special Use Permit Regulations		
ATTACHMENTS:	1. Ordinance 2019-1314, an ordinance amending Special Use Permit Regulations		

EXECUTIVE SUMMARY

This, like the ordinance amending platting regulations, has been pushed forward by City Council for immediate action, ahead of the rest of the CDO process. The primary purpose for the “Special Use Text Amendments” is to remove the special use permit processing for land uses that can be approved administratively. The City’s existing ordinance has a large number of special uses that are approved by City Council, after recommendation by the Planning & Zoning Commission without any specific standards set to each land use. This process has been found to be unduly cumbersome and subjective by the existing City Council, the development community, citizens, and City Staff. For this reason, the proposed amendments shift the majority of the land uses to a conditional use approval process. Conditional use approval creates a “checklist” of items (or “conditions”) that are necessary for the approval of each land use to occur administratively.

Other key changes reflected in the draft amendments include the following:

- Deletion of the existing land use table in Sec. 1-196. This needs to be deleted because the existing table conflicts significantly with the existing land uses shown in each specific zoning district.
- Deletion of all subsections referencing “Prohibited Uses.” Language has been added to Sec. 1-196 stating that if a land use is not specifically listed as permitted, conditional, or special then it is prohibited.
- Land uses that were very similar were combined so that it will be easier for City Staff to determine which land use a specific request falls under.
- The term “Place of Worship” has been changed to “Place of Assembly” to comply with federal law. The associated definition for the term has been changed as well.
- Some sections were reorganized to make the overall code easier for the user to read.

RECOMMENDATION

Staff recommends the Planning & Zoning Commission recommend the ordinance for approval to City Council.

ORDINANCE NO. 2019-1314

AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, AMENDING VARIOUS LAND USE REGULATIONS SET FORTH IN APPENDIX A OF THE FULSHEAR CODE, GOVERNING ZONING, INCLUDING BUT NOT LIMITED TO CONDITIONAL USES, SPECIAL USES, AND PROHIBITED USES, BUT NOT INCLUDING ANY CHANGE IN ZONING CLASSIFICATION; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City Council of the City of Fulshear, Texas (the "City"), is constantly reviewing the Code of Ordinances, City of Fulshear, Texas (the "Fulshear Code") to identify provisions which may be amended for clarity, efficiency, or other purposes to protect health, life, and property and to preserve the good government, order, and security of the City and its inhabitants; and

WHEREAS, the City recognizes that Appendix A of the Fulshear Code, governing zoning, requires substantial proceedings prior to certain land uses being approved within certain zoning districts; and

WHEREAS, the City desires to amend Appendix A of the Fulshear Code in order to expedite the approval process for one or more of such land uses, without changing zoning classification; and

WHEREAS, after giving due notice as required by Chapter 211 of the Texas Local Government Code, the Planning and Zoning Commission held a public hearing on its preliminary report on such amendment, and has submitted a final report to the City Council of the City of Fulshear; and

WHEREAS, the Planning and Zoning Commission has made a recommendation to the City Council regarding the amendment; and

WHEREAS, after receiving the final report of the Planning and Zoning Commission, and after giving due notice as required by Chapter 211 of the Texas Local Government Code, the City Council held a public hearing on the matter at which parties in interest and citizens had an opportunity to be heard; and

WHEREAS, the City Council desires to amend Appendix A of the Fulshear Code as provided herein, finds that such amendment is in accordance with the City's comprehensive plan, and finds that such amendment promotes the public health, safety, morals, or general welfare and protects and preserves places of civic or architectural importance and significance;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:

Section 1. Appendix A, Section 1-72, of the Fulshear Code is hereby amended to read as follows:

“Sec. 1-72. - Defined terms.

The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory use or accessory structure means a use or structure that is subordinate to and serves a principal use or structure; is subordinate in area, extent and purpose to the principal use or structure served; contributes to the comfort, convenience and necessity of occupants of the principal use or structure served; and is located on the same lot as the principal use or structure served.

Agriculture means the use of land or buildings for agricultural uses such as farming; dairying; pasturage agriculture; horticulture; floriculture; viticulture; and animal and poultry husbandry, except for agricultural uses that produce noxious odors, including the raising of hogs, pigs, or other livestock fed from garbage or offal; and the necessary accessory uses for packing, treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities.

Alternative financial services businesses means a business which is used for check cashing, payday advances or loans, money transfers, motor vehicle title loans, or a credit access business. This definition excludes a state or federally chartered bank, savings and loan association or credit union, pawnshop, convenience store, supermarket, or other retail establishment where consumer retail sales constitute at least 75% of the total gross revenue generated on site.

Aluminum Composite Panel (ACP) means a smooth material comprised of composite metal for external cladding of buildings on vertical, sloped, or horizontal surfaces. ACPs may be applied over masonry, structural steel, stud backup, or within curtain wall designs. ACPs may be produced in numerous colors or in patterns that imitate other materials such as marble or wood.

Arcade means an arched or covered passageway attached to a building façade.

Arterial Street means those streets designated as arterial or future arterial on the City's major thoroughfare plan, included as part of Comprehensive Plan 2012, or constructed as such in accordance with Ordinance Nos. 2004-913, 2004-913A, 2005-918, 2009-991, and 2011-1059; Subdivision Regulations.

Articulation means an architectural design method in which particular elements and parts of a building such as building facades and rooflines are made more distinct through variation in flat surfaces and straight lines.

Automobile sales means the use of land or buildings for display and retail sales of new or used automobiles generally, which may include light trucks or vans, trailers, or recreation vehicles, and including any vehicle preparation or repair work conducted as an accessory use.

Automobile repair means the use of land or buildings for the repair of automobiles regardless of the age of the automobile being repaired.

Automobile wrecking yard means the use of land or buildings for the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot of three (3) or more motor vehicles which, for a period exceeding thirty (30) days, have not been capable of operating under their own power and from which parts have been or are to be removed for reuse or sale, shall constitute prima facie evidence of an automobile wrecking yard.

Barn means a large farm building used for storing grain, hay or straw or for housing livestock.

Brick means kiln fired clay or shale brick manufactured to American Society for Testing and Materials ("ASTM") C216 or C652 Grade SW; may include concrete brick if the coloration is integral, shall not be painted, and is manufactured to ASTM C1634; minimum thickness of two and one quarter inches when applied as a veneer, and shall not include underfired clay, sand, or shale.

Buffer strip means open spaces, landscaped areas, fences, walls, berms, or any combination thereof used to physically separate or screen one use or property from another so as to visually shield or block noise, lights, or other nuisances.

Building integrated photovoltaics (BIPV) means the use of photovoltaic materials to replace conventional building materials in parts of a building envelope such as the façades, roof, or skylights. Photovoltaic materials generate electrical power by converting solar radiation into direct current electricity. A BIPV system serves the dual function of building skin and power generator and is often used to add architectural interest to a building.

Check cashing business means an establishment that provides on or more of the following: an amount of money that is equal to the face of a check or the amount specified in a written authorization for an electronic transfer of money, less any fee charged for the transaction; or an agreement not to cash a check or execute an electronic transfer of money for a specified period of time; or the cashing of checks, warrants, drafts, money orders, or other commercial paper for compensation by any other person or entity for a fee. *Cladding* means the application of one material over

another to provide a skin or layer intended to control the infiltration of weather elements, or for aesthetic purposes.

Clear view triangle means a triangle clear of all obstructions to viewing including, but not limited to, fences, landscaping, and other natural or manmade objects to allow people to see oncoming traffic.

Collector Street means those streets designated as collector on the City's major thoroughfare plan, included as part of Comprehensive Plan 2012, or constructed as such in accordance with Ordinance Nos. 2004-913, 2004-913A, 2005-918, 2009-991, and 2011-1059, Subdivision regulations.

Commercial means an occupation, employment, or enterprise that is carried on for profit by the owner, lessee, or licensee.

Concrete Masonry Unit (CMU) means a building unit or block larger in size than 12" x 4" x 4" made of cement and suitable aggregates. See also Decorative Concrete Block. *Cornice* means a horizontal molded projection that crowns or completes the top of a building or wall.

Credit access business has the same meaning as defined in Section 393.601 of the Texas Finance Code, as amended.

Crime Prevention Through Environmental Design (CPTED) involves a multi-disciplinary approach to deterring criminal behavior through purposeful design of development sites, buildings, parking areas, and public spaces to increase visibility and minimize potential hiding places.

Day care center means an establishment providing nonmedical care, protection and supervision for individuals on a regular basis, away from their primary residence for less than twenty-four (24) hours per day. The term ["day care center"] includes nursery schools, preschools and day care centers for adults and children.

Decorative Concrete Block means concrete masonry unit (CMU) which has a highly textured finish, such as split faced, indented, hammered, fluted, ribbed, or similar architectural finish; coloration shall be integral to the masonry material and shall not be painted on; minimum thickness of three and five eighths inches when applied as a veneer; shall include light weight and featherweight concrete block or cinder block units.

Density means the number of dwelling units for each acre of land, calculated by dividing the total number of dwelling units in a development by the total acreage of the area of the development (including all lots, streets, easements, open space, water areas and lands with environmental constraints).

Dormer means an extension built out from a sloping roof to accommodate a vertical window.

Dwelling means a building or portion of a building that is arranged, occupied or intended to be occupied as living quarters by one (1) family and includes facilities for sleeping, cooking and sanitation.

Dwelling, multifamily, means all dwellings which share a common wall between units (e.g., townhomes, condominiums, apartments, etc.).

Dwelling, single-family detached, means all dwellings which are freestanding, on their own platted lots, and do not share any physical connection with another building.

Eating and drinking place means an establishment where the principal business is the sale of food or beverages in a ready-to-consume state. Typical uses include restaurants and other similar uses.

Elevation means the perimeter surface of a building.

Exterior Insulation and Finish System (EIFS) means a method of building cladding that provides an insulating, protective, and decorative finish system for exterior walls that can be installed on any type of construction, and in a variety of shapes, colors, and textures to replicate other architectural styles or finish materials.

Family means any number of individuals, related by blood, marriage, or adoption, and domestic servants for such a family, or a group of not more than four (4) persons who are not so related, living together as a single nonprofit housekeeping unit doing their own cooking.

Gable means a triangular area of an exterior wall under the inverted "v" formed at the end of a pitched roof.

Gaming establishment means an establishment wherein one or more gaming machines, as defined as any machine when such machine or machines dispense or are used or are capable of being used to dispense a representation of value where such representation of value is redeemable for noncash merchandise prizes, toys or novelties that have a wholesale value from a single play of the game or device of not more than ten times the amount charged to play the game or device once, or \$5.00, whichever is less, are operational.

Group homes means a licensed community home as defined by Ch. 123 of the Texas Human Resources Code and must have not more than six (6) persons with disabilities as and two supervisors residing in the home at the same time. The limitation on the number persons with disabilities applies regardless of the legal relationship of those persons to one another. The home may not be established within one-half (½) mile of an existing group home. The term group home shall not include alcoholism or drug treatment center, work release facilities for convicts or ex-convicts, or other housing facilities serving as an alternative to incarceration. To qualify as a group home, an entity must provide the following services to persons with disabilities who reside in the home:

1. Food and shelter;
2. Personal guidance;
3. Care;
4. Habitation services;
5. Supervision.

Hardscape means the inanimate elements of a planned outdoor area or landscaping installation, especially involving stone, masonry, or woodwork.

Height, building, means the vertical distance between the average finished grade along the front of a building and the:

- (1) Highest point of the coping of a flat roof;
- (2) Deck of a mansard roof; or
- (3) Ridge line of a gable, hip or gambrel roof.

Home occupation means any activity carried out for gain by a resident and conducted as a customary, incidental, and accessory use in the resident's dwelling.

Hospital means an institution that is licensed by the State or operated by an agency of the government to provide medical, surgical, psychiatric or emergency medical services to sick or injured persons, primarily on an in-patient basis. The term "hospital" shall not include nursing homes.

Industry, heavy, means an establishment engaged in the basic processing and manufacturing of products predominantly from extracted or raw materials; or the bulk storage and handling of such products and materials; or a use engaged in the storage of, or manufacturing processes involving, flammable or explosive materials; or storage or manufacturing processes that involve potentially hazardous materials or materials commonly recognized as offensive. Blacksmithing; Ceramic or pottery manufacture with dust, odor, and fume control; and Woodworking or planing mill with dust, odor, and fume control are examples of heavy industry.

Industry, light, means an establishment engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, but excluding basic Industrial processing.

Library means a publicly operated facility housing a collection of books, magazines, audiotapes and videotapes, or other material for use by the general public.

Local Street means those streets designated as local on the City's major thoroughfare plan, included as part of Comprehensive Plan 2012, or any other streets that are not designated as arterial, collector, Interstate highway, or private on the plan, or any street constructed as such in accordance with Ordinance Nos. 2004-913, 2004-913A, 2005-918, 2009-991, and 2011-1059, Subdivision regulations.

Logo building means a structure with a standardized design in terms of its colors, materials, exterior elevations, or the arrangement of such architectural elements, that is widely used and replicated to where it is readily recognized as representing a particular brand or franchise, especially by reflecting the color scheme or other aspects of a corporate logo.

Lot means a parcel of land that is, or is intended to be, separately owned, developed and otherwise used as a unit.

Lot area means the total horizontal area within the lot lines of a lot.

Lot line means a line dividing one lot from another lot or from a street or alley.

Major Thoroughfare means those streets designated as arterials and collectors on the City's major thoroughfare plan, included as part of Comprehensive Plan 2012, or constructed as such in accordance with Ordinance Nos. 2004-913, 2004-913A, 2005-918, 2009-991, and 2011-1059, Subdivision regulations.

Manufactured Home means a factory-built, single-family dwelling manufactured on or after June 15, 1976, according to the rules of the U.S. Department of Housing and Urban Development, transportable in one or more sections which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems. The term ["manufactured home"] does not include a recreational vehicle as defined in this section. *State Law reference*— Definition of manufactured home and HUD-manufactured home, V.T.C.A., Occupations Code § 1201.003.

Manufactured Housing Park means a parcel of land under single entity ownership which has been platted and approved by the city and where lots are planned to be leased for the placement of manufactured homes and accessory uses, meeting all requirements of this ordinance, the city's subdivision ordinance, and any applicable deed restrictions and state laws.

Manufactured Housing Subdivision means a parcel of land which has been platted and approved by the city and where lots are planned to be sold for the placement of manufactured homes and accessory uses, meeting all requirements of this ordinance, the city's subdivision ordinance, and any applicable deed restrictions and state laws.

Masonry means and includes that form of construction defined below and composed of brick, stone, decorative concrete block, rock or other materials of equal characteristics laid up unit upon unit set and bonded to one another in mortar. The following materials shall not qualify nor be defined as "masonry" in meeting the minimum requirements for exterior construction of buildings, unless specifically approved by variance:

Stucco, exterior plaster, adobe or mortar wash surface material;

Exterior insulation and finish systems (EIFS), acrylic matrix, synthetic plaster, or other similar synthetic material;

Cementitious fiber board siding or fiber cement siding, (such as "Hardie Plank" or "Hardie Board");

Precast concrete panels; and

Plain concrete block or painted concrete block.

Mobile home means a factory-built, single-family dwelling manufactured before June 15, 1976, transportable in one or more sections which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems. The term does not include a recreational vehicle as defined in this section. *State Law reference*— Definition of mobile home, V.T.C.A., Occupations Code § 1201.003.

Motor title loan business means an establishment that makes small consumer loans of \$2,500 or less that leverage the equity value of a car or other vehicle as collateral where the title to such vehicle is owned free and clear by the loan applicant and any existing liens on the vehicle cancel the application. Failure to repay the loan or make interest payments to extend the loan allows the lender to take possession of the vehicle.

Nonconforming structure means buildings and structures constructed prior to May 17, 2012, that do not comply with the standards of the Zoning District in which such buildings or structures are located.

Nonconforming use means uses that were established prior to May 17, 2012, that do not conform to the use regulations of the Zoning District in which such uses are located.

Nonresidential means any use other than single-family detached, single-family attached, duplex, or Multifamily dwelling.

Nonresidential building means a building utilized for use other than residential dwellings and accessory structures related to nonresidential buildings.

Nursing home means an institution that is licensed by the State to provide in-patient services for persons needing regular medical attention and bed care services on a twenty-four hour (24) basis, but excluding hospitals.

Office means an establishment providing executive, management, government, administrative or professional services, including out-patient medical services.

Oriel window means a form of a bay window that projects from the main wall of a building, often from an upper floor.

Out-parcel means a relatively small tract of land along the edge of a larger property, also called a pad site, that is usually reserved for later sale to accommodate satellite uses such as the small retailers and chain restaurants that develop around a large shopping center.

Parapet means a low wall along the edge of a roof.

Park and recreation facility means a tract of land maintained by the federal, State or local government for the recreation and enjoyment of the general public.

Payday advance or loan business means an establishment that makes small consumer loans of \$2,500 or less, usually backed by postdated check or authorization to make an electronic debit against an existing financial account, where the check or debit is held for an agreed upon term or until a customer's next payday and then cashed unless the customer repays the loan to reclaim the check or debit. Such establishments may charge a flat fee or other service charge and a fee or interest rate based on the size of the loan amount.

Place of assembly means a building in which people assemble for civic, educational, religious, or cultural purposes. This use includes event facilities, meeting halls, fraternal organizations, places of worship and private clubs. This use does not include residential buildings

Planned Unit Development or PUD means a contiguous area to be developed as a single entity according to a unified site design plan, containing one (1) or more of the following uses:

- (1) Residential;
- (2) Office;
- (3) Commercial;
- (4) Industrial;

- (5) Public or quasi-public; or
- (6) Any combination of the same.

Precast Concrete Panel means a product often associated with tilt up wall construction where concrete has been cast into a form which is later incorporated into a structure.

Principal use or principal structure means a use or structure that is the primary and chief purpose for the use of land or buildings on a lot.

Private Street means a street or road located on land which is not in public ownership, but which may be open for public access.

Recreational Vehicle means a vehicular-type portable structure without a permanent foundation that can be towed, hauled or driven, is primarily designed as a temporary living accommodation for recreational, camping and travel use and includes, but is not limited to, travel trailers, truck campers, camping trailers and self-propelled motor homes.

Recreational Vehicle Park means any lot of land upon which one (1) or more recreational vehicles are located, established, or maintained for occupancy as temporary living quarters.

Retail Sales and Services means an establishment engaged in the sale or rental of goods, merchandise or services, but excluding eating and drinking places and pawn shops.

Safety Services means a facility for conduct of public safety and emergency services, including fire and police protection services and emergency medical and ambulance services.

School means the use of a site for instructional purposes on an elementary or secondary level, approved under the regulations of the State.

Score line means a notch or incision on a building façade, often in a different color or texture, to add variety and visual interest to exterior walls.

Screening means walls, fences, vegetation or landscaped earth berms maintained for the purpose of concealing from view the area behind such fences, vegetation or berms.

Setback means the distance between a building or structure and a property or lot line which establishes an area in which no part of the building or structure shall encroach or otherwise be constructed.

Sexually Oriented Business means an establishment consisting of, including, or having the characteristics of, but not limited to, any or all of the following:

(1) *Adult Cabaret.* An establishment devoted to adult entertainment presenting materials distinguished or characterized by their emphasis on matters depicting, describing, or relating to sexual activities or anatomical genital areas or that features topless dancers, go-go dancers, strippers, male or female impersonators, or similar entertainers for observation by patrons.

(2) *Adult Motion Picture Theater.* An enclosed building or outdoor facility used for presenting motion pictures depicting, describing, or relating to sexual activities or anatomical genital areas.

(3) *Adult Store.* An establishment having as a substantial or significant portion of its stock in trade books, magazines, publications, tapes, or films that are distinguished or characterized by their emphasis on matters depicting, describing, or relating to sexual activities or anatomical genital areas, or instruments, devices, or paraphernalia which are designed for use in connection with sexual activities.

Single-family Detached Dwelling means a structure that is detached from other structures or units that is designed for the use of one (1) family and has a kitchen and a bathroom and sleeping areas.

Smoking Paraphernalia Establishment means a retail store where more than fifteen percent (15%) of the gross square footage of the establishment is dedicated to the sale, distribution, delivery, furnishing of smoking paraphernalia, from one person to another. Smoking paraphernalia shall mean paraphernalia, devices, or instruments that are designed or manufactured for the smoking, ingesting, inhaling or otherwise introducing into the body of tobacco, products prepared from tobacco, or controlled substances as defined in the Texas Health and Safety Code Chapter 481. Smoking paraphernalia includes, but is not limited to, pipes, bongs, and hookahs. Smoking paraphernalia also includes kits used, intended for use, or designed for use in planting, propagating, cultivating, growing or harvesting any species of plant which is a controlled substance, or from which a controlled substance can be derived or in manufacturing, compounding, converting, producing, processing or preparing a controlled substance. Smoking paraphernalia does not include lighters, matches, cigarette holders and device used to store or preserve tobacco, tobacco cigarettes, cigarette papers or cigars. For purposes of this definition, smoking paraphernalia establishments may also be referred to as head shops.

Soldier course means a series of bricks set on end such that their long, narrow face is oriented vertically on the wall, often standing out from the typical horizontal orientation of a brick wall.

Special use means a use or structure which does not specifically, or without special restriction, conform to the regulation of the Zoning District in which it is located, but which if controlled as to number, area, location or relation to the neighborhood is deemed to promote the health, safety or general welfare of the residents of the City, and for which a special use exception or condition has been recommended by the Planning and Zoning Commission and approved by the City Council in accordance with the

Special Use Permit allowed under this Ordinance. Such conditions shall include, but not be limited to, site plan review, general plan submission, restrictive deed covenants and regulations, additional landscaping, and other conditions as appropriate and determined by the Planning and Zoning Commission and/or the City Council.

Standing seam metal means a side-by-side formation of panels, typically made of steel, aluminum, copper, or other architectural metal, in which the panels are joined together at the sides and secured in place by concealed fasteners, with the overlapping panel lock forming a seam as a connecting point between the panels. This enables the connected panels to be used for building and roofing applications.

Stone includes naturally occurring granite, marble, limestone, slate, river rock, and other similar hard and durable all weather stone that is customarily used in exterior building construction; may also include cast or manufactured stone product, provided that such product yields a highly textured stone-like appearance, its coloration is integral to the masonry material and shall not be painted on, and it is demonstrated to be highly durable and maintenance free; natural or manmade stone shall have a minimum thickness of two and five eighths inches ($2\frac{5}{8}$ ") when applied as a veneer.

String course means a decorative horizontal band on the exterior wall of a building, either plain or molded, and usually formed of brick or stone.

Stucco means traditional cementitious three-step hard coat stucco with a minimum thickness of seven eighths of an inch ($\frac{7}{8}$ "). It does not include Exterior Insulation Finishing Systems (EIFS) or synthetic stucco. See also Stucco, Integrally Colored.

Stucco, Integrally Colored means stucco which has color added to the cementitious stucco mixture prior to application to the wall surface and shall not be painted upon.

Subdivider means any person or any agent dividing or proposing to divide land so as to constitute a subdivision. In any event, the term "subdivider" shall be restricted to include only the owner of land sought to be subdivided.

Tattoo parlor or *tattoo studio* means an establishment wherein permanent or semi-permanent markings, brands, body art, or tattoos are placed on the skin by a tattoo artist. The term ["tattoo parlor" or "tattoo studio"] does not mean an establishment which provides permanent cosmetic makeup application. Unless expressly stated otherwise herein, such words, terms and definitions shall have the meaning indicated in V.T.C.A., Health and Safety Code ch. 146, as amended and Title 25, Texas Administrative Code, Sec. 229.401—229.413, as amended. Owners and employees of such businesses shall comply with all of said provisions thereof, as amended.

Use by Right means a use or activity that qualifies under the section will be allowed as a matter of right in that zoning district, subject to all other applicable Zoning standards in the Ordinance and City Code requirements.

Residential building means a building utilized for single-family detached, single-family attached, duplex or multifamily dwellings and accessory structures related to residential building.

Wrap-around design means land development projects where the active uses of building space, such as offices, retail stores, or apartments, envelop a parking structure at the interior of the development such that the parking structure is hidden entirely or partially from exterior view.

Window means any opening in a wall or roof which functions to admit light to a building or structure.”

Section 2. Appendix A, Article III, Division 2, of the Fulshear Code is hereby amended to read as follows:

“DIVISION 2. - DISTRICT REGULATIONS AND USE TABLE

Sec. 1-186. - Residential Acreage (R1) District regulations.

- (a) *Purpose.* The residential acreage (R1) District is intended to accommodate agricultural and very low-density single-family residential uses.
- (b) *Uses permitted by right.* In the residential acreage (R1) District, no building or land shall be used and no building erected except for one (1) or more of the following specified uses, unless otherwise provided in this division:
 - (1) Single-family detached dwellings on single lots no smaller than one (1) acre;
 - (2) Safety services;
 - (3) Public parks and recreational facilities;
 - (4) Agricultural uses;
 - (5) Group Homes;
 - (6) Library.
- (c) *Conditional uses.* The following uses of land, buildings, and structures are permitted in this District if they meet the conditional use standards outlined in section 1-224:
 - (1) Place of assembly;
 - (2) Schools;
 - (3) Day care centers;

- (4) Private Stable / Kennel.
- (d) *Permitted accessory uses.* The following are permitted accessory uses:
 - (1) Those accessory uses permitted under section 1-226;
 - (2) Any structural or mechanical permitted use, and a use customarily incidental to the permitted use; and
 - (3) Off-street parking attributable to the permitted use.
 - (4) Home occupations provided the standards of Sec. 1-226(7) are met.

Sec. 1-187. - Residential Lot (R2) District regulations.

- (a) *Purpose.* The residential lot (R2) District is intended to accommodate a majority of the anticipated single-family residential development in the City during the next twenty (20) years. The R2 District will provide for a residential environment dominated by single-family detached dwellings in platted Subdivisions as well as alternative residential types. Excluded are uses of nonresidential character including Commercial and Industrial uses.
- (b) *Uses permitted by right.* In the residential lot (R2) District, no building, structures, or land shall be used and no building erected except for one (1) or more of the following specified uses, unless otherwise provided in this division:
 - (1) Single-family detached dwellings on single lots;
 - (2) Places of worship;
 - (3) Safety services;
 - (4) Park and recreation facilities;
 - (5) Group Homes; and
 - (6) Library.
- (c) *Conditional uses.* The following uses of land and structure are conditional uses in this District and must meet the conditional use standards outlined in section 1-224:
 - (1) School; and
 - (2) Day Care Center.

- (d) *Permitted accessory uses.* The following are permitted accessory uses:
- (1) Those accessory uses permitted under section 1-226;
 - (2) Any structural or mechanical use customarily incidental to the permitted use;
 - (3) Off-street parking attributable to the permitted use; and
 - (4) Home occupations provided the standards of Sec. 1-226(7) are met.

Sec. 1-188. - Commercial (C) District regulations.

- (a) *Purpose.* The Commercial (C) District is intended to allow the development of Commercial activity. The District will incorporate existing Commercial and institutional uses and accommodate a variety of future neighborhood retail and community services.
- (b) *Uses permitted by right.* In the Commercial (C) District, no building or land shall be used and no building erected except for one (1) or more of the following specified uses, unless otherwise provided in this division:
- (1) Safety services;
 - (2) Park and recreation facilities;
 - (3) Retail sales and services;
 - (4) School;
 - (5) Office;
 - (6) Day care center;
 - (7) Place of assembly;
 - (8) Art gallery or museum; and
 - (9) Library.
- (c) *Conditional Uses.* The following uses of land, buildings, and structures are permitted in this District if the meet the conditional use standards outlined in section 1-224:
- (1) Hospital;
 - (2) Automobile repair;
 - (3) Commercial animal shelter, kennel, and/or veterinary office; and

- (4) Alternative financial services.
- (d) *Permitted accessory uses.* The following are permitted accessory uses:
 - (1) Those accessory uses permitted under section 1-226;
 - (2) Any structural or mechanical use customarily incidental to the permitted use; and
 - (3) Off-street parking attributable to the permitted use.

Sec. 1-189. - Industrial (I) District regulations.

- (a) *Purpose.* The purpose of this District is to regulate those uses of the land and structures that involve the manufacturing, assembly, processing, storage, or distribution, sale, and repair of materials, goods, parts, products, equipment, machinery, other such operations incidental to Industrial uses, and Sexually Oriented Businesses, pursuant to V.T.C.A., Local Government Code Ch. 243 and as set forth herein.
- (b) *Uses permitted by right.* In the Industrial (I) District, no building, structure, or land shall be used and no building erected except for one or more of the following specified uses, unless otherwise provided in this division:
 - (1) Pawn shops;
 - (2) Automobile display or sales, repair garage, tire or seat cover shop;
 - (3) Automobile used car sales;
 - (4) Carpentry, painting, plumbing, or tin smithing shop (including contractor's shop or storage);
 - (5) Manufacturing of saddles, other leather products, jewelry, draperies or interior decorations;
 - (6) Radio or television broadcasting stations or studios with on-site towers;
 - (7) Textile manufacturing;
 - (8) Wholesale distribution and warehousing—no outside storage;
 - (9) Accessory buildings and uses customarily associated with any of the above establishments to which they refer, except that they shall not be placed within any required setback; and

- (10) Outdoor storage, mini-storage, self-storage, or facilities requiring the storage of goods or equipment outside (e.g. truck or van rentals, heavy equipment rentals, outdoor nurseries, etc.).
- (c) *Conditional Uses.* The following uses of land, buildings, and structures are permitted in this District if the conditional use standards outlined in section 1-224 are met:
 - (1) Heavy Industry; and
 - (2) Alternative Financial Services.
- (d) *Special Uses.* The following uses of land, buildings, and structures are permitted in this District if the special use standards outlined in section 1-225: Sexually Oriented Businesses.

Sec. 1-190. - Multifamily (MF) District regulations.

- (a) *Purpose.* This District allows medium to high density Multifamily dwellings and is intended to comprise larger tracts of land which provide total residential amenities such as open space, recreation space, and areas of protected off-street parking.
- (b) *Uses permitted by right.* In the Multifamily (MF) District, no building or land shall be used and no building erected except for one (1) or more of the following specified uses, unless otherwise provided in this division:
 - (1) Single-family, detached dwellings on single lots;
 - (2) Multifamily dwellings;
 - (3) Safety services;
 - (4) Parks and recreational facilities;
 - (5) Group Homes; and
 - (6) Library.
- (c) *Conditional Uses.* The following uses of land and structure are permitted in this District if they meet the conditional use standards outlined in section 1-224.
 - (1) School;
 - (2) Hospital; and
 - (3) Day Care Center.

(d) *Permitted accessory uses.* The following are permitted accessory uses:

- (1) Those accessory uses permitted under section 1-226;
- (2) Any structural or mechanical use customarily incidental to the permitted use;
- (3) An accessory building necessary to store equipment for several dwelling units or provide service function for several dwelling units. No such accessory building shall be occupied as a place of abode. Any accessory building which is not a part of the main building shall be separated from the main building by a minimum of ten feet (10'); and
- (4) Off-street parking attributable to the permitted use.
- (5) Home occupations provided the standards of Sec. 1-226(7) are met.

Sec. 1-191. - Community Facilities (CF) District regulations.

(a) *Purpose.* This District is intended to provide areas for public and semiprivate institutions, health care facilities and identify certain existing public and semipublic park and recreational areas as well as public land and facilities used for educational and governmental purposes.

(b) *Uses permitted by right.* In the Community Facilities (CF) District, no building or land shall be used and no building erected except for one (1) or more of the following specified uses, unless otherwise provided in this division

- (1) Public parks, open space, or other public area purchased or dedicated for recreational purposes;
- (2) Except as provided herein, facilities of the government of the United States, State of Texas, or a political Subdivision thereof;
- (3) Semipublic lands and facilities primarily used for providing recreational facilities or open space for residents of a particular residential Subdivision;
- (4) Place of assembly;
- (5) School;
- (6) Hospital; and
- (7) Library.

(c) *Permitted accessory uses.* The following are permitted accessory uses:

- (1) Those accessory uses permitted under section 1-226;
- (2) Any structural or mechanical use customarily incidental to the permitted use; and
- (3) Off-street parking attributable to the permitted use.

Sec. 1-192. - Planned Unit Development (PUD) District regulations.

- (a) *Purpose.* The intent of the Planned Unit Development (PUD) District is to provide a flexible, alternative Zoning procedure to encourage innovative design for the unified and planned development of large tracts of land. The PUD District is designed to allow the development of integral land use units, such as residential developments of mixed housing types, retail centers, office parks, light Industrial parks, or any appropriate combination of these uses, in a planned environment and developed and/or operated as a unified development.
- (b) *Uses permitted subject to Planned Unit Development site plan.* Deviation from the regulations established in this section applicable to particular uses may be permitted when the owner and developer demonstrate that adequate provisions have been made in the Planned Unit Development for sufficient light and air, that the density of the development is compatible with surrounding land uses, that pedestrian and vehicular traffic circulation systems are safe and efficient, that the development will progress in orderly phases, and that the public health, safety and general welfare will be protected. However, higher and more restrictive specific standards for use, density, height, lot area, setback, visual screens, landscaping, parking, sign control and open space may be adopted as part of the development site plan by a PUD District amending Ordinance.
- (c) *Length of Valid Approval.* All PUD development approvals shall be valid for a period of not more than two (2) years from the date of approval unless a phasing plan is presented at the time of approval.

Sec. 1-193. - Downtown District (DD) regulations.

- (a) *Purpose.* The Downtown (DD) District is intended to allow the development of a town center (a mixed use traditional small town core) as outlined in the City comprehensive plan. The District will incorporate existing Commercial and institutional uses at the heart of the new town area and accommodate a variety of future neighborhood retail and community services, as well as housing.
- (b) *Uses permitted by right.* In the Downtown (DD) District, no building or land shall be used and no building erected except for one or more of the following specified uses, unless otherwise provided in this division:

- (1) Single-family, detached dwellings on single lots;
 - (2) Single-family townhouses on separate lots;
 - (3) Safety services;
 - (4) Parks and recreational facilities;
 - (5) Office; and
 - (6) Library.
- (c) *Conditional uses.* The following uses of land and structures are permitted in this District if they meet the conditional use standards outlined in section 1-224.
- a. School;
 - b. Retail sales and services;
 - c. Hospital;
 - d. Day Care Center;
 - e. Eating and drinking places;
 - f. Multifamily dwellings;
 - h. Place of assembly;
 - i. Automobile repair; and
 - j. Commercial animal shelter, kennel, and/or veterinary office.
- (d) *Permitted accessory uses.* The following are permitted accessory uses:
- (1) Those accessory uses permitted under section 1-226;
 - (2) Any structural or mechanical use customarily incidental to the permitted use;
 - (3) Off-street parking attributable to the permitted use; and
 - (4) Home occupations provided the standards of Sec. 1-226(7) are met.

Sec. 1-194. - Manufactured Housing (MH) District regulations.

- (a) *Purpose.* Manufactured Home Parks will meet the need for well-designed and operated areas for the leasing or temporary placement of Manufactured Homes. The Manufactured Housing Subdivision will allow for the design, construction and sale of lots specifically designed for manufactured housing units which will be permanently affixed to the ground by permanent foundations and connected to public utility services in a like manner as conventionally on-site constructed homes.
- (b) *Uses permitted by right.* In the MH Manufactured Home District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, unless otherwise provided in this Ordinance, except for one (1) or more of the following uses:
 - (1) Manufactured Homes;
 - (2) Manufactured Housing Park;
 - (3) Manufactured Housing Subdivision;
 - (4) Single-family detached dwellings on single lots;
 - (5) Place of assembly;
 - (6) Safety services;
 - (7) Park and recreation facilities;
 - (8) Group Homes; and
 - (9) Library.
- (c) *Conditional uses.* The following uses of land and structure are special uses in this District and must meet the conditional use standards outlined in section 1-224: School.
- (d) *Permitted accessory uses.* The following are permitted accessory uses:
 - (1) Those accessory uses permitted under section 1-226;
 - (2) Any structural or mechanical use customarily incidental to the permitted use; and
 - (3) Off-street parking attributable to the permitted use.
 - (4) Home occupations provided the standards of Sec. 1-226(7) are met.

Sec. 1-195. Prohibited Uses

All land uses that are not listed as either a permitted, conditional, or special use within a specific zoning district shall be prohibited within said zoning district unless City Staff deems the land use to be functionally similar to a permitted, conditional, or special use that may be approved.

Sec. 1-196. - Land use categories table.

An up-to-date land use table shall be maintained by City Staff and available upon request. The land uses listed above in sections 1-186 – 1-194 are legally controlling should any provision of this appendix conflict with any administratively created table.”

Section 3. Appendix A, Article IV, of the Fulshear Code is hereby amended to read as follows:

“ARTICLE IV. – CONDITIONAL AND SPECIAL USE REGULATIONS

Sec. 1-224. Conditional Use Standards.

No permit shall be issued for any development or use of land unless the activity is in compliance with all applicable conditional use standards of this section. Conditional uses are approved administratively by City Staff without the need of a permit being granted by either the Planning and Zoning Commission and/or the City Council. Unless otherwise indicated, the listed standards apply in all zoning districts where the use at issue is permitted as a Conditional Use.

a) *Alternative Financial Services.*

1. Shall not be located within:
 - i. 1,000 feet of a site that contains another alternative financial services business use;
 - ii. 200 feet of a property in a zoning district in which a residential use is allowed or located; or
 - iii. 500 feet of the right-of-way of either FM 359 or FM 1093.
2. Shall only be located within a freestanding structure; and
3. Shall not be co-located in the same structure with other uses.

b) *Automobile Repair.*

1. All repair work and associated storage shall occur in an enclosed structure; and

2. In the Downtown District (DD) the use shall be located on an arterial or major thoroughfare street and on a parcel with a minimum lot size of 21,780 sq. ft.

c) *Commercial Animal Shelter, Kennel and/or Veterinary Office.*

1. A buffer strip of 10 feet with an opaque fence or wall is required along the property line of any residential district and adjacent to a public street;
2. The use is located at least 100 feet from all other residential districts or is sound attenuated such that the sound is not audible at the property line;
3. The run(s) may not be used after 9:00 p.m. or before 7:00 a.m.; and
4. In a multi-tenant building, ventilation systems shall control odors and allergens and prevent their circulation into other parts of the building.

d) *Day Care Center.*

1. The operator shall meet all the certification, licensing, and/or monitoring requirements of the State of Texas;
2. No portion of a day care center site may be located within 300 feet of gasoline pumps or underground gasoline storage tanks, or any other storage area for explosive or highly combustible materials;
3. All outdoor activities shall be located a minimum of 50 feet from any residential use and separated by 50 feet and a buffer strip of 10 feet from any other residential district; and
4. There is adequate space on-site for temporary parking and drop-off and pick-up during peak times.

e) *Eating and Drinking Places.*

1. All requirements of Chapter 4, *Alcoholic Beverages*, of the City's Code of Ordinances have been met should the business decide to engage in serving alcoholic drinks;
2. No outdoor storage is allowed on-site;
3. All beverage production activities shall be located within a completely enclosed building, and, in the DD district, designed with noise-resistant materials;
4. All by-products or waste from production of beverages shall be disposed of off-site;
5. Loading docks and service doors shall not be oriented or face a residentially zoned or used property; and

6. The use shall be separated from residential districts and uses by a buffer strip of 10 feet.

f) *Gaming Establishments.*

1. Shall not be located on a site that is:

i. Within 1,000 feet of a site that contains another gaming establishment;

ii. Within 200 feet of a property in a district in which a residential use is allowed or located;

iii. Within 300 feet of a place of assembly, school, or hospital; and

iv. Within 500 feet of the right-of-way of FM 359 or FM 1093.

2. Shall be located within a freestanding structure; and

3. Shall not be co-located in the same structure with other uses.

g) *Heavy Industry.* For properties that adjoin a R1 or R2 Zoning District: A minimum forty-foot (40') buffer strip shall be required.

h) *Hospital.*

1. Direct vehicular access shall be provided from a collector street, arterial street or highway; and

2. The use shall be separated from residential districts and uses by a buffer strip of 10 feet.

i) *Multifamily Dwellings.* In the Downtown District (DD) multifamily dwellings are permitted only above street level in mixed use buildings.

j) *Place of Assembly.*

1. Off-street parking is prohibited on non-contiguous lots;

2. Expansion of the use meets the following criteria and standards:

i. The expansion will not encroach within 50 feet of a residential use or district;

ii. A 10 feet buffer strip is required adjacent to all residential uses and districts; and

iii. Vehicular access is taken from a collector street, arterial street or highway;

3. The use must be located in a permanent structure; and

4. The use is conducted such that it does not create parking or traffic congestion or unreasonably interfere with the peace and enjoyment of surrounding homes as places of residence.
 - k) *Private Kennel / Stable*. All private kennels / stables shall be located no less than 100 feet from any property line.
 - l) *Retail Sales and Services*. The gross floor area of the principal use shall not exceed 17,000 square feet.
 - m) *School*.
1. Off-street parking is prohibited on non-contiguous lots; and
2. Vehicular access is taken from a collector street, arterial street, or highway.

Sec. 1-225. - Special Use Standards.

No permit shall be issued for any development or use of land unless the activity is in compliance with all applicable special use standards of this section. Unless otherwise indicated, the listed standards apply in all Zoning Districts where the use at issue is permitted as a Conditional Use. For approval procedures of a special use permit see Sec. 1-283, *Special Use Permits*.

a) *Sexually Oriented Businesses*.

- 1) *Purpose*. It is the purpose of this subsection to regulate Sexually Oriented Businesses to promote the health, safety, morals, and general welfare of the citizens of the City, and to establish reasonable and uniform regulations to prevent the concentration of Sexually Oriented Businesses within the City. The provisions of this subsection have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent, nor effect of this subsection to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market.
- 2) *Applicability*. This subsection shall apply to any of the following:
 - i. The opening or commencement of any Sexually Oriented Business as a new business;
 - ii. The conversion of an existing business, whether or not a Sexually Oriented Business, to any Sexually Oriented Business; or
 - iii. The addition of any Sexually Oriented Business to any other existing Sexually Oriented Business.

3) *Standards.* In no event shall usage of land, buildings, or structures for Sexually Oriented Businesses be approved unless they meet the following special use standards:

- i. A Sexually Oriented Business shall be located at least one thousand feet (1000') from a place of assembly, a school, a child care facility, the boundary of a residential area, a public park, the property line of a lot devoted to residential uses, any building or structure in which alcoholic beverages are offered for sale, a hospital, public library, a recreational center, a public swimming pool, the boundary or any area zoned R1, C, R2, or another Sexually Oriented Business. Measurements for purposes of this subsection shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as part of the premises where a Sexually Oriented Business is conducted, to the nearest property line of the church, school, day care center, or to the nearest boundary of an affected property line, public park, District, or to the closest exterior wall of another Sexually Oriented Business.
- ii. A Sexually Oriented Business lawfully operating under the terms of this subsection is not rendered in violation of this subsection by the subsequent location of a church, public or private elementary or secondary school, day care center, Public Park, area subsequently zoned R1 or R2, or subsequently put to residential use.

Sec. 1-226. - Accessory uses and structures.

Principal uses classified as permitted uses by the District regulations of this article shall be deemed to include accessory uses and activities that are customarily associated with, and appropriate, incidental and subordinate to, permitted uses. Accessory uses and activities shall be subject to the same regulations as principal uses unless otherwise stated.

- (1) *Accessory buildings.* All accessory buildings shall not exceed twelve feet (12') in height and must be within building line setbacks as outlined above. The height for barns in R1 shall not exceed forty (40') feet.
- (2) *Containers.* Steel shipping containers are not permitted as permanent storage sheds in any District except R1 and I. Steel shipping containers are not permitted for residential use for any District. Permissible containers are designed for temporary, residential use only and shall be set on the ground (no wheeled storage is allowed). Temporary location of such containers may be allowed for not more than six (6) months. City staff shall review applications for the use and location of such structures.
- (3) *Residential accessory uses.* Residential accessory uses shall include, but not be limited to, the following accessory uses, activities and structures:

- a. Fences and walls (see section 1-166(c));
 - b. Garages, carports and off-street parking areas (garages, carports, and off-street parking areas not attached to the main residence shall be of the same architectural facade and building style, materiality, and proportions as the main residence structure and shall be used for storage only);
 - c. Gates and guard houses;
 - e. Playhouses, patios, cabanas, porches, gazebos and incidental household storage buildings;
 - f. Garage or in-law type apartments (such apartments shall not receive separate utility connections, including electric, telephone, cable, data, water, sewer, gas, etc., but shall be dependent on the principal use for connection to these services. Further, no address will be available for these accessory structures or uses);
 - g. Radio and television receiving antennas and support structures, except ham radio towers;
 - h. Recreational facilities for the use of residents;
 - i. Keeping of domestic animals for noncommercial purposes;
 - j. Solar energy systems; and
 - k. Other necessary and customary uses determined by the Chief Building Official or City Manager to be appropriate, incidental and subordinate to the principal use on the lot.
- (4) *Retail, Commercial, office, and Industrial accessory uses.* Retail, Commercial, office, and Industrial accessory uses shall include, but not be limited to, the following accessory uses, activities and structures:
- a. Fences and walls;
 - b. Gates and guard houses;
 - c. Dwelling units for security or maintenance personnel;
 - d. Parking garages and off-street parking areas;
 - e. Radio and television receiving antennas and support structures;
 - f. On-premises signs;
 - g. Solar energy systems; and

- h. Other necessary and customary uses determined by the Chief Building Official or City Manager to be appropriate, incidental and subordinate to the principal use on the lot.
- (5) *Model homes.*
- a. Notwithstanding any provision of this article, model homes may be constructed in a residential Subdivision after approval of the final plat and installation of all required improvements, subject to certain conditions. For the purposes of this article, the term "model home" shall be defined as a dwelling unit used initially for display purposes which typifies the type of units that will be constructed in the Subdivision and which will not be permanently occupied during its use as a model.
 - b. Each Subdivision shall be limited to one (1) model home per twenty (20) platted and approved lots in the Subdivision or a maximum of four (4) model homes per development. Lots planned for future phases of development shall not be considered as platted lots. New model homes may be permitted and constructed following the sale of existing model homes.
 - c. Construction of model homes may begin upon completion of all public improvements in the Subdivision. The model home may only be occupied for sales and display purposes upon completion of the street leading to the model home and for fifty feet (50') thereafter.
 - d. The model home shall be used only for selling new homes within the Subdivision where the office has been established. The model homes will not be inhabited as dwellings and will only be used for display and sales purposes until after installation and acceptance of all required improvements in the Subdivision.
 - e. All installations related to the sales activity (e.g., canopies, partition walls, signage, fencing, lighting, temporary parking and similar improvements) shall be converted to the approved residential use prior to occupancy as a residential structure. If the carport or garage has been converted to office space, it must be returned to a condition suitable for the parking of automobiles.
 - f. Applicant shall post a five-thousand-dollar (\$5,000.00) bond, refundable deposit, or other form of surety per model home to guarantee conversion of any office/display area to the approved residential use and for removal of any exterior items such as temporary parking, fencing, lighting and signage.
 - g. Applicant shall make application for a model home building permit which shall be subject to all applicable building, Subdivision, Zoning and all other codes in the same manner as any other residence. It shall also comply

with all deed restrictions, drainage, and other construction plans of the given Subdivision.

- h. Model home permits shall be valid for no longer than three (3) years or eighty percent (80%) development build out. Applicant may file a request for an extension upon a showing that the model home is still needed.
 - i. The application for a model home permit shall include a Statement in a form approved by the City attorney and signed by the applicant in which the applicant agrees to indemnify and hold harmless the City, its employees, agents, representatives, and elected and appointed officials from any and all claims made against them arising from the construction and occupancy of the model home prior to construction of all required improvements and filing of the final plat.
 - j. Granting a model home permit in no way obligates the City to supply any utility or access to any model home until such utilities and roadways have been constructed and accepted by the City.
- (6) *Temporary sales trailers.* Temporary sales trailers are permitted in residential developments prior to the construction of a model home. Following the installation of the model home, temporary sales trailers shall be removed from the site. Temporary sales trailers may be permitted based on the following requirements being met:
- a. *Site plan.* A site plan indicating required parking, building location, required utilities, and other similar site features shall be submitted.
 - b. *Landscaping required.* Landscaping shall be installed in conformance with the landscaping requirements as indicated in section 1-165. A landscaping plan shall be submitted indicating the proposed layout of plantings and their maintenance.
 - c. *Utilities required.* Temporary sales trailers shall be supplied with all utilities, to include water, sewer, electricity, and telephone in order to facilitate the proper function of the trailer.
 - d. Restroom facilities are required within the trailer.
 - e. *Americans with Disabilities Act (ADA) compliance.* Temporary sales trailers shall meet all requirements of the ADA, including providing access ramps and accessible restroom facilities.
 - f. *Structural requirements.* All trailers shall be built to the requirements of the City Engineer and Chief Building Official with respect to foundation, site placement, natural hazards mitigation, floodplain, and other requirements as necessary to ensure the safe conduct of business in the temporary sales trailer.

- g. *Permit required.* A temporary use permit shall be required. Permits shall be granted following review of staff and approval by the Planning and Zoning Commission and City Council. Permits shall be effective for a twelve (12) month period from the date of approval. No sales or other operation shall be allowed prior to approval. Following the permit period or construction of a model home, the sales trailer shall be removed from the site. The sales trailer shall not be used for any other purpose than general, site-specific sales and construction oversight and management. A twelve (12) month extension may be granted by the Planning and Zoning Commission and City Council.

(7) *Home Occupations.*

- a. The occupation shall be conducted entirely within the principal dwelling;
- b. Wholesale and retail sales and services are prohibited;
- c. Signage is not permitted to identify the home occupation;
- d. There shall be no visible storage of equipment, products, or materials on-site related to the home occupation;
- e. The use shall not create undue noise, vibration, or odors;
- f. The home occupation does not require the delivery or shipment of materials, merchandise, goods, or equipment by other than passenger motor vehicles, one-ton step-up vans, or similar-sized trucks that are less than seven tons gross vehicle weight;
- g. No persons other than the immediate family residing at the home may work at the home occupation;
- h. Parking needs generated by the home occupation are satisfied on-site; and
- i. The occupation must be operated in accordance with all applicable laws and, if a state permit is required, such permit shall be obtained prior to beginning operation.

Sec. 1-227. - Planned Unit Developments (PUD).

- (a) *Purpose.* It is the general purpose of the PUD District classification to:

- (1) Encourage enhancement and preservation of lands which are unique or of outstanding scenic, environmental, cultural and historical significance;

- (2) Provide an alternative for more efficient use of land, resulting in smaller networks of utilities, safer network of streets, promoting greater opportunities for public and private open space, and resulting in lower construction and maintenance costs to the general public;
 - (3) Encourage harmonious and coordinated development of the site, considering the natural features, community facilities, pedestrian and vehicular circulation in conformance with the thoroughfare plan, and land use relationship with surrounding properties and the general area; and
 - (4) Require the application of professional planning and design techniques to achieve overall coordinated development, eliminating the negative impacts of unplanned and piecemeal development likely to result from rigid adherence to the Zoning classifications and standards found elsewhere in this article.
- (b) *Eligibility.* The foregoing general purposes and comprehensive plan elements, along with such standards provided in this article, shall guide in the determination of eligibility for PUD application.
- (c) *PUD designation procedure.* The process for the filing of an application, requirements for notice and advertisement of a PUD application and other related actions shall be the same as those provided for in the Zoning amendment process as described in section 1-279. In addition to the above, the applicant shall be governed by the following requirements:
- (1) *Pre-application conference.* Prior to submitting an application for approval of a PUD, the applicant or representative shall confer with the Chief Building Official. The applicant is encouraged to submit a tentative land use sketch for review and to obtain any information on any projected plans, programs or other matters that may affect the proposed development. This information should include the:
 - a. Proper relationship between the proposed development and surrounding uses, and the effect of the plan upon the comprehensive plan of the City;
 - b. Adequacy of existing and proposed streets, utilities, and other public facilities and services within the proposed planned development;
 - c. Character, design and appropriateness of the proposed land uses and their adequacy to encourage desirable living conditions, to provide separations and screening between uses where desirable, and to preserve the natural amenities of streams, wooded areas, and similar natural features; and

d. Adequacy of open space and recreation areas, existing and proposed, to serve the needs of the development.

(2) *Submission of a preliminary PUD plan.* After the pre-application conference, a formal application for a PUD District may be made to the Planning and Zoning Commission in the same manner as an application for a Zoning amendment is made. Prior to the approval of such designation, the applicant shall submit a preliminary plan. The following information shall be included in the preliminary plan:

a. **Ownership.** All land included for purposes of development within a PUD District shall be owned by or be under the control of the applicant for such Zoning designation, whether the applicant is an individual, partnership, corporation, or group of individuals. The applicant shall present proof of the unified control of the entire area within the proposed PUD District.

b. Legal description of the site accompanied by a map at a scale suitable for reproduction for advertising for a Public Hearing.

c. Site conditions map or series of maps that shall indicate the following:

1. Title of planned development and name of developer;

2. Scale, date, north arrow, and general location map showing relationship of the site to external facilities such as highways;

3. Boundary of the subject property;

4. All existing streets, buildings, watercourses, easements, section lines, and other important features within the proposed project. The location and size, as appropriate, of all existing drainage, water, sewer, and other utility provisions, and information about existing vegetative cover.

d. Concept plan at the same scale as the above site conditions maps which shall indicate:

1. Sketch plan for pedestrian and vehicular circulation showing the general locations and rights-of-way widths and the general design capacity of the system as well as access points to the major thoroughfare system;

2. A general plan for the use of lands within the PUD. Such plans shall indicate the location, function and extent of all components or units of the plan, including low-, medium-, and high-density residential areas (indicating the proposed density for each category), open space provisions, community-serving recreation or leisure facilities, and areas for public or quasi-public institutional uses such as schools, places of worship and libraries;
 3. A statement indicating that proposed arrangements are made with the appropriate agencies for the provision of needed utilities to and within the planned development.
- e. A report shall be prepared in conjunction with the above material and shall include:
1. Total acreage involved in the project;
 2. The number of acres devoted to the various categories of land shown on the site development plan, along with the percentage of total acreage represented by each category of use and component of development, plus an itemized list of uses proposed for each of the components which shall be the range of uses permitted for that section of the planned development;
 3. The number and type of dwelling units involved for the overall site and for its components;
 4. A description of the projected service areas for nonresidential uses (e.g., neighborhood, community or regional);
 5. A statement or map indicating which streets and roads (and pedestrian ways as appropriate) are proposed for public ownership and maintenance and whether approval will be sought for private roads, if any, within the development;
 6. A statement or map on drainage which generally shows existing drainage conditions, wetlands, areas of frequent flooding, points of discharge from the project, and anticipated quantity of water generated from the development;

7. A statement which shall indicate the proposed method of governing the use, maintenance and continued protection of open space and community-serving facilities.
- f. Development schedule. The development site plan shall be accompanied by a development schedule indicating the approximate date on which construction is expected to begin and the rate of anticipated development to completion. A development schedule, if adopted and approved by the City Council, shall become part of the development plan and shall be adhered to by the owner, developer, and all successors in interest. Upon the recommendation of the Planning and Zoning Commission and for good cause shown by the owner and developer, the City Council may extend the development schedule or adopt such new development schedule as may be supported by the facts and circumstances of the case.
- (3) *Submission of a final PUD plan.* Before a building permit may be issued or before any development action on a proposed PUD may begin, the landowner shall submit a final plan to the Planning and Zoning Commission. The submission may be for all of the land included within a proposed PUD site or for a part of the site. The submission shall include all of the information prescribed in subsection (c)(2) of this section and shall additionally include specifications, covenants, easements, conditions, bonds, or other information required by the commission.

Sec. 1-228. - Antennas and Towers.

(a) *Applicability.*

- (1) *District height limitations.* The requirements set forth in this code shall govern the location of towers and antennas in the City.
- (2) *Public property.* Antennas or towers located on publicly owned property shall be exempt from the requirements of this code, provided a license or lease authorizing the antenna or tower has been approved by the City Council.
- (3) *Amateur radio and receive-only towers.* This code shall not govern any tower, or the installation of any antenna, that is under one hundred feet (100') in height and is owned and operated by a federally-licensed amateur radio station operator or is used exclusively as a receive-only antenna.

- (4) *Grandfathered towers and antennas.* Any tower or antenna existing on the effective date of this Ordinance shall not be required to meet the requirements of this code other than the requirements of this code for grandfathered towers and antennas. Any towers or antennas that fail to meet the requirements of this code shall be referred to as "grandfathered towers" or "grandfathered antennas."

(b) *Guidelines and requirements.*

- (1) *Purpose.* The purpose of this subchapter is to establish rules and regulations for the site placement and maintenance of towers and antennas of the type as herein defined and set out. The goals of this chapter are to encourage and to provide for the location of towers in nonresidential areas and minimize the total number of towers throughout the community, and to encourage strongly the joint use of new and existing towers. In addition, it is the purpose of these regulations to encourage the use of towers and antennas to be located in areas where the adverse impact on the community is minimal and to encourage the user of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas, and to enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively and efficiently.
- (2) *Existing sites.* Each applicant for a tower permit shall provide the City Council an inventory of its existing towers, including specific information about the location, height and design of each tower. The City Council shall review the data and information as may be submitted, and all data submitted in conjunction with an application as herein provided shall be deemed a part of the open and public record.
- (3) *Lighting.* The guidelines set forth in this code shall govern the location of all towers and the installation of all antennas; provided, however, that the governing body may in its sole discretion provide other regulations or other requirements that accomplish the objectives of this code where it is found that the goals and purposes of this chapter and this code are better served by such exceptions.
- (4) *Requirements.* Towers shall either be constructed to maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted sky blue or gray so as to reduce visual obtrusiveness.
- (5) *Design requirements.* At a tower site, the design of buildings and related structures shall, to the extent possible, use materials,

colors, textures, screening and landscaping that will blend the tower facilities to the natural setting and built environment.

- (c) *Installation of an antenna of a structure other than a tower.* If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to or closely compatible with the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
- (d) *Lighting of towers prohibited.* Towers shall not be artificially lighted unless required by the FAA or other applicable authority. If lighting is required, the City Council shall approve the design for lighting and the design must take into effect existing and contemplated uses of surrounding property and be configured in a way as to cause the least disturbance to the surrounding views.
- (e) *Federal and other governmental requirements.* All towers must meet or exceed current standards and regulations of the FAA, the FCC and any other agency of the federal government or any other governmental entity with the authority to regulate towers and antennas. If the standards and regulations are changed, then the owners of the towers and antennas governed by this code shall bring the towers and antennas into compliance with the revised standards and regulations within six (6) months of the effective date of the revised standards and regulations. Failure to bring towers and antennas into compliance with the revised standards and regulations shall constitute an immediate and automatic revocation of the authority granted under this chapter and the City may require the removal of any tower antenna in noncompliance at the cost of the owners.
- (f) *Building codes; safety standards.* To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in the Building Codes of the City and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. The City, through the Chief Building Official or other persons so designated, may inspect towers and antennas at any time, and if the Chief Building Official finds and concludes that the tower or an antenna fails to comply with such codes and standards and/or constitutes a danger to persons or property, then the Chief Building Official, upon notice being provided to the owner of the tower, may order that the tower and antenna be brought into compliance with the codes and standards within a period not to exceed thirty (30) days. If the owner fails to bring the tower into compliance within thirty (30) days, the City Council may order the removal of the tower and antennas at the expense of the owner. In the event a removal is ordered, the City shall not assume any liability for the removal and shall be entitled

to a lien upon the personal property, fixtures or real estate for the purpose of paying its cost incurred in the removal.

- (g) *Special Use Permit required.* The City Council finds and determines that it is in the best interest of the health, safety and well-being of the residents, citizens and inhabitants of the City that no tower or antenna shall be constructed, erected or maintained in the City unless a permit, hereinafter referred to as a tower permit, shall have first been issued by the City Council for the placement, location and maintenance of the tower and antenna.
- (h) *Application and fees.* From time to time the City Council may adopt an application form or procedure for the issuance of a tower permit. In addition, the City Council may specify fees, costs and expenses that must be paid by the applicant as an application fee prior to the review or issuance of the tower permit. In the event the City Council shall fail to specify or provide for tower permit application or a procedure for the issuance of a tower permit, then the Chief Building Official is hereby directed to establish such procedure as shall be reasonable and necessary to accomplish the objectives of this code. The application fee approved by the City Council shall be in an amount sufficient to cover the cost incurred by the City in reviewing the application and material submitted by the applicant. In addition, prior to the issuance of any permit and as a condition for the issuance of a tower permit, the applicant shall pay any additional cost as may be incurred by the City, including but not limited to professional fees incurred in the review of any application.
- (i) *Requirements of an application.* Each application filed hereunder shall show and attach thereto all relevant documents showing compliance with all laws and regulations promulgated by the federal government, including laws and regulations relating to the FAA or the FCC or any other governmental entity. In addition, no authority granted under this code shall be deemed to have any final authority until an application for a building permit has finally been approved by the Chief Building Official of the City.
- (j) *Shortened Administrative Process.*
 - (1) The City Council recognizes that there are certain circumstances where a tower permit may be issued administratively by the Chief Building Official without review by the City Council, and in this regard the Chief Building Official is hereby directed and authorized to issue a tower permit as provided for under this chapter without referral to or review by the City Council. The applicant for a tower permit by administrative approval shall first comply with all other requirements of this code including making application on such form as may be from time to time provided by the City and paying the required fee. The authority herein granted to the Chief Building

Official shall be deemed discretionary by the Chief Building Official and the Chief Building Official may decline to issue a tower permit administratively and may refer the application to the City Council for approval in accordance with the other provisions of this chapter.

- (2) The Chief Building Official may approve a tower permit administratively if it is found that one or more of the following conditions or circumstances shall exist:
 - a. The proposed tower or antenna, including the placement of additional buildings or other supporting equipment used in connection with the tower or antenna, will be located in an Industrial or heavy Commercial District or area of town. An Industrial or heavy Commercial area is one that is separated from any platted lot of record that is in residential use or intended for residential use by at least one thousand feet (1,000') from the closest point of any lot platted or used for residential purposes or, in the case of non-platted property, one thousand feet (1,000') from any structure actually used for residential purposes. In measuring or determining any of the distances as herein provided, measurements should be taken from the closest point of the lot or structure to the base or structural point of the tower closest to the residential lot or residential structure.
 - b. The installation of an antenna is on an existing structure other than a tower (such as a building, sign, light pole, water tower or other free-standing nonresidential structure) that is at least fifty feet (50') in height or greater so long as the additional antenna adds no more than twenty feet (20') to the height of the existing structure.
 - c. The installation of an antenna is on an existing tower of any height so long as the addition of the antenna adds no more than twenty feet (20') to the height of the existing tower. The tower permit issued under this section shall not permit the placement of additional buildings or other supporting equipment used in connection with the antenna.
- (k) *General requirements for approval of an antenna tower or structure and the issuance of a tower permit.* The following general provisions shall govern the issuance of a tower permit and shall control all applications for a tower permit. Each applicant requesting a tower permit under this code shall submit a scaled site plan and a scaled elevation view and other supporting drawings, calculations, or other documentation signed and sealed by appropriate professional engineers showing the location and dimensions of the improvement, including information concerning topography, radio

frequency coverage, tower height requirements, setbacks, drives, parking, fencing, landscaping, adjacent uses, and other information necessary to assess compliance with this code, including such other and additional information as may be deemed necessary and required by the City Council.

(l) *Factors in considering the granting of the permit.* The City Council shall consider the following factors in determining whether or not to issue a tower permit and such other factors as may be deemed appropriate and necessary in order to determine that the goals of the code are properly served:

- (1) Height of the proposed tower;
- (2) Proximity of the tower to residential structures and residential Districts; however, the City Council shall not approve any tower which is closer than one thousand feet (1,000') to any lot platted for residential use or from any structure in residential use;
- (3) Nature of uses on adjacent and nearby properties;
- (4) Surrounding topography;
- (5) Surrounding tree coverage and foliage;
- (6) Design of the tower with particular reference to design characteristics that have the effect of reducing or eliminating visual obstructions;
- (7) The availability of suitable and existing towers and other structures presently constructed which are suitable for antenna location; and
- (8) The environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC regulations concerning such emissions shall not be considered.

(m) *Availability of suitable towers or other structures.* No new tower permit shall be issued unless the applicant demonstrates to the reasonable satisfaction of the City Council that no existing tower or structure can accommodate the applicant's proposed antenna. Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna or tower may consist of any of the following.

- (1) No existing towers or structures are located within the geographic area required to meet applicant's Engineer's requirements;
- (2) Existing towers or structures are not of sufficient height to meet applicant's Engineer's requirements;

- (3) Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment;
 - (4) The applicant's proposed antenna would cause electromagnetic interference with the antennas on the existing towers or structures or the antennas on the existing towers or structures would cause interference with the applicant's proposed antenna;
 - (5) The fees or costs required to share an existing antenna or structure which will be paid at the beginning of a sharing relationship or will be paid within one (1) year from the date of the inception of any sharing relationship exceed the cost of constructing a new tower;
 - (6) Property owner(s) of existing towers or structures are unwilling to accommodate reasonably the applicant's needs. The applicant must specify the reason for property owner(s) refusing to accommodate and submit satisfactory proof of non-accommodation, including documents evidencing appropriate financial tenders.
 - (7) The applicants demonstrate that there are other limiting factors that render existing towers and structures unsuitable.
- (n) *Setbacks.* The following setbacks and separation requirements shall apply to all towers and antennas for which a tower permit is required; provided, however, that the governing body may, in its discretion, provide for other or different regulations if it finds that the goals of this code are better served by such modifications.
- (1) Towers must be set back a distance equal to two hundred feet (200') from the nearest point to any lot platted for residential use or any structure in residential use. If the height of the antenna tower is deemed to be greater than five hundred feet (500'), then the setback as herein provided shall be three (3) times the height of the tower.
 - (2) Towers, guys and accessory facilities must be constructed in a way to avoid adverse impact upon adjoining properties and the uses thereof. In addition, all such structures and apparatus must be properly screened by a visual barrier or fence of a height not less than eight feet (8') and shall be appropriately marked.
 - (3) In all areas other than Industrial and heavy Commercial areas which are separated from lots platted for residential use or from structures in residential use by more than one thousand feet (1,000'), towers over ninety feet (90') in height shall not be located within one-

quarter (¼) mile from an existing tower that is over ninety feet (90') in height.

- (o) *Security.* In addition to the fencing requirements as herein set out, all fencing shall be locked and secured and shall be equipped with appropriate anti-climbing devices; provided, that if the City Council finds and determines that, because of natural barriers or the existence of other apparatus or conditions, this requirement is not necessary, the City Council may, in an appropriate case, modify the screening and fencing requirements as herein set out.
- (p) *Landscaping.*
 - (1) All towers constructed and maintained within the City limits shall be landscaped and maintained in accordance with the provisions as herein set out. The City Council, however, upon appropriate application, may modify the provisions of this code when it is deemed appropriate in accordance with the circumstances and conditions then existing.
 - (2) The requirements as herein provided are:
 - a. Tower facilities shall be landscaped with a buffer of plant materials that effectively screen the view of the tower compound. The standard buffer shall consist of a landscaped strip at least four feet (4') wide outside the perimeter of the compound. The applicant for a tower permit shall file with the City a landscape plan which shall be approved by the City Council in conjunction with any application filed in accordance herewith. In the case of an application for administrative approval, the requirements for a landscape plan may be approved by the Chief Building Official without City Council approval if a request for administrative approval is granted. It shall be the duty of the applicant to fully maintain any landscaping as herein provided as a condition for the maintenance of the permit; and
 - b. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may be deemed by the City Council to be a sufficient buffer.
- (q) *Removal of abandoned towers and antennas.* Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be deemed abandoned, and the owner of the antenna or tower shall remove

the same within thirty (30) days of the receipt of a notice from the City Council notifying the owner of the abandonment. If the antenna or tower is not removed within the required thirty (30) days, or such additional period as may be allowed by the City Council upon application, the City Council may remove the antenna or tower at the expense of the owner and may file a lien upon the real estate and any personal property or fixtures found to pay the cost of removal.

(r) *Existing antennas and towers.*

- (1) Any antenna or tower that would otherwise be subject to regulation under the terms and provisions of this code that had been constructed and lawfully in existence at the date of adoption of this chapter shall be deemed grandfathered and shall not be subject to the regulations provided under this code for the issuance of a tower permit. However, all other provisions of this code applicable to the maintenance or renovation of an antenna or tower shall be deemed applicable and in existence.
- (2) The owner of a previously existing antenna tower shall be entitled to grandfathered status only if the owner and/or lessee of the antenna or tower shall file a declaration and claim of grandfathered status on or before the expiration of six (6) months from the date of adoption of this chapter. Any person failing to timely claim grandfathered status shall be required as a condition of the maintenance of an antenna or tower to obtain a tower permit as herein required for a newly constructed antenna or tower.

(s) *Applicant shall acquire no vested rights.*

- (1) No applicant for a tower permit or person intending to apply for a tower permit shall at any time acquire any vested rights to a tower permit or other authority or privilege to maintain an antenna or tower in the City limits. Nor shall any person who shall have previously constructed and maintained an antenna or tower otherwise subject to regulation under this chapter be deemed to have acquired any vested rights or property rights to maintain the tower or antenna in the City.
- (2) The City declares that the provisions of this chapter are necessary for the preservation of the health, safety and well-being of the residents, citizens and inhabitants of the City and as such the health, safety and well-being of the residents, citizens and inhabitants of the City require that this chapter and code be enforced to the maximum extent permitted by law and that all rights of property shall at all times be subordinate to the regulations as herein set out.

- (t) *Regulations to the extraterritorial jurisdiction.* The City Council finds and determines that its regulation of antennas and towers is important for the maintenance of the health, safety and well-being of the residents, citizens and inhabitants of the City and, as such, declares that the regulations contained in this chapter and code shall, to the extent that may from time to time be permitted under the laws of the State, be applicable to all towers and antennas that may be permitted and constructed in the extraterritorial jurisdiction of the City.”

Section 4. Appendix A, Section 1-283, of the Fulshear Code is hereby amended to read as follows:

“Sec. 1-283. - Special Use Permits.

- (a) The City Council may by Ordinance grant a Special Use Permit for any land use in any zoning district provided that the special use is specifically authorized under this Ordinance. (See Article III, Division 2, *District Regulations and Use Table*). In granting a Special Use Permit, the City Council shall ensure that all required conditions necessary for the use to be lawful shall be complied with by the owner or grantee before a certificate of occupancy is issued by the building inspector, for use of the building on such property pursuant to such Special Use Permit and such conditions precedent to the granting of the certificate of occupancy.
- (b) All requests for Special Use Permits shall first be presented to the Planning and Zoning Commission, which shall hold Public Hearings thereon and consider them in accordance with subsection (c) of this section, and then make a recommendation to the City Council which shall also hold Public Hearings and shall approve, disapprove or approve the special use with conditions. Any additional approval requirements for a special use permit shall be to mitigate a concern directly related to subsection (c) of this section.
- (c) In addition to the specific requirements for a specific type of special use (See Sec. 1-225, *Special Use Standards*), Special Use Permits may not be granted unless the Planning and Zoning Commission makes written findings based directly upon the particular evidence presented to it which support written conclusions that the granting of the Special Use Permit will not:
1. Be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located;
 2. Impair an adequate supply of light or air to adjacent property;
 3. Substantially increase the congestion in the public streets;
 4. Increase the danger of fire;

5. Endanger the public health, safety and well-being; or
 6. Substantially diminish or impair property values within the neighborhood.
- (d) Every Special Use Permit granted under these provisions shall be considered as an amendment to the Ordinance from which this Ordinance is derived as applicable to such property under consideration, but shall not be considered as a permanent change in Zoning. In the event the building, premises, or land uses under the Special Use Permit is voluntarily or involuntarily vacated or if the ownership is voluntarily or involuntarily transferred, or if such buildings, premises, or land is more than fifty percent (50%) destroyed by fire or other cause, the use of the same shall thereafter conform to the regulations of the original Zoning District of such property unless a new and separate Special Use Permit is granted for continuation of the use.
 - (e) No building, premises, or land used under a Special Use Permit may be enlarged, modified, structurally altered, or otherwise significantly changed unless a separate Special Use Permit is granted for such enlargement, modification, structural alteration, or change.
 - (f) The following shall be submitted in connection with all applications for a Special Use Permit:
 - (1) *Ownership affidavit.* A Statement of ownership and control of the subject property and a Statement describing the nature of the intended use shall be submitted.
 - (2) *Vicinity map.* A general location map indicating the approximate location of the subject parcel shall be submitted.
 - (3) *Context map.* Twenty (20) full-size, twenty-four by thirty-six inches (24" x 36"), copies of a context plan shall be submitted; additional copies may be required. The map shall include the existing features within two hundred feet (200') of the proposed conditional use. Existing features include, but are not limited to, buildings, ingress and egress points, landscaping areas, pedestrian paths and property names.
 - (4) *Survey.* A survey prepared and stamped by a State registered land surveyor listing the metes and bounds legal description and the gross acreage within the subject parcel shall be submitted.
 - (5) *Compliance with the comprehensive plan.* A Statement indicating how the proposed development complies with the City's adopted comprehensive plan shall be submitted.
 - (6) *Site plan.* Twenty (20) full-size, twenty-four inches by thirty-six inches (24" x 36"), copies of the site plan are required to be submitted and shall be

prepared and stamped by licensed and/or certified professionals including, but not limited to, architects, landscape architects, land planners, Engineers, surveyors, transportation Engineers or other professionals, deemed necessary by the City Manager or his designee for detailed elements that should be included on the site plan.

- (7) *Landscaping plan.* Twenty (20) full-size, twenty four inches by thirty six inches (24" x 36"), copies of a landscaping plan is required to be submitted and shall be prepared and stamped by a licensed landscape architect, indicating the location, spacing, types and sizes of landscaping elements, existing trees (in accordance with section 1-165), and showing compliance with the City's off-street parking requirements, the City's design guidelines and policies, and the requirements of the appropriate Zoning District.
- (8) *Grading and drainage plan.* Twenty (20) full-size, twenty-four inches by thirty-six inches (24" x 36"), copies of a grading and drainage plan which indicates the proposed grading and techniques for controlling and discharging drainage shall be submitted.
- (9) *Lighting plan.* A lighting plan shall be submitted which indicates the illumination of all interior areas and immediately adjoining streets showing the location, candlepower and type of lighting proposed. The lighting plan shall be in conformance with all applicable lighting standards of Fort Bend County.
- (10) *Elevations.* Twenty (20) full-size, twenty-four inches by thirty-six inches (24" x 36"), copies of elevations of all buildings, fences and other structures viewed from all sides indicating height of structures, the average finished grade of the site at the foundation area of all structures, percentage of building materials proposed, and color of all materials shall be submitted.
- (11) *Signage plan.* The Planning and Zoning Commission shall approve an overall signage plan during the specific use approval process. All information to be provided for the sign permit shall be submitted concurrent with the site plan application materials.
- (12) *Traffic impact study.* A traffic impact study, completed by a certified traffic Engineer, may be required if it is estimated by the City Engineer that the project could generate trips for any given time period in excess of five percent (5%) of the existing volume of traffic on adjacent street systems.
- (13) *Public notice.* Stamped and addressed business size envelopes (which do not include return addresses) to all owners of property located within three hundred feet (300') of the boundary of the proposed conditional use, as listed in the current county records, shall be submitted."

Section 5. **Penalty.** Any person who violates or causes, allows, or permits another to violate any provision of this ordinance, rule, or police regulation of the city shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine or penalty not to exceed five hundred dollars (\$500.00), provided that if such rule, ordinance, or police regulation governs fire safety, zoning, or public health and sanitation, other than the dumping of refuse, the fine or penalty shall not exceed two thousand dollars (\$2,000.00), and further provided that if such rule, ordinance, or police regulation governs the dumping of refuse, the fine or penalty shall not exceed four thousand dollars (\$4,000.00). Each occurrence of any violation of this ordinance, rule, or police regulation shall constitute a separate offense. Each day on which any such violation of this ordinance, rule, or police regulation occurs shall constitute a separate offense.

Section 6. **Severability.** In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Fulshear, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 7. **Repeal.** All other ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 8. **Effective date.** This Ordinance shall be effective and in full force when published as required by law.

PASSED, APPROVED, and ADOPTED this, the ____ day of _____, 2019.

Aaron Groff, Mayor

ATTEST:

Kimberly Kopecky, City Secretary

AGENDA MEMO
BUSINESS OF THE PLANNING & ZONING COMMISSION
CITY OF FULSHEAR, TEXAS

AGENDA OF:	November 8, 2019		
DATE SUBMITTED:	October 21, 2019	DEPARTMENT:	Planning and Development
PREPARED BY:	Zach Goodlander, Director of Development Services, Brant Gary, Assistant City Manager	PRESENTER:	Zach Goodlander, Director of Development Services,
SUBJECT:	Plat recommendations of approval for Planning and Zoning Commission		
ATTACHMENTS:	<ol style="list-style-type: none">1. Plat Application2. Copy of Plat3. City Engineer's Review Letter		

EXECUTIVE SUMMARY

The Planning & Zoning Commission has for its consideration the following plats:

- 1. Consideration and possible action to recommend approval of Jordan Ranch Section 19 Final Plat**
- 2. Consideration and possible action to recommend approval of the Jordan Ranch Street Dedication No. 5 Final Plat**
- 3. Consideration and possible action to recommend extension of approval for the Tamarron Section 12 Final Plat**

The plats, as submitted for consideration, generally meet the requirements set forth in the City's Subdivision Ordinance No. 04-913 and/or 013-1091, which is in alignment with Chapter 21, Texas Local Government Code. Plat comments noted in the City Engineer's report are provided in support of the rules and regulations governing plats and subdivisions of land within the City's territorial limits and the extra territorial jurisdiction to promote safe, orderly, and healthful development of the City.

RECOMMENDATION

Staff recommends the Planning & Zoning Commission approve the plats and plat extension under consideration.



CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

Phone: 281-346-1796 ~ Fax: 281-346-2556

www.fulsheartexas.gov

Subdivision/Development Platting Application

Date: 10/16/2019

Date Received by the City of Fulshear:

Subdivision: Jordan Ranch Section 19 Development: Jordan Ranch

SUBMITTAL OF PLAT: (Check Appropriate Selection)

___ Preliminary ___ Final ___ Short Form Final
___ Replat ___ Vacation Plat ___ Admin. (Minor) Plat
___ Amending Plat

TYPE OF PLAT: (Check Appropriate Selection)

X Single-Family Residential ___ Zero Lot Line/ Patio Home ___ Multi-Family Residential
___ Planned Development ___ Commercial ___ Industrial

Plat Location: ___ City X ETJ (Extraterritorial Jurisdiction)

Legal Description:

Variance: ___ Yes (Attach a Copy of Approval Letter) X No

Total Acreage: 23.617

Number of Streets: 5

Number of Lots: 91

Number and Types of Reserves: 3 (Landscape/Open Space/Utilities)

Total Acres in Reserve: 4.081

Owner: FORT BEND JORDAN RANCH LP

Address: 5005 Riverway Drive, Suite 500

City/State: Houston, TX

Telephone: (713) 960-9977

Email Address: steves@johnsondev.com

Engineer/Planner: IDS Engineering Group

Contact Person: John R. Herzog, P.E.

Telephone: (713) 462-3178

Fax Number:

Email Address: jherzog@idseg.com

Platting Fees

Preliminary Plat - \$500.00 plus 3.50 per lot, plus \$12.50 per acre
Final Plat - \$500.00 plus \$5.00 per lot plus \$25.00 per acre
Replat - \$500.00 plus 5.00 per lot plus \$25.00 per acre
Amending or Minor Plat - \$200.00
Plat Vacation - \$500.00
2nd Review of plats - \$100.00 (each additional review)
TOTAL PLATTING FEE \$1545.43
Park Fees (due at Final Plat Application) \$40,950*

*Per development agreement, Park Fees will be paid prior to the plat being recorded

This is to certify that the information on this form is complete, true and correct and the undersigned is authorized to make this application. I understand that if all necessary information, required documents, and plat fees are required at time of submittal or the City of Fulshear will not complete the review needed in order to submit to the P&Z board.

Handwritten signature of John R. Herzog

SIGNATURE

John R. Herzog, P.E., Project Manager

TYPED OR PRINTED NAME/TITLE

10/16/2019

DATE

STATE OF TEXAS

COUNTY OF FORT BEND

I, STEPHEN A. SAMS, Vice President of JOHNSON JORDAN RANCH GP LLC, a Texas limited liability company, the general partner of FORT BEND JORDAN RANCH LP, a Texas limited partnership, hereinafter referred to as owners of the 23.617 acre tract described in the above and foregoing map of JORDAN RANCH SEC 19, do hereby make and establish said subdivision and development plat of said property according to all lines, dedications, restrictions and notations on said maps or plat, and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets), alleys, parks, water courses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors, and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11'6") for ten feet (10'0") perimeter ground easements or seven feet, six inches (7'6") for fourteen feet (14'0") perimeter ground easements or five feet, six inches (5'6") for sixteen feet (16'0") perimeter ground easements, from a plane sixteen feet (16'0") above the ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals twenty one feet, six inches (21'6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10'0") for ten feet (10'0") back-to-back ground easements, or eight feet (8'0") for fourteen feet (14'0") back-to-back ground easements or seven feet (7'0") for sixteen feet (16'0") back-to-back ground easements, from a plane sixteen feet (16'0") above the ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30'0") in width.

FURTHER, Owners do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of single family residential dwelling units thereon (or the placement of mobile home subdivision) and shall be restricted for same under the terms and conditions of such restrictions filed separately.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat is hereby restricted to prevent the drainage of any septic tanks into any public or private street, permanent access easement, road or alley or any drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby dedicate to the public a strip of land twenty (20) feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws and drainage ditches located in said subdivision, as easements for drainage purposes. Fort Bend County or any other governmental agency shall have the right to enter upon said easement at any and all times for the purposes of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this subdivision and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, excessive vegetation and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, We do hereby certify that we are the owners of all property immediately adjacent to the boundaries of the above and foregoing plat of JORDAN RANCH SEC 19 where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing subdivision and do hereby make and establish all building setback lines and dedicate to the use of the public, all public utility easements shown in said adjacent acreage.

FURTHER, Owners do hereby acknowledge the receipt of the "Orders for Regulation of Outdoor Lighting in the Unincorporated Areas of Fort Bend County, Texas", and do hereby covenant and agree and shall comply with this order as adopted by Fort Bend County Commissioners Court on March 23, 2004, and any subsequent amendments.

IN TESTIMONY WHEREOF, JOHNSON JORDAN RANCH GP LLC, a Texas limited liability company, as general partner of FORT BEND JORDAN RANCH LP, a Texas limited partnership, has caused these presents to be signed by Stephen A. Sams, Vice President, this ___ day of _____, 2019.

By: FORT BEND JORDAN RANCH LP, a Texas Limited Partnership

By: JOHNSON JORDAN RANCH GP, LLC a Texas Limited Liability Company It's General Partner

By: Stephen A. Sams, Vice President

I, Douglas W. Turner, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, South Central Zone.

"PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED, VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT."

Douglas W. Turner, R.P.L.S. Registered Professional Land Surveyor Texas Registration No. 3988

I, John R. Herzog, A Professional Engineer registered in the State of Texas do hereby certify that this plat meets the requirements of Fort Bend County to the best of my knowledge.

John R. Herzog, P.E. Licensed Professional Engineer, No.126468

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF JOHN R. HERZOG, P.E. 126468 ON 10/10/19, IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

This plat of JORDAN RANCH SEC 19 is approved by the City Planning and Zoning Commission of the City of Fulshear, Texas this ___ day of _____, 2019.

Amy Pearce, Chair

Dar Hakimzadeh, Co-Chair

The plat of JORDAN RANCH SEC 19 was approved by the City of Fulshear Council on the ___ day of _____, 2019, and signed on this ___ day of _____, 2019, provided; however, this approval shall be invalid, and null and void, unless this plat if filed with the County Clerk of Fort Bend, Texas within one (1) year hereafter.

Aaron Groff, Mayor

Kimberly Kopecky, City Secretary

NOTES

- 1. The coordinates shown hereon are Texas South Central Zone No. 4204 State Plane Grid Coordinates (NAD83) and may be brought to surface by applying the combined scale factor of 1.00013.
2. B.L. indicates a building line
A.E. indicates a aerial easement
U.E. indicates a utility easement
W.S.E indicates a water and sewer easement
VOL., PG. indicates Volume, Page
P.R.F.B.C. indicates Plat Records of Fort Bend County
O.P.R.F.B.C. indicates Official Public Records of Fort Bend County
O.R.F.B.C. indicates Original Records of Fort Bend County
F.B.C. O.P.R.R.P. indicates Fort Bend County Official Public Records of Real Property
ESMT. indicates Easement
H.L. & P. indicates Houston Lighting and Power
SQ. FT. indicates square feet
AC. indicates acre
R.O.W. indicates right-of-way
• indicates found 5/8" iron rod (unless otherwise noted)
• indicates set 5/8" iron rod with plastic cap stamped "IDS" (unless otherwise noted)

indicates street name change

- 3. All building lines along street rights-of-way are as shown on the plat.
4. All sidelot building lines to be 5' unless otherwise noted.
5. All non-perimeter easements on property lines are centered unless otherwise noted.
6. All bearings are based on the Texas Coordinate System of 1983, South Central Zone.
7. One-foot reserve dedicated for buffer purposes to the public in fee as a buffer separation between the side or end of streets where such streets abut adjacent property, the condition of such dedication being that when the adjacent property is subdivided or re-subdivided in a recorded plat, the one-foot reserve shall thereupon become vested in the public for street right-of-way purposes and the fee title thereto shall revert to and revert in the dedicator, his heirs, assigns, or successors.
8. The platted area is located within Zone X, defined as areas determined to be outside the 500 year floodplain, per FEMA Flood Insurance Rate Map Panel No. 48157C0020L, effective April 02, 2014.
9. This property lies within the extraterritorial jurisdiction of the City of Fulshear, Fort Bend County, Texas, Fulshear Municipal Utility District No. 3A and within County Assistance District (CAD) No. 7.
10. Sidewalks shall be built or caused to be built not less than 5 feet in width on both sides of all dedicated rights-of-way within said plat and on the contiguous right-of-way of all perimeter roads surrounding said plat, in accordance with the A.D.A.
11. The top of all floor slabs shall be a minimum of 153.50 feet above mean sea level. The top of slab elevation at any point on the perimeter of the slab shall not be less than eighteen (18) inches above natural ground.
12. The drainage system for this subdivision is designed in accordance with the "Fort Bend County Drainage Criteria Manual" which allows street ponding with intense rainfall events.
13. All drainage easements are to be kept clear of fences, buildings, vegetation and other obstructions to the operation and maintenance by the drainage facility. All property is required to drain into the drainage easement through an approved drainage structure.
14. The Lighting Zone Code is LZ3.
15. To the best of the engineer's knowledge, all existing pipeline easements within the subdivision are shown on the plat.
16. Absent written authorization by the affected utilities, all utility easements must be kept unobstructed from any non-utility improvements or obstruction by property owner. Any unauthorized improvements or obstructions may be removed by the utility at the property owner's expense.
17. Benchmark: Vertically is based on a FEMA benchmark in Katy, RM 7: A US Coast and Geodetic survey disk marked Y 1148, located 0.3 ± miles east along the Missouri-Kansas-Texas railroad from the station at Katy and 5.2 feet ± southwest of the southeast corner of the American Rice Growers Co-op Association office building. Held the Published NAVD 88 Elevation on Y1148 = 141.44 Elevation = 142.00 (NAVD 1929 - datum based on FEMA maps)
18. Reserves A, B, and C within this plat will be owned and maintained by Fulshear M.U.D. No. 3A. Maintenance will be performed by either Fulshear M.U.D. No. 3A or the Jordan Ranch Community Association.
19. A minimum distance of 10' shall be maintained between residential dwellings.
20. Site plans shall be submitted to Fort Bend County and any other applicable jurisdiction for review and approval. Development Permits and all other applicable permits shall be obtained from Fort Bend County prior to beginning construction.
21. The minimum distance of twenty-two (22) feet shall be maintained between a front facing garage and the edge of the sidewalk.

BEING 23.617 acres of land in the J.G. Bennett Survey, Abstract Number 611, Fort Bend County, Texas and being a portion of the 1352.43 acre tract described in the deed from The Massimo Fabio Silvestri Irrevocable Trust and The Rocco Paolo Silvestri Irrevocable Trust to Fort Bend Jordan Ranch LP recorded under File Number 2015027940 in the Official Public Records of Fort Bend County, Texas and more particularly described by metes and bounds as follows with bearings based on the Texas Coordinate System of 1983, South Central Zone:

BEGINNING at a 5/8-inch iron rod with cap stamped "IDS" found for the southeast corner of JORDAN RANCH SEC. 13 according to the plat thereof recorded under Film Code No. 20190156, in the Official Plat Records of Fort Bend County, Texas and the southwest corner of the herein described tract, in a south line of said 1352.43 acre tract;

THENCE North 12° 33' 12" West - 1215.58 feet, with the east line of said JORDAN RANCH SEC. 13 and the east line of JORDAN RANCH SEC. 13 according to the plat thereof recorded under Film Code No. 20190156 in the Official Plat Records of Fort Bend County, Texas and the east line of JORDAN RANCH SEC. 7 according to the plat thereof recorded under Film Code No. 20190099 in the Official Plat Records of Fort Bend County, Texas, to a 5/8-inch iron rod with cap stamped "IDS" set for the northwest corner the herein described tract;

THENCE North 77° 26' 48" East - 75.00 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE North 37° 20' 09" East - 190.11 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the north corner the herein described tract and the beginning of a non-tangent curve to the right;

THENCE in a southeasterly direction, with said curve to the right, having a radius of 1450.00 feet, a central angle of 06° 39' 16", a chord bearing and distance of South 48° 56' 30" East - 168.31 feet, and an arc distance of 168.41 feet, to a 5/8-inch iron rod with cap stamped "IDS" set for the end of curve;

THENCE South 45° 36' 53" East - 161.92 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the Point of Curvature of a curve to the left;

THENCE in a southeasterly direction, with said curve to the left, having a radius of 1850.00 feet, a central angle of 20° 48' 54", a chord bearing and distance of South 56° 01' 20" East - 668.39 feet, and an arc distance of 672.08 feet, to a 5/8-inch iron rod with cap stamped "IDS" set for the Point of Reverse Curvature of a curve to the right;

THENCE in a southerly direction, with said curve to the right, having a radius of 30.00 feet, a central angle of 87° 10' 15", a chord bearing and distance of South 22° 50' 39" East - 41.37 feet, and an arc distance of 45.64 feet, to a 5/8-inch iron rod with cap stamped "IDS" set for the end of curve;

THENCE South 67° 15' 34" East - 60.04 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the beginning of a non-tangent curve to the right;

THENCE in a northeasterly direction, with said curve to the right, having a radius of 30.00 feet, a central angle of 89° 10' 15", a chord bearing and distance of North 65° 19' 36" East - 42.12 feet, and an arc distance of 46.69 feet, to a 5/8-inch iron rod with cap stamped "IDS" set for the Point of Reverse Curvature of a curve to the left;

THENCE in an easterly direction, with said curve to the left, having a radius of 1850.00 feet, a central angle of 06° 51' 40", a chord bearing and distance of South 73° 31' 07" East - 221.40 feet, and an arc distance of 221.53 feet, to a 5/8-inch iron rod with cap stamped "IDS" set for the northeast corner the herein described tract;

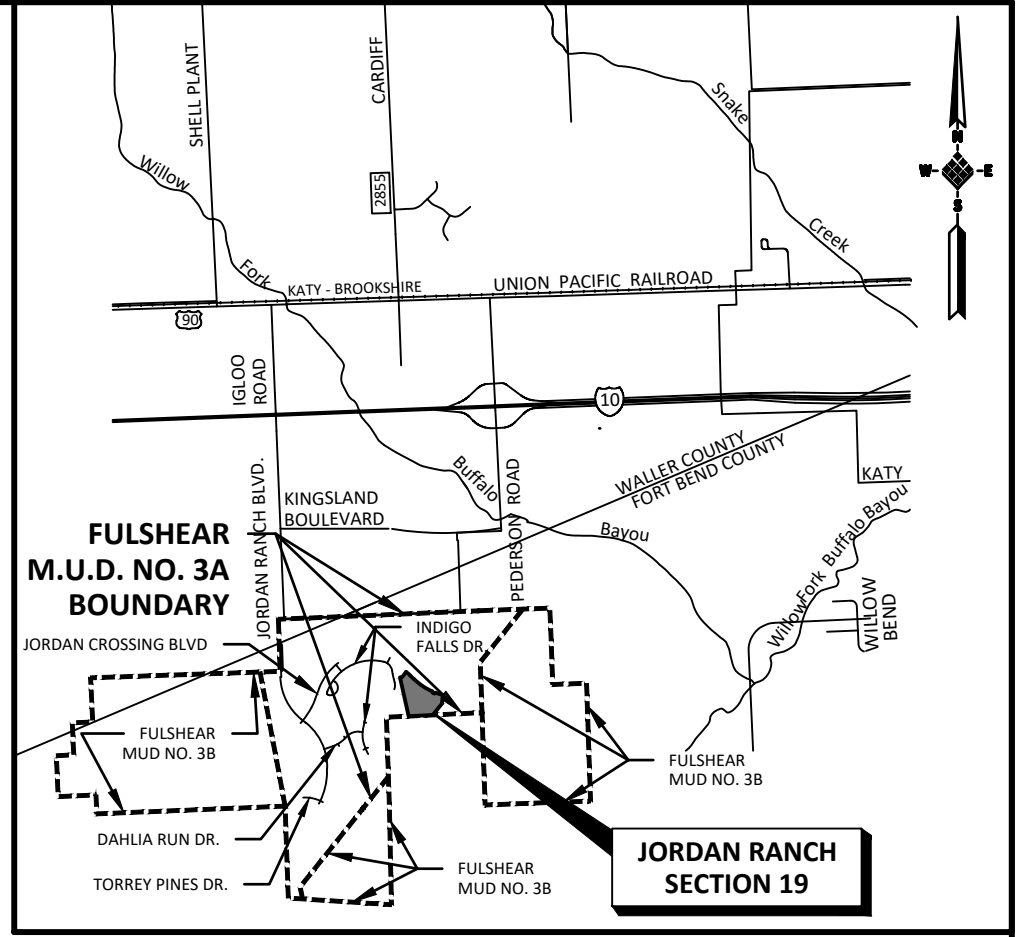
THENCE South 04° 22' 38" West - 261.89 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE South 38° 42' 33" West - 374.83 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE South 39° 29' 56" West - 66.61 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE South 38° 42' 58" West - 12.16 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract, in a south line of said 1352.43 acre tract;

THENCE South 87° 14' 45" West - 739.70 feet, with a south line of said 1352.43 acre tract, to the POINT OF BEGINNING of the herein described tract and containing 23.617 acres of land.



FORT BEND COUNTY KEY MAP NO. 483J VICINITY MAP SCALE 1" = 5,000'

I, J. Stacy Slawinski, Fort Bend County Engineer, do hereby certify that the plat of this subdivision complies with all of the existing rules and regulations of this office as adopted by the Fort Bend County Commissioners' Court. However, no certification is hereby given as to the effect of drainage from this subdivision on the intercepting drainage artery or parent stream or on any other area or subdivision within the watershed.

J. Stacy Slawinski, P.E. Fort Bend County Engineer

APPROVED by the Commissioners' Court of Fort Bend County, Texas, this ___ day of _____, 2019.

Vincent M. Morales, Jr. Precinct 1, County Commissioner

W.A. "Andy" Meyers Precinct 3, County Commissioner

K.P. George, County Judge

Grady Prestage Precinct 2, County Commissioner

Ken R. DeMerchant Precinct 4, County Commissioner

I, Laura Richard, County Clerk in and for Fort Bend County, hereby certify that the foregoing instrument with its certificate of authentication was filed for recordation in my office on ___ day of _____, 2019, at ___ o'clock ___ M. Filed in plat number(s) ___ of the plat records of Fort Bend County, Texas.

Witness my hand and seal of office, at Richmond, Texas, the day and date last above written.

Laura Richard, County Clerk Fort Bend County, Texas

By: Deputy

JORDAN RANCH SEC 19

A SUBDIVISION OF 23.617 ACRES

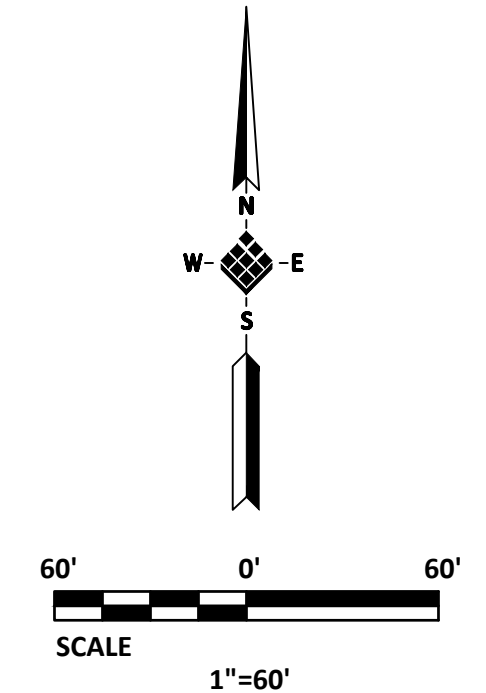
LOCATED IN J.G. BENNETT SURVEY, A-611 FORT BEND COUNTY, TEXAS

91 LOTS 2 BLOCKS 3 RESERVES

OWNER: FORT BEND JORDAN RANCH LP

ENGINEER: IDS Engineering Group

13430 NW Freeway Suite 700 Houston, Tx 77040 713.462.3178



CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD DISTANCE
C1	6°39'16"	1,450.00'	168.41'	84.30'	S48°56'30"E	168.31'
C2	20°48'54"	1,850.00'	672.08'	339.79'	S56°01'20"E	668.39'
C3	87°10'15"	30.00'	45.64'	28.55'	S22°50'39"E	41.37'
C4	89°10'15"	30.00'	46.69'	29.57'	N65°19'36"E	42.12'
C5	6°51'40"	1,850.00'	221.53'	110.90'	S73°31'07"E	221.40'
C6	2°00'25"	2,030.00'	71.10'	35.55'	N70°15'44"W	71.10'
C7	49°38'31"	55.00'	47.65'	25.44'	N46°26'41"W	46.18'
C8	42°06'38"	55.00'	40.42'	21.17'	S00°34'07"E	39.52'
C9	57°37'39"	375.00'	377.17'	206.28'	S49°18'02"W	361.47'
C10	9°07'54"	375.00'	59.77'	29.95'	S82°40'48"W	59.70'
C11	40°06'02"	50.00'	34.99'	18.25'	N72°42'14"W	34.28'
C12	40°06'01"	50.00'	34.99'	18.25'	N32°36'13"W	34.28'
C13	20°59'14"	500.00'	183.15'	92.61'	N66°57'11"E	182.12'
C14	5°55'56"	1,000.00'	103.54'	51.81'	N74°28'50"E	103.49'
C15	15°42'10"	300.00'	82.22'	41.37'	N79°21'57"E	81.96'
C16	23°31'26"	300.00'	123.17'	62.47'	N81°01'15"W	122.31'
C17	90°37'43"	25.00'	39.54'	25.28'	S24°34'24"E	35.55'
C18	2°07'19"	2,000.00'	74.07'	37.04'	S70°56'54"E	74.06'
C19	13°30'32"	25.00'	5.89'	2.96'	S78°45'49"E	5.88'
C20	132°38'45"	50.00'	115.76'	114.03'	S19°11'43"E	91.58'
C21	27°19'50"	25.00'	11.93'	6.08'	S33°27'44"W	11.81'
C22	67°26'56"	405.00'	476.77'	270.35'	S53°31'17"W	449.71'
C23	13°15'41"	25.00'	5.79'	2.91'	S80°36'54"W	5.77'
C24	106°43'26"	50.00'	93.13'	67.23'	N52°39'14"W	80.24'
C25	13°15'41"	25.00'	5.79'	2.91'	N05°55'21"W	5.77'
C26	21°02'22"	25.00'	9.18'	4.64'	N23°04'23"W	9.13'
C27	258°48'31"	50.00'	225.85'	60.86'	S84°11'19"E	77.27'
C28	57°46'09"	25.00'	25.21'	13.79'	S16°19'52"W	24.15'
C29	93°59'21"	25.00'	41.01'	26.80'	S59°32'52"E	36.56'
C30	10°48'05"	470.00'	88.60'	44.43'	N68°03'25"E	88.47'
C31	46°01'19"	25.00'	20.08'	10.62'	N39°38'43"E	19.55'
C32	265°30'19"	50.00'	231.70'	54.08'	S30°36'47"E	73.43'
C33	40°07'54"	25.00'	17.51'	9.13'	S82°04'25"W	17.16'
C34	12°14'29"	530.00'	113.24'	56.83'	S68°07'42"W	113.02'
C35	86°48'09"	25.00'	37.87'	23.64'	S30°50'52"W	34.36'
C36	90°00'00"	25.00'	39.27'	25.00'	S57°33'12"E	35.36'
C37	5°55'56"	970.00'	100.43'	50.26'	N74°28'50"E	100.38'
C38	25°41'50"	150.00'	67.28'	34.21'	N58°39'57"E	66.71'
C39	82°48'14"	50.00'	72.26'	44.08'	N87°13'09"E	66.13'
C40	25°24'29"	150.00'	66.52'	33.82'	S64°04'58"E	65.97'
C41	7°31'41"	330.00'	43.36'	21.71'	S73°01'22"E	43.33'
C42	90°00'00"	25.00'	39.27'	25.00'	N65°44'28"E	35.36'
C43	5°55'56"	1,030.00'	106.64'	53.37'	S74°28'50"W	106.59'
C44	39°13'36"	270.00'	184.85'	96.21'	N88°52'20"W	181.26'
C45	2°00'25"	2,060.00'	72.15'	36.08'	N70°15'44"W	72.15'
C46	91°45'09"	25.00'	40.03'	25.78'	N25°23'22"W	35.89'
C47	44°28'05"	345.00'	267.76'	141.03'	N42°43'15"E	261.09'
C48	89°24'47"	25.00'	39.01'	24.75'	S70°20'19"E	35.17'
C49	153°06'46"	50.00'	133.62'	209.17'	N77°48'41"E	97.26'
C50	85°59'27"	25.00'	37.52'	23.31'	N44°15'02"E	34.10'
C51	80°12'03"	25.00'	34.99'	21.05'	S52°39'14"E	32.21'
C52	90°00'00"	25.00'	39.27'	25.00'	S32°26'48"W	35.36'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S20°44'28"W	151.48'
L2	N69°15'32"W	33.33'
L3	S68°23'34"W	2.87'
L4	N11°53'09"W	45.58'
L5	S87°14'45"W	241.51'
L6	N37°20'46"E	8.17'
L7	N12°33'12"W	284.60'
L8	N12°33'12"W	320.00'
L9	N12°33'12"W	340.11'
L10	N77°26'48"E	15.00'
L11	N77°26'48"E	24.04'
L12	S77°26'48"W	76.76'
L13	N71°30'52"E	107.67'
L14	N02°46'58"W	11.40'
L15	N69°15'32"W	82.85'
L16	N77°26'48"E	21.76'
L17	S69°15'32"E	27.85'
L18	S77°26'48"W	21.76'
L19	N65°15'02"E	14.23'
L20	S04°24'36"E	20.00'
L21	S68°27'14"E	20.00'
L22	S88°19'44"E	13.84'
L23	S00°09'41"E	20.00'
L24	S75°46'53"W	20.00'
L25	N69°14'37"W	35.00'
L26	N24°15'32"W	14.85'

MATCH LINE - SEE SHEET 3

RESERVE TABLE				
RESERVE NAME	RESTRICTION	SQ. FT.	ACRES	
(A)	A	LANDSCAPE/OPEN SPACE/UTILITIES	5,644	0.130
(B)	B	LANDSCAPE/OPEN SPACE/UTILITIES/PIPELINES	138,973	3.190
(C)	C	LANDSCAPE/OPEN SPACE/UTILITIES	33,167	0.761

JORDAN RANCH SEC 19

A SUBDIVISION OF
23.617 ACRES

LOCATED IN
J.G. BENNETT SURVEY, A-111
FORT BEND COUNTY, TEXAS

91 LOTS 2 BLOCKS 3 RESERVES

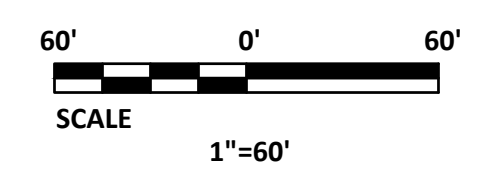
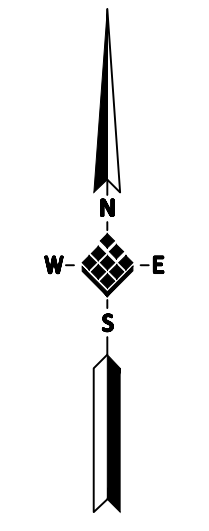
OWNER: **FORT BEND JORDAN RANCH LP**

ENGINEER: **IDS Engineering Group**

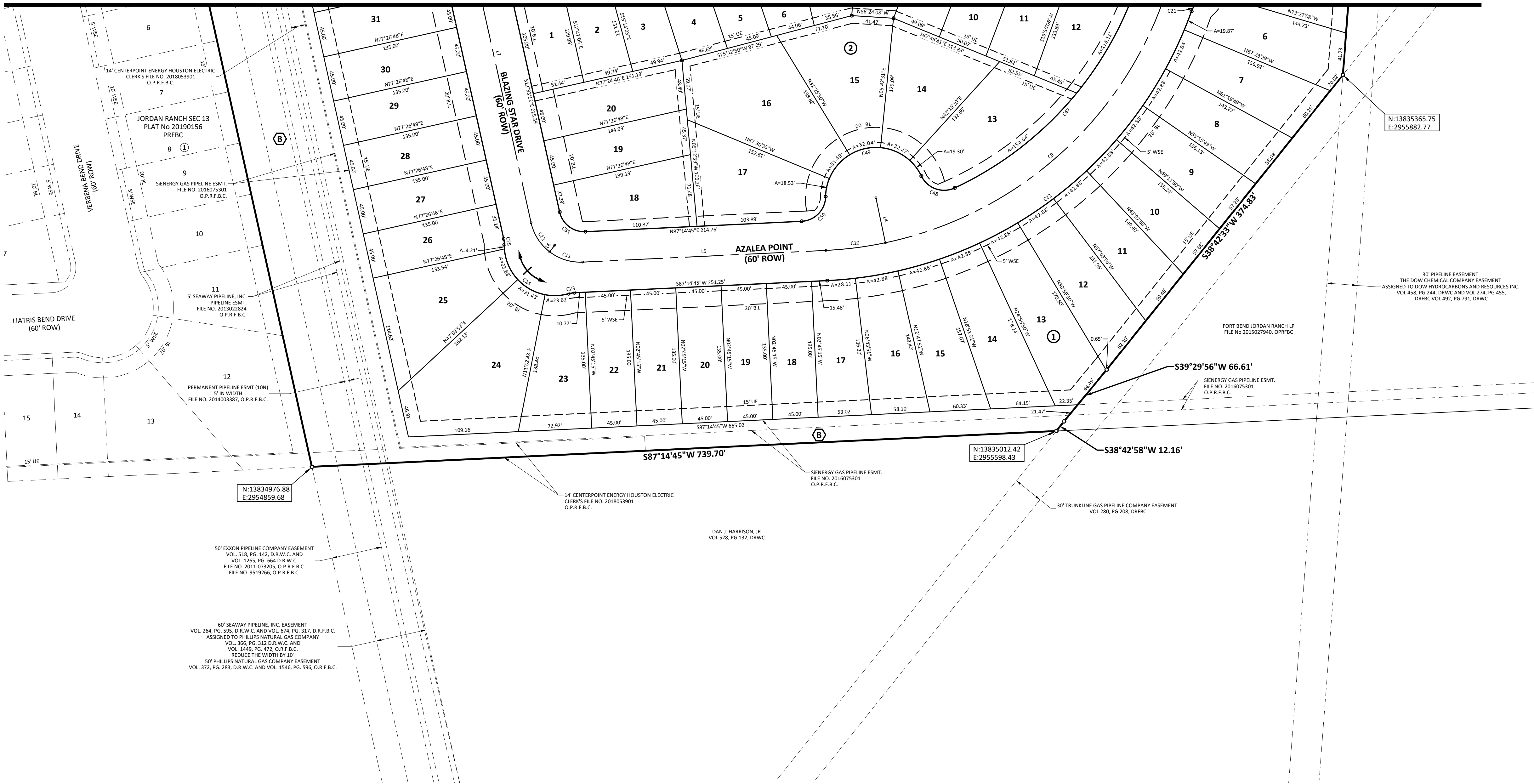
13430 NW Freeway
Suite 700
Houston, TX 77040
713.462.3178
TBE F-002716
TBR S 10110700

\s\Projects\2102\2141-029-01\Drawings\2141-029-01-PLAT.dwg [Layout2] Plotted Oct 10, 2019 10:31:06am by msteele (User: msteele)

JORDAN RANCH SEC 19



MATCH LINE - SEE SHEET 2



CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD DISTANCE
C1	6°39'16"	1,450.00'	168.41'	84.30'	S48°56'30"E	168.31'
C2	20°48'54"	1,850.00'	672.08'	339.79'	S56°01'20"E	668.39'
C3	87°10'15"	30.00'	45.64'	28.55'	S22°50'39"E	41.37'
C4	89°10'15"	30.00'	46.69'	29.57'	N65°19'36"E	42.12'
C5	6°51'40"	1,850.00'	221.53'	110.90'	S73°31'07"E	221.40'
C6	2°00'25"	2,060.00'	71.10'	35.55'	N70°15'44"W	71.10'
C7	49°38'31"	55.00'	47.65'	25.44'	N46°26'41"W	46.18'
C8	42°06'38"	55.00'	40.42'	21.17'	S00°34'07"E	39.52'
C9	57°37'39"	375.00'	377.17'	206.28'	S49°18'02"W	361.47'
C10	9°07'54"	375.00'	59.77'	29.95'	S82°40'48"W	59.70'
C11	40°06'02"	50.00'	34.99'	18.25'	N72°42'14"W	34.28'
C12	40°06'01"	50.00'	34.99'	18.25'	N32°36'13"W	34.28'
C13	20°59'14"	500.00'	183.15'	92.61'	N66°57'11"E	182.12'
C14	5°55'56"	1,000.00'	103.54'	51.81'	N74°28'50"E	103.49'
C15	15°42'10"	300.00'	82.22'	41.37'	N79°21'57"E	81.96'
C16	23°31'26"	300.00'	123.17'	62.47'	N81°01'15"W	122.31'
C17	90°37'43"	25.00'	39.54'	25.28'	S24°34'24"E	35.55'
C18	2°07'19"	2,000.00'	74.07'	37.04'	S70°56'54"E	74.06'
C19	13°30'32"	25.00'	5.89'	2.96'	S78°45'49"E	5.88'
C20	132°38'45"	50.00'	115.76'	114.03'	S19°11'43"E	91.58'
C21	27°19'50"	25.00'	11.93'	6.08'	S33°27'44"W	11.81'
C22	67°26'56"	405.00'	476.77'	270.35'	S53°31'17"W	449.71'
C23	13°15'41"	25.00'	5.79'	2.91'	S80°36'54"W	5.77'
C24	106°43'26"	50.00'	93.13'	67.23'	N52°39'14"W	80.24'
C25	13°15'41"	25.00'	5.79'	2.91'	N05°55'21"W	5.77'
C26	21°02'22"	25.00'	9.18'	4.64'	N23°04'23"W	9.13'
C27	258°48'31"	50.00'	225.85'	60.86'	S84°11'19"E	77.27'
C28	57°46'09"	25.00'	25.21'	13.79'	S16°19'52"W	24.15'
C29	93°59'21"	25.00'	41.01'	26.80'	S59°32'52"E	36.56'
C30	10°48'05"	470.00'	88.60'	44.43'	N68°03'25"E	88.47'
C31	46°01'19"	25.00'	20.08'	10.62'	N39°38'43"E	19.55'
C32	265°30'19"	50.00'	231.70'	54.08'	S30°36'47"E	73.43'
C33	40°07'54"	25.00'	17.51'	9.13'	S82°04'25"W	17.16'
C34	12°14'29"	530.00'	113.24'	56.83'	S68°07'42"W	113.02'
C35	86°48'09"	25.00'	37.87'	23.64'	S30°50'52"W	34.36'
C36	90°00'00"	25.00'	39.27'	25.00'	S57°33'12"E	35.36'
C37	5°55'56"	970.00'	100.43'	50.26'	N74°28'50"E	100.38'
C38	25°41'50"	150.00'	67.28'	34.21'	N58°39'57"E	66.71'
C39	82°48'14"	50.00'	72.26'	44.08'	N87°13'09"E	66.13'
C40	25°24'29"	150.00'	66.52'	33.82'	S64°04'58"E	65.97'
C41	7°31'41"	330.00'	43.36'	21.71'	S73°01'22"E	43.33'
C42	90°00'00"	25.00'	39.27'	25.00'	N65°44'28"E	35.36'
C43	5°55'56"	1,030.00'	106.64'	53.37'	S74°28'50"W	106.59'
C44	39°13'36"	270.00'	184.85'	96.21'	N88°52'20"W	181.26'
C45	2°00'25"	2,060.00'	72.15'	36.08'	N70°15'44"W	72.15'
C46	91°45'09"	25.00'	40.03'	25.78'	N25°23'22"W	35.89'
C47	44°28'05"	345.00'	267.76'	141.03'	N42°43'15"E	261.09'
C48	89°24'47"	25.00'	39.01'	24.75'	S70°20'19"E	35.17'
C49	153°06'46"	50.00'	133.62'	209.17'	N77°48'41"E	97.26'
C50	85°59'27"	25.00'	37.52'	23.31'	N44°15'02"E	34.10'
C51	80°12'03"	25.00'	34.99'	21.05'	S52°39'14"E	32.21'
C52	90°00'00"	25.00'	39.27'	25.00'	S32°26'48"W	35.36'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S20°44'28"W	151.48'
L2	N69°15'32"W	33.33'
L3	S68°22'34"W	2.87'
L4	N11°53'09"W	45.58'
L5	S87°14'45"W	241.51'
L6	N37°20'46"E	8.17'
L7	N12°33'12"W	284.60'
L8	N12°33'12"W	320.00'
L9	N12°33'12"W	340.11'
L10	N77°26'48"E	15.00'
L11	N77°26'48"E	24.04'
L12	S77°26'48"W	76.76'
L13	N71°50'52"E	107.67'
L14	N02°46'58"W	11.40'
L15	N69°15'32"W	82.85'
L16	N77°26'48"E	21.76'
L17	S69°15'32"E	27.85'
L18	S77°26'48"W	21.76'
L19	N65°15'02"E	14.23'
L20	S04°24'36"E	20.00'
L21	S68°27'14"E	20.00'
L22	S88°19'44"E	13.84'
L23	S00°09'41"E	20.00'
L24	S75°46'53"W	20.00'
L25	N69°14'37"W	35.00'
L26	N24°15'32"W	14.85'

RESERVE TABLE				
RESERVE NAME	RESTRICTION	SQ. FT.	ACRES	
(A)	A	LANDSCAPE/OPEN SPACE/UTILITIES	5,644	0.130
(B)	B	LANDSCAPE/OPEN SPACE/UTILITIES/PIPELINES	138,973	3.190
(C)	C	LANDSCAPE/OPEN SPACE/UTILITIES	33,167	0.761

JORDAN RANCH SEC 19

A SUBDIVISION OF
23.617 ACRES

LOCATED IN
J.G. BENNETT SURVEY, A-111
FORT BEND COUNTY, TEXAS

91 LOTS 2 BLOCKS 3 RESERVES

OWNER: **FORT BEND JORDAN RANCH LP**
a Texas limited partnership
5005 RIVERWAY DRIVE, SUITE 500, HOUSTON, TEXAS 77056 (713) 960-9977

ENGINEER: **IDS Engineering Group**
13430 NW Freeway Suite 700
Houston, TX 77040
713.462.3178
TBE F-002716
TBRFS 10110700

I:\GIS\Projects\21020\2141029-01\Drawings\2141029-01.dwg [Layout1] Plotted Oct 10, 2019 at 3:16pm by msteele (User: msteele) (User: msteele)

JORDAN RANCH SEC 19

November 4, 2019

Engineering Review

Final Plat
Jordan Ranch Section Nineteen
Fort Bend County, Texas

For Information only:

1. This plat will create 91 Lots in two (2) Blocks with three (3) Reserves that covers a total acreage of 23.617 acres.
2. The typical lot in this section is 45-foot by 130-foot with a 20-foot Front Building Line.
3. Access to this section is provided by an extension of Hickory Bend Lane by way of Jordan Crossing Blvd.
4. Since this section is located in the E.T.J. of the City approval will be required from both the City of Fulshear and Fort Bend County.

Recommendations:

I recommend that this Final Plat of Jordan Ranch Section Nineteen be denied approval with the following considerations:

- A) A Table needs to be added to the face of the plat showing the number of 45-foot wide lots in each section and their percentage of the total.





CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

Phone: 281-346-1796 ~ Fax: 281-346-2556

www.fulsheartexas.gov

Subdivision/Development Platting Application

Date: 10/17/2019 Date Received by the City of Fulshear:

Subdivision: Jordan Ranch St Ded No. 5 Development: Jordan Ranch

SUBMITTAL OF PLAT: (Check Appropriate Selection)

___ Preliminary ___ Final ___ Short Form Final
___ Replat ___ Vacation Plat ___ Admin. (Minor) Plat
___ Amending Plat

TYPE OF PLAT: (Check Appropriate Selection)

___ Single-Family Residential ___ Zero Lot Line/ Patio Home ___ Multi-Family Residential
___ Planned Development ___ Commercial ___ Industrial

Plat Location: ___ City ___ ETJ (Extraterritorial Jurisdiction)

Legal Description: See Attached Plat for Metes and Bounds Description

Variance: ___ Yes (Attach a Copy of Approval Letter) ___ No

Total Acreage: 13.522
Number of Streets: 1
Number of Lots: 0
Number and Types of Reserves: 1 (Landscape/Open Space/Utilities/Detention/Drainage)
Total Acres in Reserve: 11.787

Owner: FORT BEND JORDAN RANCH LP
Address: 5005 Riverway Drive, Suite 500
City/State: Houston, TX
Telephone: (713) 960-9977
Email Address: steves@johnsondev.com

Engineer/Planner: IDS Engineering Group
Contact Person: John R. Herzog, P.E.
Telephone: (713) 462-3178
Fax Number:
Email Address: jherzog@idseg.com

Table with 1 column: Platting Fees. Rows include Preliminary Plat, Final Plat, Replat, Amending or Minor Plat, Plat Vacation, 2nd Review of plats, TOTAL PLATTING FEE \$838.05, and Park Fees \$0*.

*Per development agreement, Park Fees will be paid prior to the plat being recorded

This is to certify that the information on this form is complete, true and correct and the undersigned is authorized to make this application. I understand that if all necessary information, required documents, and plat fees are required at time of submittal or the City of Fulshear will not complete the review needed in order to submit to the P&Z board.

Signature line with handwritten signature, typed name John R. Herzog, P.E., Project Manager, and date 10/17/2019.

STATE OF TEXAS

COUNTY OF FORT BEND

I, STEPHEN A. SAMS, Vice President of JOHNSON JORDAN RANCH GP LLC, a Texas limited liability company, the general partner of FORT BEND JORDAN RANCH LP, a Texas limited partnership, hereinafter referred to as owners of the 13.522 acre tract described in the above and foregoing map of JORDAN RANCH STREET DEDICATION NO 5 AND RESERVES, do hereby make and establish said subdivision and development plat of said property according to all lines, dedications, restrictions and notations on said maps or plat, and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets), alleys, parks, water courses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors, and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11'6") for ten feet (10'0") perimeter ground easements or seven feet, six inches (7'6") for fourteen feet (14'0") perimeter ground easements or five feet, six inches (5'6") for sixteen feet (16'0") perimeter ground easements, from a plane sixteen feet (16'0") above the ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (UE and AE) as indicated and depicted hereon, whereby the aerial easement totals twenty one feet, six inches (21'6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10'0") for ten feet (10'0") back-to-back ground easements, or eight feet (8'0") for fourteen feet (14'0") back-to-back ground easements or seven feet (7'0") for sixteen feet (16'0") back-to-back ground easements, from a plane sixteen feet (16'0") above the ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (UE and AE) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30'0") in width.

FURTHER, Owners do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of single family residential dwelling units thereon (or the placement of mobile home subdivision) and shall be restricted for same under the terms and conditions of such restrictions filed separately.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat is hereby restricted to prevent the drainage of any septic tanks into any public or private street, permanent access easement, road or alley or any drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby dedicate to the public a strip of land twenty (20) feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws and drainage ditches located in said subdivision, as easements for drainage purposes. Fort Bend County or any other governmental agency shall have the right to enter upon said easement at any and all times for the purposes of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this subdivision and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, excessive vegetation and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, We do hereby certify that we are the owners of all property immediately adjacent to the boundaries of the above and foregoing plat of JORDAN RANCH STREET DEDICATION NO 5 AND RESERVES where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing subdivision and do hereby make and establish all building setback lines and dedicate to the use of the public, all public utility easements shown in said adjacent acreage.

FURTHER, Owners do hereby acknowledge the receipt of the Orders for Regulation of Outdoor Lighting in the Unincorporated Areas of Fort Bend County, Texas, and do hereby covenant and agree and shall comply with this order as adopted by Fort Bend County Commissioners Court on March 23, 2004, and any subsequent amendments.

IN TESTIMONY WHEREOF, JOHNSON JORDAN RANCH GP LLC, a Texas limited liability company, as general partner of FORT BEND JORDAN RANCH LP, a Texas limited partnership, has caused these presents to be signed by Stephen A. Sams, Vice President, this ____ day of _____, 2019.

BY: FORT BEND JORDAN RANCH LP, a Texas Limited Partnership

BY: JOHNSON JORDAN RANCH GP, LLC a Texas Limited Liability Company It's General Partner

By: Stephen A. Sams, Vice President

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Stephen A. Sams, Vice President, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein and herein set out, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2019.

Notary Public in and for the State Of Texas

I, Douglas W. Turner, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, South Central Zone.

"PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED, VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT."

Douglas W. Turner, RPLS Registered Professional Land Surveyor Texas Registration No 3988

I, John R. Herzog, A Professional Engineer registered in the State of Texas do hereby certify that this plat meets the requirements of Fort Bend County to the best of my knowledge.

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF JOHN R. HERZOG, P.E. 126468 ON 10/02/19. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

John R. Herzog, PE Licensed Professional Engineer, No 126468

This plat of JORDAN RANCH STREET DEDICATION NO 5 AND RESERVES is approved by the City Planning Commission of the City of Fulshear, Texas this ____ day of _____, 2019.

Amy Pearce, Chair

Dar Hakimzadeh, Co-Chair

The plat of JORDAN RANCH STREET DEDICATION NO 5 AND RESERVES was approved by the City of Fulshear Council on the day of _____, 2019, and signed on this ____ day of _____, 2019; provided; however, this approval shall be invalid, and null and void, unless this plat is filed with the County Clerk of Fort Bend, Texas within one (1) year hereafter.

Aaron Groff, Mayor

Kimberly Kopecky, City Secretary

NOTES

- 1. The coordinates shown hereon are Texas South Central Zone No 4204 State Plane Grid Coordinates (NAD83) and may be brought to surface by applying the combined scale factor of 1.00013.
2. BL Indicates a building line
AE Indicates a aerial easement
UE Indicates a utility easement
WSE indicates a water and sewer easement
VOL_PG indicates Volume, Page
FBCPR indicates Fort Bend County Public Records
OPRFBC indicates Official Public Records of Fort Bend County
ESMT indicates Easement
HL & P indicates Houston Lighting and Power
SQ FT indicates square feet
AC indicates acre
ROW indicates right-of-way
ORFBC indicates Original Records of Fort Bend County
FBCOPRF indicates Fort Bend County Official Public Records of Real Property
● Indicates found 5/8" iron rod (unless otherwise noted)
○ indicates set 5/8" iron rod (unless otherwise noted)
3. All building lines along street rights-of-way are as shown on the plat.
4. All sidelot building lines to be 5' unless otherwise noted.
5. All non-perimeter easements on property lines are centered unless otherwise noted.
6. All bearings are based on the Texas Coordinate System of 1983, South Central Zone.
7. One-foot reserve dedicated for buffer purposes to the public in fee as a buffer separation between the side or end of streets where such streets abut adjacent property, the condition of such dedication being that when the adjacent property is subdivided or re-subdivided in a recorded plat, the one-foot reserve shall thereupon become vested in the public for street right-of-way purposes and the fee title thereto shall revert to and revest in the dedicator, his heirs, assigns, or successors.
8. The platted area is located within Zone X, defined as areas determined to be outside the 500 year floodplain, per FEMA Flood Insurance Rate Map Panel No 48157C0020L, effective April 02, 2014.
9. Sidewalks shall be built or caused to be built not less than 5 feet in width on both sides of all dedicated rights-of-way within said plat and on the contiguous right-of-way of all perimeter roads surrounding said plat, in accordance with the A.D.A.
10. The top of all floor slabs shall be a minimum of 153.50 feet above mean sea level. The top of slab elevation at any point on the perimeter of the slab shall not be less than eighteen (18) inches above natural ground.
11. The drainage system for this subdivision is designed in accordance with the "Fort Bend County Drainage Criteria Manual" which allows street ponding with intense rainfall events.
12. All drainage easements are to be kept clear of fences, buildings, vegetation and other obstructions to the operation and maintenance by the drainage facility. All property is required to drain into the drainage easement through an approved drainage structure.
13. The Lighting Zone Code Is LZ3.
14. To the best of the engineer's knowledge, all existing pipeline easements within the subdivision are shown on the plat.
15. Absent written authorization by the affected utilities, all utility easements must be kept unobstructed from any non-utility improvements or obstruction by property owner. Any unauthorized improvements or obstructions may be removed by the utility at the property owner's expense.
16. Benchmark: Vertically is based on a FEMA benchmark in Katy, RM 7: A US Coast and Geodetic survey disk marked Y 1148, located 0.3 ± miles east along the Missouri-Kansas-Texas railroad from the station at Katy and 5.2 feet ± southwest of the southeast corner of the American Rice Growers Co-op Association office building. Held the Published NAVD 88 Elevation on Y1148 = 141.44 Elevation = 142.00 (NAVD 1929 - datum based on FEMA maps)
17. Reserves A, B, C, and D and other drainage facilities within this plat will be owned and maintained by Fulshear MUD No 3A or the Jordan Ranch Community Association. Maintenance will be performed by either Fulshear MUD No. 3A or the Jordan Ranch Community Association.
18. A minimum distance of 10' shall be maintained between residential dwellings.
19. All drainage easements to be kept clear of fences, buildings, vegetation and other obstructions for the purpose of the operation and maintenance of the drainage facility by the appropriate entity.
20. All property to drain into the drainage easement only through an approved drainage structure.
21. Site plans shall be submitted to Fort Bend County and any other applicable jurisdiction for review and approval. Development Permits and all other applicable permits shall be obtained from Fort Bend County prior to beginning construction.

Table with 2 columns: DISTRICT NAMES, COUNTY ASSISTANCE DISTRICT NO. 7, WCID N/A, MUD FULSHEAR M.U.D. NO. 3A, LID N/A, DID N/A, SCHOOL LAMAR CONSOLIDATED S.D., FIRE FIRE, IMPACT FEE AREA IMPACT FEE AREA, CITY OR CITY ETJ FULSHEAR, UTILITIES CO.

BEING 13.552 acres of land in the H.&T.C.R.R. Co. Survey Section 105, Abstract Number 261, Fort Bend County, Texas and being a portion of the 1352.43 acre tract described in the deed from The Massimo Fabio Silvestri Irrevocable Trust and The Rocco Paolo Silvestri Irrevocable Trust to Fort Bend Jordan Ranch LP recorded under File Number 2015027940 in the Official Public Records of Fort Bend County, Texas and more particularly described by metes and bounds as follows with bearings based on the Texas Coordinate System of 1983, South Central Zone:

COMMENCING at a 5/8-inch iron rod with cap stamped "IDS" found for the north corner of JORDAN RANCH SEC. 5 according to the plat thereof recorded under Film Code No. 20160010, in the Official Plat Records of Fort Bend County, Texas, the northeast corner of JORDAN RANCH BLVD. and JORDAN CROSSING BLVD. STREET DEDICATION NO. 1 according to the plat thereof recorded under Film Code No. 20150304, in the Official Plat Records of Fort Bend County, Texas, from which point a 5/8-inch iron rod with cap stamped "IDS" found for the north corner of said JORDAN RANCH BLVD. and JORDAN CROSSING BLVD. STREET DEDICATION NO. 1 bears North 36° 48' 10" West - 100.00 feet;

THENCE South 76° 10' 22" East - 2742.04 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the southwest corner and POINT OF BEGINNING of the herein described tract;

THENCE North 19° 54' 43" East - 333.79 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the northwest corner the herein described tract;

THENCE South 85° 11' 30" East - 157.09 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE North 04° 22' 38" East - 110.47 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE South 85° 37' 22" East - 208.44 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE North 43° 48' 35" East - 200.46 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE North 00° 06' 38" West - 68.47 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE North 04° 02' 17" East - 69.22 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE North 04° 22' 38" East - 280.00 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE North 07° 09' 57" East - 63.96 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE North 30° 51' 47" West - 15.75 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE North 77° 23' 39" West - 125.60 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the west corner the herein described tract and the beginning of a non-tangent curve to the right;

THENCE in a northeasterly direction, with said curve to the right, having a radius of 220.00 feet, a central angle of 74° 01' 06", a chord bearing and distance of North 53° 16' 32" East - 264.85 feet, and an arc distance of 284.21 feet, to a 5/8-inch iron rod with cap stamped "IDS" set for the end of curve;

THENCE South 89° 42' 56" East - 145.23 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the most northerly northeast corner the herein described tract;

THENCE South 00° 17' 04" West - 115.00 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE South 44° 42' 56" East - 14.14 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE South 89° 42' 56" East - 55.00 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE South 86° 39' 56" East - 129.22 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE South 67° 57' 25" East - 63.22 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the most northerly northeast corner the herein described tract and the beginning of a non-tangent curve to the left;

THENCE in a southerly direction, with said curve to the left, having a radius of 2100.00 feet, a central angle of 11° 22' 45", a chord bearing and distance of South 16° 20' 15" West - 416.38 feet, and an arc distance of 417.06 feet, to a 5/8-inch iron rod with cap stamped "IDS" set for the end of curve;

THENCE South 38° 42' 33" West - 854.62 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract and the beginning of a non-tangent curve to the left;

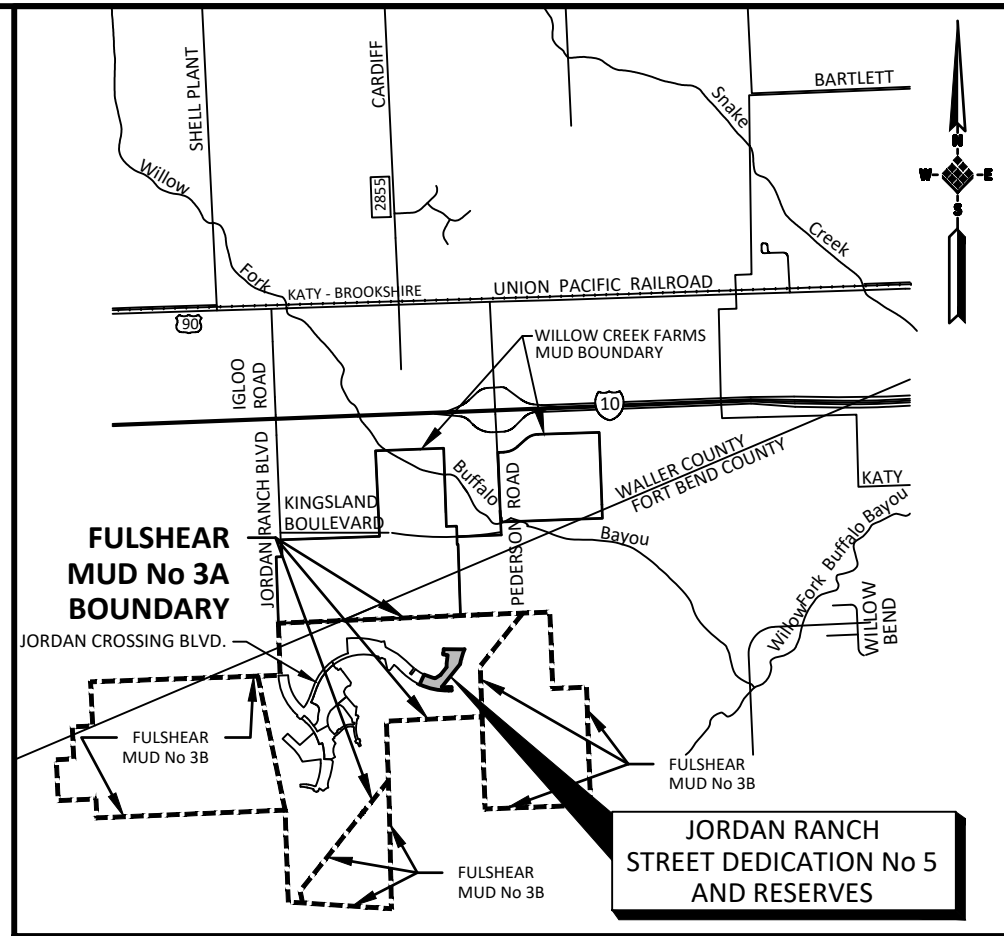
THENCE in an easterly direction, with said curve to the left, having a radius of 1750.00 feet, a central angle of 06° 33' 05", a chord bearing and distance of South 88° 34' 24" East - 199.99 feet, and an arc distance of 200.10 feet, to a 5/8-inch iron rod with cap stamped "IDS" set for the end of curve;

THENCE North 88° 09' 03" East - 85.03 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

THENCE South 01° 50' 57" East - 100.00 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the southeast corner the herein described tract;

THENCE South 88° 09' 03" West - 85.03 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract and the Point of Curvature to the right;

THENCE in a westerly direction, with said curve to the right, having a radius of 1850.00 feet, a central angle of 21° 45' 40", a chord bearing and distance of North 80° 58' 07" West - 698.42 feet, and an arc distance of 702.63 feet, to the POINT OF BEGINNING of the herein described tract and containing 13.552 acres of land.



FORT BEND COUNTY KEY MAP NO 482M VICINITY MAP SCALE 1" = 5,000'

I, J. Stacy Slawinski, Fort Bend County Engineer, do hereby certify that the plat of this subdivision complies with all of the existing rules and regulations of this office as adopted by the Fort Bend County Commissioners' Court. However, no certification is hereby given as to the effect of drainage from this subdivision on the intercepting drainage artery or parent stream or on any other area or subdivision within the watershed.

J. Satcy Slawinski, PE Fort Bend County Engineer

APPROVED by the Commissioners' Court of Fort Bend County, Texas, this ____ day of _____, 2019.

Vincent M. Morales, Jr. Precinct 1, County Commissioner

W.A. "Andy" Meyers Precinct 3, County Commissioner

KP George County Judge

Grady Prestage Precinct 2, County Commissioner

Ken R. DeMerchant Precinct 4, County Commissioner

I, Laura Richard, County Clerk in and for Fort Bend County, hereby certify that the foregoing instrument with its certificate of authentication was filed for recordation in my office on _____, 2019, at _____ o'clock _____ M. Filed in plat number(s) _____ of the plat records of Fort Bend County, Texas.

Witness my hand and seal of office, at Richmond, Texas, the day and date last above written.

Laura Richard, County Clerk Fort Bend County, Texas

By: Deputy

JORDAN RANCH STREET DEDICATION NO 5 AND RESERVES

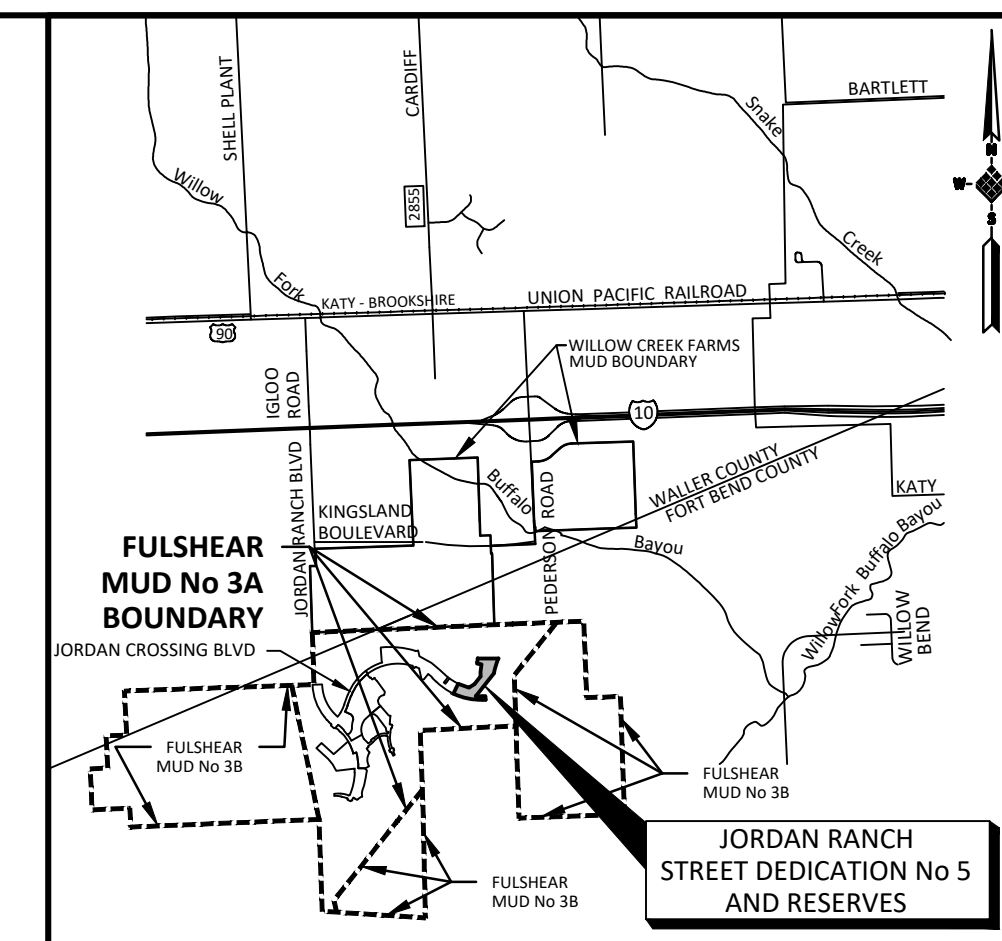
A SUBDIVISION OF 13.522 ACRES

LOCATED IN H & TCRR CO SURVEY, SECTION 105, A-261 FORT BEND COUNTY, TEXAS 0 LOTS 1 BLOCK 1 RESERVE

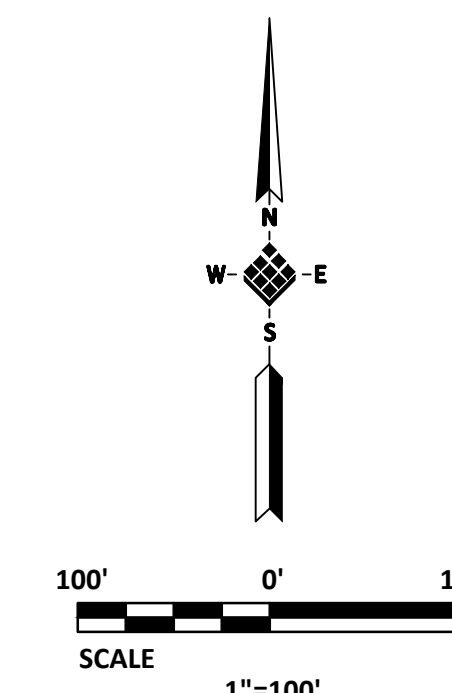
OWNER: FORT BEND JORDAN RANCH LP

ENGINEER: IDS Engineering Group

13430 NW Freeway Suite 700 Houston, Tx 77040 713.462.3178



FORT BEND COUNTY KEY MAP No 482M
VICINITY MAP
SCALE 1" = 5,000'



CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD DISTANCE
C1	74°01'06"	220.00'	284.21'	165.84'	N53°16'32"E	264.85'
C2	11°22'45"	2,100.00'	417.06'	209.22'	S16°20'15"W	416.38'
C3	6°33'05"	1,750.00'	200.10'	100.16'	S88°34'24"E	199.99'
C4	21°45'40"	1,850.00'	702.63'	355.60'	N80°58'07"W	698.42'
C5	21°45'40"	1,800.00'	683.64'	345.99'	N80°58'07"W	679.54'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S88°09'03"W	85.03'

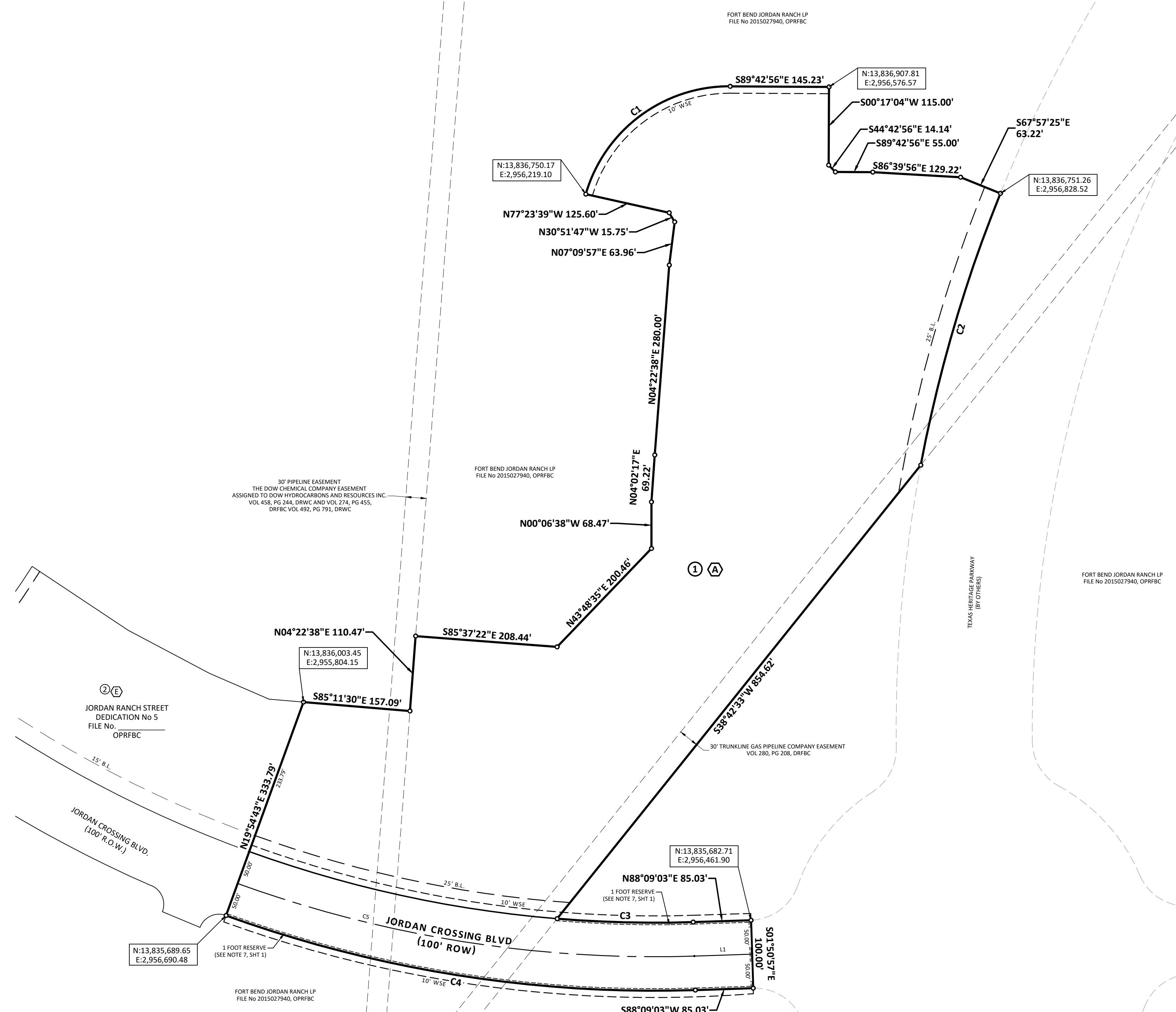
RESERVE TABLE				
RESERVE NAME	RESTRICTION	SQ. FT.	ACRES	
A	DETENTION/DRAINAGE/LANDSCAPE/OPEN SPACE/UTILITIES	513,458	11.787	

JORDAN RANCH STREET DEDICATION NO 5 AND RESERVES

A SUBDIVISION OF
13.552 ACRES
LOCATED IN
H & TCRR CO SURVEY, SECTION 105, A-261
FORT BEND COUNTY, TEXAS
0 LOTS 1 BLOCK 1 RESERVE

OWNER: FORT BEND JORDAN RANCH LP
a Texas limited partnership
5005 RIVERWAY DRIVE, SUITE 500, HOUSTON, TEXAS 77056 (713) 960-9977

ENGINEER: **IDS Engineering Group**
13430 NW Freeway Suite 700 Houston, TX 77040 713.462.3178
TBP# F-002726 TBP#S 10310700



I:\New\2019\Projects\2141-007-10 - ST Ded 5 - P1.dwg [SHT 2] Plotted Oct 17, 2019 at 9:10am by Tahaan Usdi. Saved by Tahaan

JORDAN RANCH STREET DEDICATION NO 5 AND RESERVES

November 4, 2019

Engineering Review

Final Plat – Jordan Ranch Street Dedication No. 5
Fort Bend County, Texas

For Information only:

1. This plat will create Right-of-Way for Jordan Crossing Boulevard with widths of 100-foot and one (1) adjoining Reserve in one (1) Block that cover a total of 13.522 acres.
2. This tract is located in the E.T.J. of the City of Fulshear and in Fort Bend County. As such, approval will be needed from the following:
 - A) City of Fulshear
 - B) Fort Bend County
 - C) Fort Bend County Drainage District

Recommendations:

I recommend that this Final of Jordan Ranch Street Dedication No. 5 be approved as submitted.

A handwritten signature in black ink, appearing to read "Clay & Leyendecker". The signature is written in a cursive, flowing style with large loops and a long horizontal tail.



1904 W Grand Parkway N, Suite 100, Katy, Texas 77449
t 713.953.5200 f 713.953.5026 LJA.com TBPE F-1386

October 16, 2019

Mr. Zach Goodlander
Director of Planning & Development
City of Fulshear
30603 FM 1093
Fulshear, Texas 77441

Re: Tamarron Section 12 – Final Plat
LJA Job No. 1931-6012C (6.01)

Dear Mr. Goodlander:

On behalf of D.R. Horton-Texas, Ltd., a Texas limited partnership, we LJA Engineering, Inc. respectfully request a twelve (12) month extension of approval for the above referenced final plat. This plat received final plat approval from the Fulshear P&Z Commission on December 12, 2018 and the Fulshear City Council on December 18, 2018 and is due to expire on December 18, 2019.

The purpose of this extension is to allow additional time for the market of the adjoining future single-family sections to rebound and thus proceed with development.

We understand that no other extensions will be allowed.

We greatly appreciate your consideration of this request.

Please let me know if you have any questions or require additional information.

Thank you,

A handwritten signature in blue ink, appearing to read 'G. Freeman', with a long horizontal flourish extending to the right.

Geoff Freeman
Platting Manager

GF/bt

STATE OF TEXAS
COUNTY OF FORT BEND

WE, D.R. HORTON-TEXAS, LTD., A TEXAS LIMITED PARTNERSHIP, ACTING BY AND THROUGH CHRIS LINDHORST, PRESIDENT, BEING AN OFFICER OF D.R. HORTON-TEXAS, LTD., A TEXAS LIMITED PARTNERSHIP, OWNERS OF THE 23.134 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF TAMARRON SECTION 12, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION PLAT OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS (EXCEPT THOSE STREETS DESIGNATED AS PRIVATE STREETS, IF APPLICABLE), ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, OUR HEIRS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11' 6") FOR TEN FEET (10' 0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7' 6") FOR FOURTEEN FEET (14' 0") PERIMETER GROUND EASEMENTS OR FIVE FEET, SIX INCHES (5' 6") FOR SIXTEEN FEET (16' 0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED, HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY ONE FEET, SIX INCHES (21' 6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10' 0") FOR TEN FEET (10' 0") BACK-TO-BACK GROUND EASEMENTS, OR EIGHT FEET (8' 0") FOR FOURTEEN FEET (14' 0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7' 0") FOR SIXTEEN FEET (16' 0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30' 0") IN WIDTH.

FURTHER, OWNERS DO HEREBY DECLARE THAT ALL PARCELS OF LAND DESIGNATED AS LOTS ON THIS PLAT ARE ORIGINALLY INTENDED FOR THE CONSTRUCTION OF SINGLE FAMILY RESIDENTIAL DWELLING UNITS THEREON AND SHALL BE RESTRICTED FOR SAME UNDER THE TERMS AND CONDITIONS OF SUCH RESTRICTIONS FILED SEPARATELY.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT IS HEREBY RESTRICTED TO PREVENT THE DRAINAGE OF ANY SEPTIC TANKS INTO ANY PUBLIC OR PRIVATE STREET, ROAD OR ALLEY OR ANY DRAINAGE DITCH, EITHER DIRECTLY OR INDIRECTLY.

FURTHER, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND TWENTY (20) FEET WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS, AND DRAINAGE DITCHES LOCATED IN SAID SUBDIVISION, AS EASEMENTS FOR DRAINAGE PURPOSES. FORT BEND COUNTY OR ANY OTHER GOVERNMENTAL AGENCY SHALL HAVE THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSES OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS SUBDIVISION AND ADJACENT DRAINAGE EASEMENT, DITCH, GULLY, CREEK OR NATURAL DRAINAGE WAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGE WAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, EXCESSIVE VEGETATION AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

FURTHER, OWNERS DO HEREBY CERTIFY THAT THEY ARE THE OWNERS OF ALL PROPERTY IMMEDIATELY ADJACENT TO THE BOUNDARIES OF THE ABOVE AND FOREGOING SUBDIVISION OF TAMARRON SECTION 12 WHERE BUILDING SETBACK LINES OR PUBLIC UTILITY EASEMENTS ARE TO BE ESTABLISHED OUTSIDE THE BOUNDARIES OF THE ABOVE AND FOREGOING SUBDIVISION AND DO HEREBY MAKE AND ESTABLISH ALL BUILDING SETBACK LINES AND DEDICATE TO THE USE OF THE PUBLIC, ALL PUBLIC UTILITY EASEMENTS SHOWN IN SAID ADJACENT ACREAGE.

FURTHER, OWNERS DO HEREBY ACKNOWLEDGE THE RECEIPT OF THE "ORDERS FOR REGULATION OF OUTDOOR LIGHTING IN THE UNINCORPORATED AREAS OF FORT BEND COUNTY, TEXAS", AND DO HEREBY COVENANT AND AGREE AND SHALL COMPLY WITH THIS ORDER AS ADOPTED BY FORT BEND COUNTY COMMISSIONERS' COURT ON MARCH 23, 2004, AND ANY SUBSEQUENT AMENDMENTS.

IN TESTIMONY WHEREOF, D.R. HORTON-TEXAS, LTD., A TEXAS LIMITED PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED BY CHRIS LINDHORST, ITS PRESIDENT, THEREUNTO AUTHORIZED.

THIS _____ DAY OF _____, 2019.

D.R. HORTON-TEXAS, LTD.
A TEXAS LIMITED PARTNERSHIP

BY: _____
CHRIS LINDHORST, PRESIDENT

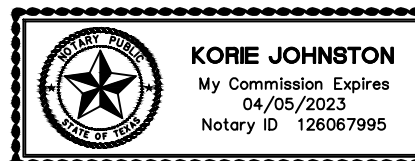
STATE OF TEXAS
COUNTY OF FORT BEND

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED CHRIS LINDHORST, PRESIDENT OF D.R. HORTON-TEXAS, LTD., A TEXAS LIMITED PARTNERSHIP, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

THIS _____ DAY OF _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



I, GARY D. NUTTER, A REGISTERED PROFESSIONAL LAND SURVEYOR, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES OR RODS HAVE AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE EIGHTHS (5/8) INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET WITH PLASTIC CAP MARKED "LJA SURVEY" UNLESS OTHERWISE NOTED. (SEE NOTE 20)

GARY D. NUTTER, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5659

I, MELONY F. GAY, A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF TEXAS DO HEREBY CERTIFY THAT THIS PLAT MEETS ALL REQUIREMENTS OF FORT BEND COUNTY TO THE BEST OF MY KNOWLEDGE.

MELONY F. GAY, P.E.
LICENSED PROFESSIONAL ENGINEER
TEXAS LICENSE NO. 85459



THIS PLAT OF TAMARRON SECTION 12 IS APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF FULSHEAR, TEXAS

THIS _____ DAY OF _____, 2019.

AMY PEARCE, CHAIR

AUSTIN WEANT, VICE-CHAIR

THIS PLAT OF TAMARRON SECTION 12 WAS APPROVED ON _____ BY THE CITY FULSHEAR CITY COUNCIL AND SIGNED ON THIS _____ DAY OF _____, 2019, PROVIDED, HOWEVER, THIS APPROVAL SHALL BE INVALID AND NULL AND VOID UNLESS THE PLAT IS FILED WITH THE COUNTY CLERK OF FORT BEND COUNTY, TEXAS WITHIN SIX (6) MONTHS HEREAFTER.

AARON GROFF, MAYOR

KIMBERLY KOPECKY, CITY SECRETARY

DESCRIPTION OF
23.134 ACRES
TAMARRON SECTION 12

BEING 23.134 ACRES (1,007,707 SQUARE FEET) OF LAND LOCATED IN THE J. D. VERMILLION SURVEY, ABSTRACT 339, FORT BEND COUNTY, TEXAS, MORE PARTICULARLY BEING A PORTION OF THAT CERTAIN CALLED 688.0183 ACRE TRACT (DESCRIBED AS TRACT 1) CONVEYED TO D.R. HORTON - TEXAS, LTD BY AN INSTRUMENT OF RECORD UNDER FILE NUMBER 201300056 IN THE OFFICIAL PUBLIC RECORDS OF SAID FORT BEND COUNTY, TEXAS (F.B.C.O.P.R.), SAID 23.134 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (ALL BEARINGS REFERENCED TO THE TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83), SOUTH CENTRAL ZONE);

BEGINNING AT A 5/8-INCH IRON ROD WITH CAP "LJA ENG" MARKING THE SOUTHERLY END OF A RADIAL CUT BACK CORNER AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF TAMARRON PARKWAY (100 FEET RIGHT-OF-WAY) AND THE WEST RIGHT-OF-WAY LINE OF COLES CANYON (80 FEET WIDE) AS SHOWN ON TAMARRON PARKWAY PHASE 3 STREET DEDICATION, A SUBDIVISION OF RECORD UNDER PLAT NUMBER 20170116, OF THE PLAT RECORDS OF SAID FORT BEND COUNTY (F.B.C.P.R.);

- THENCE, SOUTH 86° 16' 34" WEST, 384.15 FEET TO A POINT FOR CORNER;
- THENCE, NORTH 01° 55' 13" WEST, 790.39 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 86° 16' 34" WEST, 335.75 FEET TO A POINT FOR CORNER;
- THENCE, NORTH 01° 55' 13" WEST, 479.76 FEET TO A POINT FOR CORNER;
- THENCE, NORTH 88° 04' 47" EAST, 181.00 FEET TO A POINT FOR CORNER;
- THENCE, SOUTH 01° 55' 13" EAST, 10.00 FEET TO A POINT FOR CORNER;

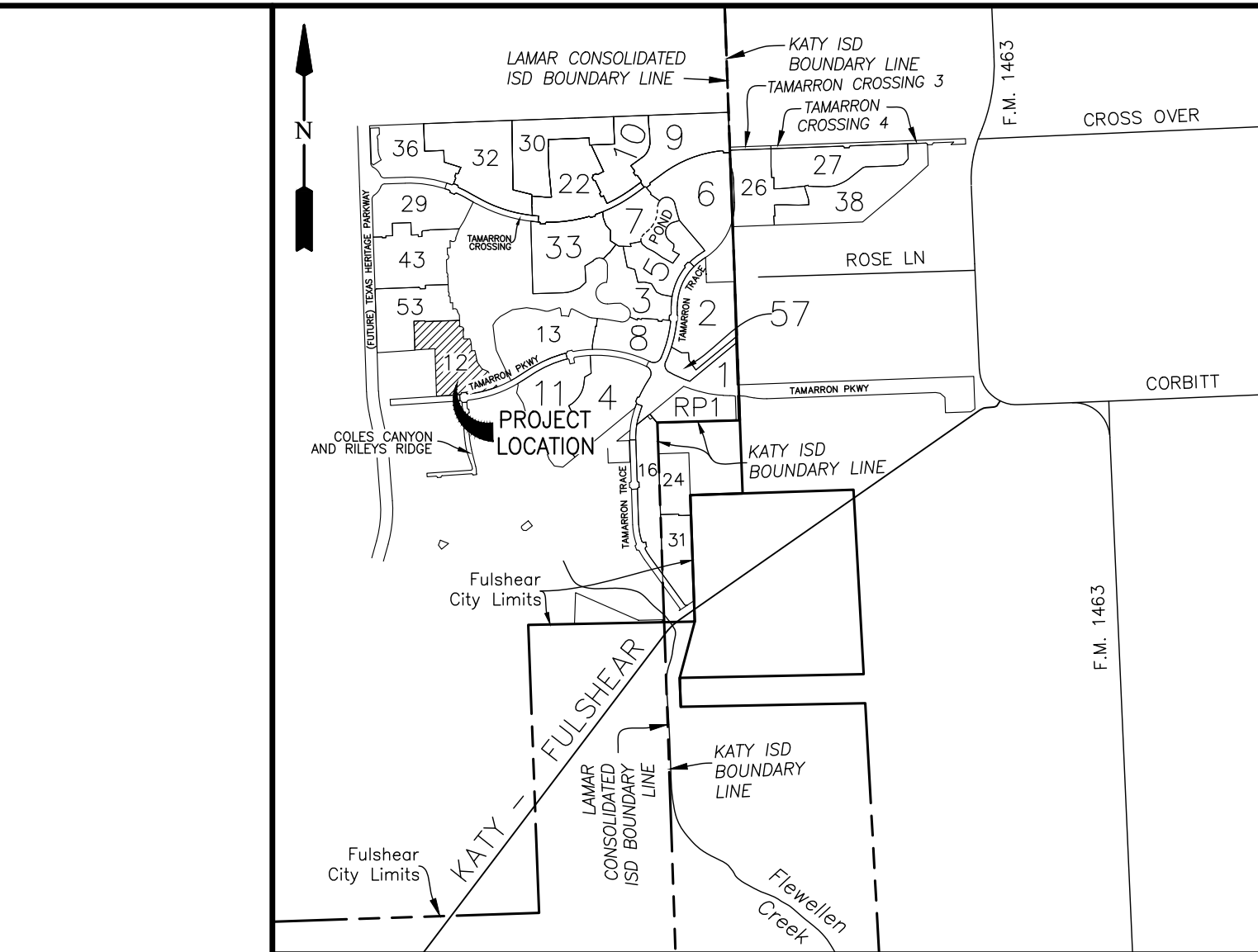
THENCE, NORTH 88° 04' 47" EAST, 579.00 FEET TO A POINT FOR CORNER, SAME BEING ON THE WESTERLY LINE OF THAT CERTAIN CALLED 49.033 ACRE TRACT CONVEYED TO FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 182 BY AN INSTRUMENT OF RECORD UNDER FILE NUMBER 2017129621, F.B.C.O.P.R., AND CORRECTED IN FILE NUMBER 2019016116, F.B.C.O.P.R.;

THENCE, ALONG THE WESTERLY LINE OF SAID FEET TO A POINT FOR CORNER, SAME BEING ON THE WESTERLY LINE OF SAID 49.033 ACRE TRACT, THE FOLLOWING FIFTEEN (15) COURSES;

- SOUTH 01° 55' 13" EAST, 108.88 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;
- 121.28 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 138° 58' 46", AND A CHORD WHICH BEARS SOUTH 38° 52' 23" EAST, 93.66 FEET TO A POINT FOR CORNER, THE BEGINNING OF A REVERSE CURVE;
- 15.04 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 34° 28' 15", AND A CHORD WHICH BEARS SOUTH 13° 22' 52" WEST, 14.81 FEET TO A POINT FOR CORNER; TANGENT
- SOUTH 03° 51' 15" EAST, 118.97 FEET TO A POINT FOR CORNER;
- NORTH 86° 08' 45" EAST, 103.93 FEET TO A POINT FOR CORNER;
- SOUTH 20° 08' 15" EAST, 52.09 FEET TO A POINT FOR CORNER;
- SOUTH 06° 40' 51" EAST, 50.06 FEET TO A POINT FOR CORNER;
- SOUTH 03° 51' 15" EAST, 104.07 FEET TO A POINT FOR CORNER;
- NORTH 82° 44' 56" EAST, 54.24 FEET TO A POINT FOR CORNER;
- SOUTH 11° 59' 00" EAST, 134.50 FEET TO A POINT FOR CORNER;
- SOUTH 41° 32' 47" WEST, 10.14 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;
- 56.28 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 64° 29' 26", AND A CHORD WHICH BEARS SOUTH 16° 12' 30" EAST, 53.35 FEET TO A POINT FOR CORNER;
- SOUTH 35° 20' 34" EAST, 142.60 FEET TO A POINT FOR CORNER;
- SOUTH 67° 48' 52" EAST, 107.26 FEET TO A POINT FOR CORNER;
- SOUTH 30° 56' 58" EAST, 298.92 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID 49.033 ACRE TRACT, SAID POINT BEING ON THE ARC OF A CURVE ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE FOREMENTIONED TAMARRON PARKWAY;

THENCE, ALONG THE NORTHWESTERLY RIGHT-OF WAY LINE OF SAID TAMARRON PARKWAY, THE FOLLOWING FIVE (5) COURSES;

- 500.77 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1,950.00 FEET, A CENTRAL ANGLE OF 14° 42' 50", AND A CHORD WHICH BEARS SOUTH 76° 08' 28" WEST, 499.40 FEET TO A POINT FOR THE SOUTHERLY END OF A RADIAL CUT-BACK CORNER AT THE INTERSECTION OF SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF TAMARRON PARKWAY AND THE EAST RIGHT-OF-WAY LINE OF THE FOREMENTIONED COLES CANYON, THE BEGINNING OF A COMPOUND CURVE;
- 48.38 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 92° 23' 29", AND A CHORD WHICH BEARS NORTH 50° 18' 22" WEST, 43.30 FEET TO A POINT FOR THE NORTHERLY END OF SAID CUT-BACK CORNER;
- SOUTH 85° 53' 22" WEST, 80.00 FEET TO A POINT FOR CORNER;
- SOUTH 04° 06' 38" EAST, 1.31 FEET TO A POINT FOR THE NORTHERLY END OF THE RADIAL CUT-BACK CORNER AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF SAID TAMARRON PARKWAY AND THE WEST RIGHT-OF-WAY LINE OF SAID COLES CANYON, THE BEGINNING OF A CURVE;
- 47.33 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90° 23' 11", AND A CHORD WHICH BEARS SOUTH 41° 04' 58" WEST, 42.57 FEET TO THE POINT OF BEGINNING AND CONTAINING 23.134 ACRE (1,007,707 SQUARE FEET) OF LAND.



VICINITY MAP
SCALE: 1" = 1/2 MILE
KEY MAP NO. 483P

I, RICHARD W. STOLLEIS, FORT BEND COUNTY ENGINEER, DO HEREBY CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH ALL OF THE EXISTING RULES AND REGULATIONS OF THIS OFFICE AS ADOPTED BY THE FORT BEND COUNTY COMMISSIONERS' COURT. HOWEVER, NO CERTIFICATION IS HEREBY GIVEN AS TO THE EFFECT OF DRAINAGE FROM THIS SUBDIVISION ON THE INTERCEPTING DRAINAGE ARTERY OR PARENT STREAM OR ON ANY OTHER AREA OR SUBDIVISION WITHIN THE WATERSHED.

RICHARD W. STOLLEIS, P.E.
FORT BEND COUNTY ENGINEER

APPROVED BY THE COMMISSIONERS' COURT OF FORT BEND COUNTY, TEXAS,
THIS _____ DAY OF _____, 2019.

VINCENT M. MORALES, JR.,
PRECINCT 1, COUNTY COMMISSIONER

GRADY PRESTAGE
PRECINCT 2, COUNTY COMMISSIONER

K.P. GEORGE
COUNTY JUDGE

W. A. (ANDY) MEYERS
PRECINCT 3, COUNTY COMMISSIONER

KEN R. DEMERCHANT
PRECINCT 4, COUNTY COMMISSIONER

I, LAURA RICHARD, COUNTY CLERK IN AND FOR FORT BEND COUNTY, HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORDATION IN MY OFFICE ON _____, 2019 AT _____ O'CLOCK _____M. IN PLAT NUMBER _____ OF THE PLAT RECORDS OF FORT BEND COUNTY, TEXAS.

WITNESS MY HAND AND SEAL OF OFFICE, AT RICHMOND, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

LAURA RICHARD, COUNTY CLERK
FORT BEND COUNTY, TEXAS

BY: _____
DEPUTY

FINAL PLAT OF TAMARRON SECTION 12

A SUBDIVISION OF 23.134 ACRES OF LAND SITUATED IN THE
J.D. VERMILLION SURVEY, ABSTRACT 339,
FORT BEND COUNTY, TEXAS.

85 LOTS 5 RESERVES (3.898 ACRES) 3 BLOCKS

FEBRUARY 27, 2019 JOB NO. 1931-6012

OWNERS:

D.R. HORTON - TEXAS, LTD.
A TEXAS LIMITED PARTNERSHIP

CHRIS LINDHORST, PRESIDENT
14100 SOUTHWEST FREEWAY, SUITE 500, SUGAR LAND, TEXAS 77478
PH. (281) 566-2100

SURVEYOR:

ENGINEER:

LJA Surveying, Inc.
2929 Briarpark Drive
Suite 175
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026
T.B.P.L.S. Firm No. 10194382

LJA Engineering, Inc.
1904 W. Grand Parkway North
Suite 100
Katy, Texas 77449
Phone 713.953.5200
Fax 713.953.5026
FRN-F-1386

MUTUAL CHECK

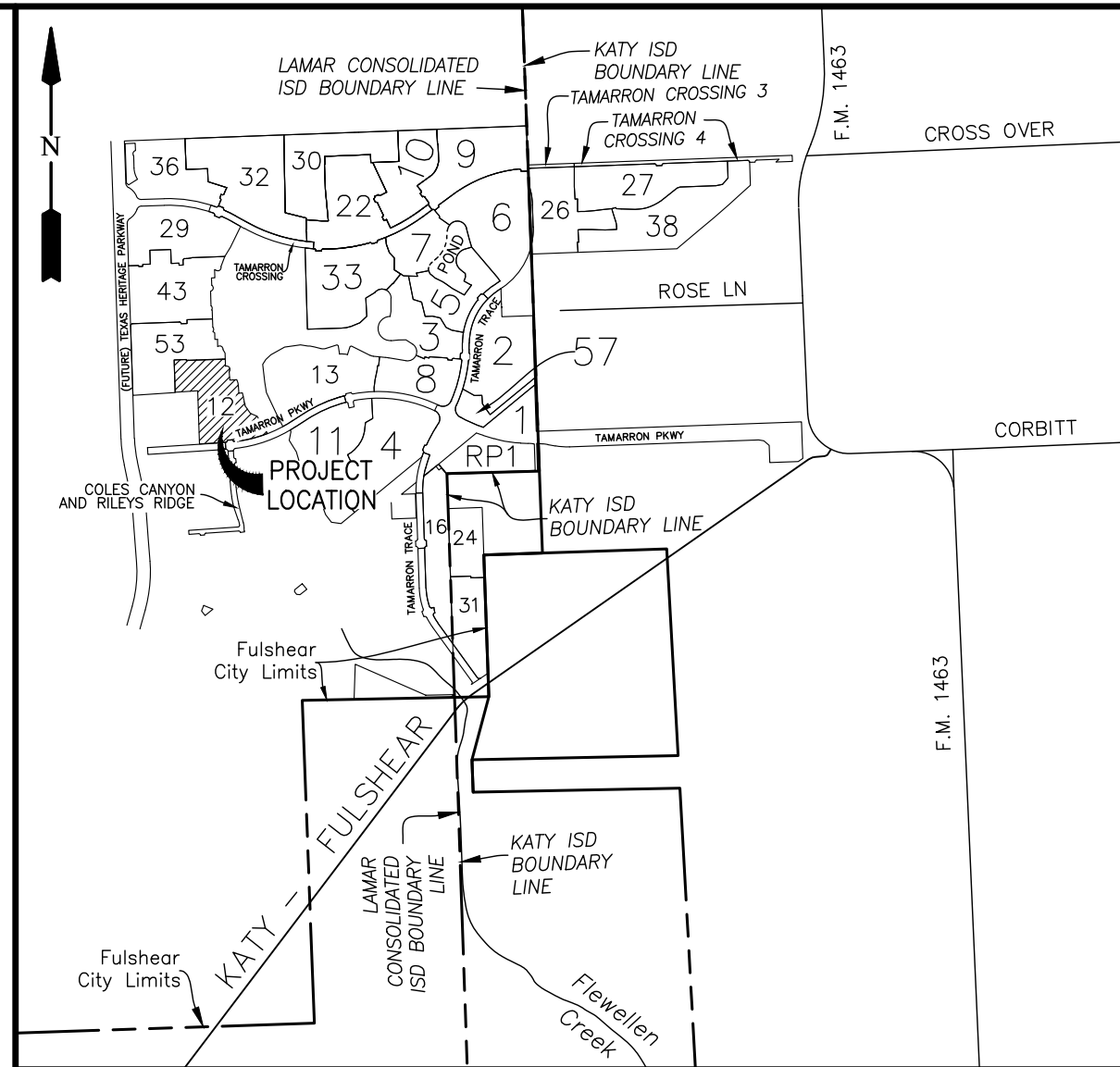
CAD

Path Name : I:\Projects\PLATTING\1931\03_PLATS\TAMARRON\TAMARRONSec-12.dwg

Date/Time : Wed, 27 Feb 2019 1:48pm

LINE	BEARING	DISTANCE
L1	S 01°55'13" E	10.00'
L2	S 01°55'13" E	108.88'
L3	S 03°51'15" E	118.97'
L4	N 86°08'45" E	103.93'
L5	S 20°08'15" E	52.09'
L6	S 08°40'51" E	50.06'
L7	S 03°51'15" E	104.07'
L8	N 82°44'56" E	54.24'
L9	S 11°59'00" E	134.50'
L10	S 41°32'47" W	10.14'
L11	S 35°20'34" E	142.60'
L12	S 67°48'52" E	107.26'
L13	S 85°53'22" W	80.00'
L14	S 04°06'38" E	1.31'
L15	S 04°06'38" E	32.70'
L16	N 42°06'46" E	12.00'
L17	S 61°14'58" W	78.04'
L18	S 41°16'34" W	20.00'
L19	S 01°55'13" E	105.00'
L20	N 61°14'58" W	27.05'
L21	S 61°14'58" W	27.05'
L22	S 03°51'15" E	56.68'
L23	S 04°06'38" E	32.70'
L24	N 04°06'38" W	32.70'
L25	N 03°51'15" W	47.48'
L26	S 01°55'13" E	40.03'
L27	S 04°06'38" E	103.19'
L28	S 41°04'58" W	23.04'
L29	N 02°22'04" E	119.65'
L30	S 02°35'59" E	115.06'
L31	N 01°55'13" W	115.00'
L32	S 01°55'13" E	120.00'

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	50.00'	138°58'46"	121.28'	93.66'	S 38°52'23" E
C2	25.00'	34°28'15"	15.04'	14.81'	S 13°22'52" W
C3	50.00'	64°29'26"	56.28'	53.35'	S 16°12'30" E
C4	1950.00'	14°42'50"	500.77'	499.40'	S 76°08'28" W
C5	30.00'	92°23'29"	48.38'	43.30'	N 50°18'22" W
C6	30.00'	90°23'11"	47.33'	42.57'	S 41°04'58" W
C7	55.00'	88°03'58"	84.54'	76.46'	S 47°53'14" E
C8	500.00'	6°13'23"	54.31'	54.28'	S 00°44'34" E
C9	500.00'	6°28'45"	56.54'	56.51'	S 00°52'15" E
C10	300.00'	25°01'35"	131.04'	130.00'	S 73°45'46" W
C11	55.00'	90°00'00"	86.39'	77.78'	N 48°43'26" W
C12	25.00'	90°00'00"	39.27'	35.36'	S 46°55'13" E
C13	25.00'	34°28'15"	15.04'	14.81'	N 70°50'39" E
C14	50.00'	15°70'28"	137.02'	97.99'	S 47°53'14" E
C15	25.00'	106°46'58"	46.59'	40.14'	S 57°14'44" E
C16	270.00'	8°06'48"	38.23'	38.20'	N 65°18'23" E
C17	25.00'	42°50'00"	18.69'	18.26'	N 39°49'58" E
C18	50.00'	265°40'01"	231.84'	73.33'	S 28°45'02" E
C19	25.00'	42°50'00"	18.69'	18.26'	S 82°39'59" W
C20	330.00'	11°44'59"	67.67'	67.55'	S 67°07'28" W
C21	25.00'	76°51'12"	33.53'	31.08'	S 34°34'21" W
C22	540.00'	6°13'23"	58.65'	58.62'	S 00°44'34" E
C23	460.00'	6°28'45"	52.02'	51.99'	S 00°52'15" E
C24	540.00'	5°56'10"	55.95'	55.92'	N 01°08'33" W
C25	25.00'	95°32'58"	41.69'	37.03'	N 45°56'57" W
C26	25.00'	42°50'00"	18.69'	18.26'	S 64°51'34" W
C27	50.00'	265°40'01"	231.84'	73.33'	N 03°43'26" E
C28	25.00'	42°50'00"	18.69'	18.26'	S 72°18'26" E
C29	25.00'	83°54'26"	36.61'	33.43'	N 44°19'21" E
C30	460.00'	6°13'23"	49.96'	49.94'	N 00°44'34" W
C31	25.00'	89°52'11"	39.21'	35.32'	N 48°47'21" W
C32	25.00'	40°34'29"	17.70'	17.34'	S 65°59'19" W
C33	50.00'	171°08'57"	149.36'	99.70'	N 48°43'26" W
C34	25.00'	40°34'29"	17.70'	17.34'	N 16°33'48" E
C35	25.00'	42°50'00"	18.69'	18.26'	N 25°08'26" W
C36	50.00'	265°40'01"	231.84'	73.33'	N 86°16'34" E
C37	25.00'	42°50'00"	18.69'	18.26'	S 17°41'34" W
C38	25.00'	90°00'00"	39.27'	35.36'	S 48°43'26" E
C39	25.00'	90°07'49"	39.33'	35.40'	N 41°12'39" E
C40	25.00'	88°03'58"	38.43'	34.75'	N 47°53'14" W
C41	25.00'	90°00'00"	39.27'	35.36'	S 43°04'47" W
C42	25.00'	42°50'00"	18.69'	18.26'	S 23°20'15" E
C43	50.00'	265°40'01"	231.84'	73.33'	S 88°04'47" W
C44	25.00'	42°50'00"	18.69'	18.26'	N 19°29'47" E



LEGEND

B.L.	INDICATES BUILDING LINE
U.E.	INDICATES UTILITY EASEMENT
D.E.	INDICATES DRAINAGE EASEMENT
W.L.E.	INDICATES WATER LINE EASEMENT
S.S.E.	INDICATES SANITARY SEWER EASEMENT
STM.S.E.	INDICATES STORM SEWER EASEMENT
F.B.C.P.R.	INDICATES FORT BEND COUNTY PLAT RECORDS
F.B.C.O.R.	INDICATES FORT BEND COUNTY OFFICIAL RECORDS
F.B.C.O.P.R.	INDICATES FORT BEND COUNTY OFFICIAL PUBLIC RECORDS
F.B.C.D.R.	INDICATES FORT BEND COUNTY DEED RECORDS
—	INDICATES STREET NAME CHANGE
F.N.	INDICATES FILE NUMBER
S.N.	INDICATES SEE NOTE
EXIST.	INDICATES EXISTING
F.M.E.	INDICATES FORCE MAIN EASEMENT

RESERVE TABLE

RESERVE	ACREAGE	SQ.FT.	TYPE
A	0.025	1,090	RESTRICTED TO LANDSCAPE/OPEN SPACE
B	3.459	150,691	RESTRICTED TO LANDSCAPE/RECREATION CENTER
C	0.265	11,525	RESTRICTED TO LANDSCAPE/OPEN SPACE
D	0.054	2,338	RESTRICTED TO LANDSCAPE/OPEN SPACE
E	0.095	4,126	RESTRICTED TO LANDSCAPE/OPEN SPACE
TOTAL	3.898	169,770	

- NOTES:
- BENCHMARK: NGS MONUMENT HGCD 66: TOP OF A STAINLESS STEEL ROD THAT IS ENCASED IN A 5 INCH PVC PIPE WITH A LOGO CAP STAMPED HGCD 66 1986. THE POINT IS LOCATED +/- 72 FEET WEST OF THE CENTERLINE OF FM 1463 AND +/- 0.34 MILES NORTH OF THE INTERSECTION OF FM 1463 AND CHURCHILL FARMS BLVD. KATY, TX.
ELEV. = 136.21 FEET NAVD88
 - TBM INDICATES TEMPORARY BENCHMARK: TBM 13: A BRASS DISK ON A CONCRETE CURB INLET LOCATED ALONG THE EAST SIDE OF THE NORTH BOUND LANE OF TAMARRON TRACE. THE POINT IS LOCATED +/- 290 FEET SOUTH OF THE CENTERLINE OF THE INTERSECTION OF TAMARRON TRACE AND TAMARRON PARKWAY.
ELEV. = 142.09 FEET NAVD88
TO ADJUST TO FORT BEND CO. LIDAR DATUM ADD 0.39 FEET.
 - ELEVATIONS FOR DELINEATING CONTOUR LINES ARE BASED UPON NAVD-88.
 - THIS PLAT WAS PREPARED TO MEET THE CITY OF FULSHEAR AND FORT BEND COUNTY REQUIREMENTS.
 - THIS PLAT WAS PREPARED FROM INFORMATION FURNISHED BY DHI TITLE OF CENTRAL TEXAS, EFFECTIVE NOVEMBER 7, 2018 AND ISSUED NOVEMBER 14, 2018. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
 - THIS PLAT LIES WHOLLY WITHIN FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 182, FORT BEND SUBSIDENCE DISTRICT, FORT BEND COUNTY DRAINAGE DISTRICT, LAMAR CONSOLIDATED SCHOOL DISTRICT AND THE ETJ OF THE CITY OF FULSHEAR AND FORT BEND COUNTY.
 - THIS SUBDIVISION LIES WITHIN UNSHADED ZONE X AS PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM), MAP NO. 48157C 0085L, REVISED APRIL 2, 2014, DEFINED AS AREAS OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN; LJA DOES NOT WARRANT NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAPS.
 - APPROVAL OF THIS PLAT WILL EXPIRE ONE YEAR FROM PLANNING AND ZONING APPROVAL IF NOT RECORDED IN THE REAL PROPERTY RECORDS OF THE COUNTY OF FORT BEND.
 - THERE ARE NO PIPELINES AND/OR PIPELINE EASEMENTS WITHIN THE LIMITS OF THE SUBDIVISION.
 - THE MINIMUM SLAB ELEVATION SHALL BE 148.50 FEET (NAVD 88); EIGHTEEN INCHES (18") ABOVE THE 100-YEAR FLOOD PLAIN ELEVATION AND MAXIMUM PONDING ELEVATION; EIGHTEEN INCHES (18") ABOVE NATURAL GROUND, OR TWELVE INCHES (12") ABOVE THE TOP OF CURB AT THE FRONT OF THE LOT, WHICHEVER IS HIGHER. THE TOP OF SLAB ELEVATION AT ANY POINT ON THE PERIMETER OF THE SLAB SHALL NOT BE LESS THAN EIGHTEEN INCHES (18") ABOVE NATURAL GROUND.
 - ALL LOT LINES SHALL HAVE A MINIMUM 5' SIDE YARD SETBACK LINE.
 - A MINIMUM DISTANCE OF 10' SHALL BE MAINTAINED BETWEEN RESIDENTIAL DWELLINGS.
 - THE DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE FORT BEND COUNTY DRAINAGE CRITERIA MANUAL WHICH ALLOWS STREET PONDING DURING INTENSE RAINFALL EVENTS.
 - ALL DRAINAGE EASEMENTS TO BE KEPT CLEAR OF FENCES, BUILDINGS, VEGETATION AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY.
 - ALL PROPERTY TO DRAIN INTO THE DRAINAGE EASEMENT ONLY THROUGH AN APPROVED DRAINAGE STRUCTURE.
 - THIS PLAT LIES WITHIN FORT BEND COUNTY LIGHTING ORDINANCE ZONE NO. 3.
 - THE COORDINATES AND BEARINGS SHOWN HEREON ARE TEXAS COORDINATE SYSTEM SOUTH CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE 1.00011591065.
 - SIDEWALKS SHALL BE BUILT OR CAUSED TO BE BUILT NOT LESS THAN 5 FEET IN WIDTH ON BOTH SIDES OF ALL DEDICATED RIGHTS-OF-WAY WITHIN SAID PLAT AND ON THE CONTIGUOUS RIGHT-OF-WAY OF ALL PERIMETER ROADS SURROUNDING SAID PLAT, IN ACCORDANCE WITH ADA REQUIREMENTS.
 - OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF THE DETENTION FACILITY IS VESTED IN FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 182.
 - FIVE EIGHTHS INCH (5/8") IRON RODS THREE FEET (3') IN LENGTH WITH A PLASTIC CAP MARKED "LJA SURVEY" WILL BE SET ON ALL PERIMETER BOUNDARY CORNERS. LOT, BLOCK, AND RESERVE CORNERS WILL BE SET UPON COMPLETION OF ROAD CONSTRUCTION AND PRIOR TO LOT CONSTRUCTION.
 - ONE-FOOT RESERVE DEDICATED TO THE CITY IN FEE AS A BUFFER SEPARATION BETWEEN THE SIDE OR END OF STREETS WHERE SUCH STREETS ABUT ADJACENT ACREAGE TRACTS, THE CONDITION OF SUCH DEDICATION BEING THAT WHEN THE ADJACENT PROPERTY IS SUBDIVIDED PURSUANT TO A RECORDED PLAT, THE ONE-FOOT RESERVE SHALL THEREUPON BECOME VESTED IN THE PUBLIC FOR STREET RIGHT-OF-WAY PURPOSES AND THE FEE TITLE THERETO SHALL REVERT TO AND REVEST IN THE DEDICATOR, HIS HEIRS, ASSIGNS OR SUCCESSORS.
 - SITE PLANS SHALL BE SUBMITTED TO FORT BEND COUNTY AND ANY OTHER APPLICABLE JURISDICTION FOR REVIEW AND APPROVAL. DEVELOPMENT PERMITS AND ALL OTHER APPLICABLE PERMITS SHALL BE OBTAINED FROM FORT BEND COUNTY PRIOR TO BEGINNING CONSTRUCTION.

**FINAL PLAT OF
TAMARRON SECTION 12**

A SUBDIVISION OF 23.134 ACRES OF LAND SITUATED IN THE
J.D. VERMILLION SURVEY, ABSTRACT 339,
FORT BEND COUNTY, TEXAS.

85 LOTS 5 RESERVES (3.898 ACRES) 3 BLOCKS

FEBRUARY 27, 2019 JOB NO. 1931-6012

OWNERS:
D.R. HORTON - TEXAS, LTD.
A TEXAS LIMITED PARTNERSHIP
CHRIS LINDHORST, PRESIDENT
14100 SOUTHWEST FREEWAY, SUITE 500, SUGAR LAND, TEXAS 77478
PH. (281) 566-2100

SURVEYOR: **LJA Surveying, Inc.**
2929 Briarpark Drive
Suite 175
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026
T.B.P.L.S. Firm No. 10194382

ENGINEER: **LJA Engineering, Inc.**
1904 W. Grand Parkway North
Suite 100
Katy, Texas 77449
Phone 713.953.5200
Fax 713.953.5026
FRN-F-1386

SHEET 2 OF 2

November 4, 2019

Engineering Review

Proposed Plat Extension
Tamarron Section 12
Fort Bend County, Texas

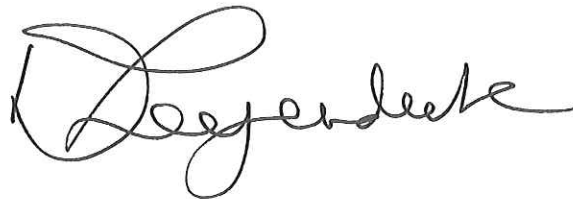
Plat Name: Final Plat – Tamarron Section 12

Original Planning
Commission Approval Date: December 12, 2018

Plat Expiration Date: December 12, 2019

Recommendations:

I recommend that the Approval of the Final Plat of Tamarron Section 12 be extended for an additional 12-months.

A handwritten signature in cursive script, appearing to read "Leyendecker", with a large, stylized initial "L" on the left.