

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, AMENDING THE PROCEDURAL AND DEVELOPMENT STANDARDS FOR MULTI-FAMILY DEVELOPMENT IN THE RAYZOR RANCH OVERLAY DISTRICT BY AMENDING SUBCHAPTER 35.7.15.7.D OF THE DENTON DEVELOPMENT CODE AND EXHIBIT C-3 OF THE RAYZOR RANCH OVERLAY DISTRICT; PROVIDING A REPEALER AND A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF, AND PROVIDING AN EFFECTIVE DATE. (Z16-0022)

WHEREAS, the Rayzor Ranch Overlay District consists of approximately 410 acres on both sides of US Route 380 and between IH-35 and Bonnie Brae Street, which is more particularly described and depicted in Exhibit A, attached hereto and incorporated by reference as if set forth at length herein (the "District"), and which exhibit's spatial definition constitutes the boundaries of the District (the "District Boundaries");

WHEREAS, the owner(s) of property within the Rayzor Ranch Overlay District have applied for an amendment to Exhibit C3 of the Rayzor Ranch Overlay District to provide additional standards for multi-family development in the South Mixed Use subarea as described in Subchapter 35.7.15.3.B.3 of the Denton Development Code as attached hereto.

WHEREAS, the Denton Development Code authorizes the City Council to approve overlay districts to protect and enhance certain specific lands and structures which, by virtue of their type or location, have characteristics which are distinct from lands and structures outside such special districts and contain such reasonable and necessary requirements to insure the protection and enhancement of said land and structures.

WHEREAS, the Denton Development Code authorizes the City Council to approve overlay districts to establish specific design standards and development regulations to effectuate the purpose of the district, and may require or address any of the following, in addition to or in lieu of other regulations affecting the property within the overlay district: (1) protection of features designated as being of special concern within the district; (2) mixtures or limitations or permitted uses; (3) special performance standards and development regulations; and (4) other matters as appropriate to promote the special public interests of the district; and

WHEREAS, on June 15, 2010 the City Council held a public hearing as required by law and approved the modified Rayzor Ranch Overlay District under Ordinance No. 2010-158, which incorporated additional regulations under Ordinance 2008-018; and

WHEREAS, on January 26, 2016 the City Council held a public hearing as required by law and approved the modified Rayzor Ranch Overlay District under

Ordinance No. 2016-017, which amended regulations under Ordinance 2010-158; and

WHEREAS, on September 28, 2016 the Planning and Zoning Commission, in compliance with the laws of the State of Texas, after having given the requisite notices by publication and otherwise, and having held full and fair hearings for all property owners interested in this regard, recommended approval of the overlay changes in this Ordinance; and

WHEREAS, on October 11, 2016 the City Council likewise conducted a public hearing as required by law, and finds that this Ordinance meets and complies with all substantive and procedural standards set forth in the Denton Development Code and is consistent with the Denton Code of Ordinances and Denton Plan 2030, as amended; and

WHEREAS, the City Council finds that the modified Rayzor Ranch Overlay District serves a public purpose by permitting the development of a regional shopping center and complementary peripheral development to create a unique, walkable, mixed-use style of development that will set it apart from other shopping centers in the area; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Denton, in considering the overlay changes in this Ordinance, have determined that the changes are in the best interests of the health, safety, morals, and general welfare of the City of Denton, are consistent with Denton Plan 2030, will protect and enhance the Property, and accordingly, the City Council of the City of Denton is of the opinion and finds that the said overlay changes should be granted as set forth herein.

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this ordinance are incorporated herein by reference and are found to be true.

SECTION 2. Ordinance Nos. 2016-017, 2010-158 and 2008-018 are only amended to the extent that they are inconsistent with the changes as established herein. Any provisions not addressed by this Ordinance shall continue with full force and effect and any official actions taken as a result of the original ordinances prior to the effective date of this Ordinance are hereby ratified, affirmed, and adopted. Nothing herein shall repeal or modify any permit approvals for property within the Rayzor Ranch Overlay District approved prior to the effective date of this Ordinance, including, but not limited to, approved site plans, plats, and building permits and/or any rights that may be associated with those permits.

SECTION 3. Chapter 35, Subchapter 7 "Denton Development Code", "Special Purpose and Overlay Districts", Code of Ordinances, City of Denton, Texas is hereby amended by amending Section 35.7.15. Rayzor Ranch Overlay District, to read as follows:

35.7.15.0 Rayzor Ranch Overlay District.

The Rayzor Ranch Overlay District classification is hereby defined with respect to approximately 410 acres of land, legally described in Exhibit "A" to Ordinance 2008-018.

35.7.15.1 Purpose.

The purpose of establishing the Rayzor Ranch Overlay District is to:

- A. Ensure compatibility of new construction with the existing scale and characteristics of surrounding properties; and
- B. Protect and enhance specific land features which have characteristics distinct from lands and structures outside this Special Purpose District; and
- C. Provide within the Rayzor Ranch area a combination of land uses arranged and designed in accordance with sound site planning principles and development techniques; and in such a manner as to be properly related to each other, the immediate surrounding area, the planned mobility system, and other public facilities, such as water and sewer systems, parks, schools and utilities.

35.7.15.2 Application of Regulations

- A. The Rayzor Ranch Overlay District shall be consistent with the Denton Plan.
- B. The regulations included in this Ordinance apply to the portions of Rayzor Ranch that are located both north and south of US 380 / West University Drive (US 380). The portion of Rayzor Ranch north of West University Drive (US 380) is hereinafter referred to as Rayzor Ranch Marketplace and the portion of Rayzor Ranch located south of West University Drive (US 380) is known as the Rayzor Ranch South Campus.
- C. The development regulations that are applicable to properties north of US 380, including those that have building permits issued or in process at the date of adoption of this ordinance (specifically Lots 6R, 7R, 8R, 9, 10, 12 and 13 of the Rayzor Ranch North Addition), and the Cook Children's tract and the Denton Municipal Electric (DME) Substation tract south of US 380 are governed the regulations established in Ordinances 2008-284 and 2009-169.

- D. The City rules and regulations applicable to the development of property located within the NRMU and RCC-D zoning districts are applicable, except as otherwise provided by this Overlay District and further restricted or excepted herein and may not be varied or excepted other than by amendment of these standards.
- E. Provisions for solid waste receptacles shall follow the City of Denton Solid Waste Criteria Manual.
- F. The District shall retain the underlying zoning district and be noted with an overlay designation on the Official Zoning Map.
- G. The District may be developed in phases. If the common amenities for future phases, including but not limited to open spaces, landscaping and/or recreational facilities are not yet constructed; a phasing plan may be considered as a component of the final plat. If provided, a phasing plan shall contain a graphic and narrative document that indicates the sequence and time of construction, provides a description of the phasing order (e.g. 1, 2 & 3) and includes infrastructure requirements for each phase, as amended from time to time with approval of the City Manager.
- H. Before building permits may be issued for any portion of the project, a Site Plan for that portion of the project must be approved in conformance with this Ordinance and applicant must demonstrate compliance with this ordinance and all attached exhibits. The site plan requirement does not apply to Lots 6R, 7R, 8R, 9, 10, 12 and 13 of the Rayzor Ranch North Addition. All other properties north of US 380 and the Cook Children's tract and the Denton Municipal Electric (DME) Substation tract south of US 380 are governed by the regulations established in Ordinances 2008-284 and 2009-169 including Section 35.7.13.5 Marketplace - Subarea 2 Development Standards (RR-3, P, and RR-2) that states in part: Permitted Uses. These uses must be located within the Subareas as shown on the attached Exhibit B.
- I. Development within Rayzor Ranch shall conform to the adopted Concept Plan attached as Exhibit "B" to these regulations. The Concept Plan is intended to be used as the first step in the overlay development process. The Concept Plan establishes the initial plan for general zoning guidelines in the District by illustrating in graphic form both internal and external streets, thoroughfares, other means of access, open spaces,

natural resources, uses, densities, intensities and height. Any adoption of or amendment to the Concept Plan shall follow the procedures for Zoning Amendments in Section 35.3.4 of the Denton Development Code. The following information should be provided for a complete Concept Plan:

- a. The date, written and graphic scale, north arrow, proposed name of the development, key map showing the location of the development in relation to existing streets and highways and dates of preparation and revisions.
- b. The name and address of the property owner or owners, and the design professional preparing the plan.
- c. The names of the record owners of adjacent land.
- d. Title Block containing: Proposed name of the subdivision or lot of record, acres in platted and unplatted land and total of those acres, survey and jurisdiction (City of Denton, County of Denton, Texas, for example.)
- e. Acreage of the project.
- f. Show and label any proposed phasing limits.
- g. Survey boundaries of the project (or references to the survey).
- h. Proposed general land uses and the acreage of each subarea as defined in Exhibit B, including open space locations.
- i. Proposed street layout (arterial level required, collector and local to be developed by the applicant and reviewed by staff) and general location of internal and external streets, alleys, thoroughfares, and other means of access.
- j. Development Standards:
 - i. Maximum height of buildings
 - ii. Minimum lot area
 - iii. Minimum lot width and depth
 - iv. Building setbacks
 - v. Maximum lot coverage
 - vi. Maximum floor to area ratio
 - vii. Off-street parking standards

- k. 100 year floodplain, floodway and major drainage ways.
- l. City limits and Extraterritorial Jurisdiction (ETJ) boundaries.
- m. Zoning districts and land uses on project and adjacent lands.
- n. Preliminary water and sanitary sewer layout and drainage facilities locations.

J. Site Plan –Site Plans are intended to demonstrate and confirm that each phase of-development moving towards construction complies with all of the design requirements of this Ordinance and the applicable portions of the Denton Development Code. Site Plans shall substantially conform to the Concept Plan as depicted in Exhibit B. The following requirements shall apply:

- 1. The District may be developed in multiple phases. If the District is developed in phases, a Site Plan shall be approved for each phase. However, this section does not preclude the approval of an overall Site Plan for the entire District, or a substantial portion of the District, at the option of the property owner.
- 2. Site Plans shall be approved by the Planning and Zoning Commission in lieu of the Staff Review Procedure under Sec. 35.3.7 of the Denton Development Code. The Planning and Zoning Commission decision on Site Plans may be appealed to the City Council by the applicant; however, no further public hearing notification or public hearing shall be required on appeal. If appealed to City Council, the City Council's decision on a Site Plan is final.
- 3. Complete Site Plans shall confirm the zoning details previously approved in the Concept Plan as well as provide additional design and architectural standard details by illustrating in a graphic form the following:
 - a. Acreage in project shown by survey and certified by a registered surveyor;
 - b. Permitted land uses and acreage of each land use;
 - c. Land uses and zoning of adjacent properties;
 - d. Drainage facilities;

- e. Other existing or proposed off-site improvements as required;
- f. Location, type and size of all streets, alleys, parking lots and spaces, loading areas or other areas to be used for vehicular traffic;
- g. Proposed access and connection to existing or proposed streets and traffic generated by the proposed uses;
- h. Non-residential: location, maximum height (in feet), minimum setbacks, and maximum floor area ratio (FAR) of buildings;
- i. Residential development must show number, location and dimension of all lots, minimum setbacks, number of dwelling unit and density;
- j. Location of all creeks, ponds, lakes, floodplain, and/or other water retention or major drainage facilities and improvements;
- k. Location size and route of all major water, wastewater, electrical lines and other facilities necessary to serve the project;
- l. Location of all protected trees (10+ inches) and a detailed landscape plan demonstrating compliance with the approved landscape requirements for Rayzor Ranch as set for in Exhibit "D";
- m. Location, type and size of all fences, berms, or screening features;
- n. Sidewalks or other pedestrian or bicycle access;
- o. Building elevation(s); and,
- p. Demonstrated compliance with the architectural standards in Exhibit C, with attached appendices as applicable.

K. Approval Criteria. Site Plans shall be approved if:

- 1. The Site Plan substantially complies with the Concept Plan previously approved by City Council;
- 2. The Site Plan provides for the design and arrangement of driveways and parking spaces in accordance with the applicable requirements of

the Denton Development Code, as modified by the Rayzor Ranch Overlay District;

3. There are adequate utilities, drainage and supporting infrastructure or it shall be provided in accordance with the applicable requirements of the Denton Development Code, as modified by the Rayzor Ranch Overlay District;
4. The Site Plan fully complies with all other sections of the Rayzor Ranch Overlay District.

- L. Minor Amendment. The Director of Development Services may approve minor aesthetic deviations to architectural elevations and other approved site design standards and details associated with the Rayzor Ranch Overlay District, if necessary to protect the viability of the district as a whole, except that no amendment may change any use restriction or subarea boundary.
- M. Expiration of Site Plan. Any approved Site Plan shall be valid for twenty-four (24) months from the date of its approval. If no construction begins pursuant to a building permit issued for the property within the twenty-four (24) months, the site plan shall expire and no longer be valid. The Planning and Zoning Commission may, for good cause, extend for up to three hundred sixty (360) days the expiration date of the Site Plan.

35.7.15.3 Land Divisions

The Rayzor Ranch overlay district shall be divided into two major divisions, separated generally by US 380 (University Drive): the Rayzor Ranch Marketplace; and the Rayzor Ranch South Campus.

- A. The Rayzor Ranch Marketplace shall be divided into three subareas as depicted in Exhibit B and detailed below.
 1. RR-3 – The Rayzor Ranch Marketplace RR-3 Area, depicted as RR-3 on Exhibit B, is intended as a retail area with uses allowed in the RCC-D zoning district classification and use designation, as further modified by this overlay zoning district, and designed to promote the overall character and purpose of this overlay district. The RR-3 section of the Rayzor Ranch Marketplace (RR-3) is referred to as the RR-3 Area in the Architectural Standards, Landscape Standards, and Signage Standards in Exhibits B, C, D, and E, and vice versa.

2. RR-2 – The Rayzor Ranch Marketplace RR-2 Area, depicted as RR-2 on Exhibit B, is intended to as a retail area with uses allowed in the RCC-D zoning district classification and use designation, as further modified by this overlay zoning district, and designed to promote the overall character and purpose of this overlay district. The RR-2 section of the Rayzor Ranch Marketplace is referred to as the RR-2 Area in the Architectural Standards, Landscape Standards, and Signage Standards in Exhibits B, C, D, and E, and vice versa.
3. Residential (NRMU-12 & NR-3) – The Rayzor Ranch Marketplace Residential Area, depicted as NRMU-12 and NR-3 on Exhibit B, is intended for residential development. Development standards for this area are not currently incorporated into this Overlay but will be adopted prior to any development or site plan approval in this area.

B. The Rayzor Ranch South Campus shall be divided into the following five subareas, as depicted in Exhibit B:

1. Town Center (RR-1) – The Town Center (RR-1), depicted as RR-1 on Exhibit B-1, is intended to define a mixture of certain specified nonresidential, retail and residential uses currently allowed within the RCC-D zoning district classification and use designation, as further modified by this overlay zoning district, and designed to promote the overall character and purpose of this overlay district. The Town Center (RR-1) is also referred to as the RR-1 Area in the Architectural Standards, Landscape Standards, and Signage Standards in Exhibits B, C-1, D-1, and E-1 and vice versa.
2. South RR-2 District – The South RR-2 District is intended to define certain specified uses currently allowed within the RCC-D zoning district classification and use designation, as further modified by this overlay zoning district. The South RR-2 District is also referred to as the South RR-2 Area in the Architectural Standards, Landscape Standards, and Signage District in Exhibits C-1, D-1, and E-1.
3. South Mixed-Use District – The South Mixed Use District is intended to accommodate certain specified nonresidential, single-family and multi-family residential uses, as further modified by these overlay

requirements. The South Mixed-Use District is also referred to as the RR, BH, MF, O, CC, P, Hotel, and SF Areas in the Multi-family Development Standards in Exhibit C-3 and will be referred to as the RR, BH, MF, O, CC, P, Hotel, and SF Areas in the Architectural Standards, Landscape Standards, and Signage Standards in Exhibits to be incorporated as Exhibits C-2, D-2, and E-2.

4. DME Substation – The DME Substation property is intended to accommodate a utility substation and is governed by the regulations established in Ordinances 2008-284 and 2009-169.
5. Cook Children's Hospital – The Cook Children's property is intended to accommodate a hospital and is governed by the regulations established in Ordinances 2008-284 and 2009-169.
6. Drill Pad - The Drill Pad property is intended to accommodate gas well development, and is governed by Ordinances 2008-284 and 2009-169, and further restricted by Specific Use Permit (SUP) No. S09-0006, Ord. No. 2009-257.

35.7.15.4 Development Standards

A. Generally.

The Rayzor Ranch Overlay establishes architectural and landscape design as development standards to effectuate the purpose of the district. The City rules and regulations applicable to the development of property in the RCC-D and NRMU districts are applicable, except as otherwise provided by this Overlay District and further restricted or excepted herein.

B. Definitions.

The following definitions shall apply to the Rayzor Ranch Overlay District:

1. Big House: A type of residential development where 10 or fewer dwelling units are located in a single building which is intended to resemble a single large house. The dwelling units can be vertically or horizontally integrated. Dwelling units developed as a Big House use will count towards the total number of multi-family dwelling units and not toward the total number of single-family dwelling units allowed

in Rayzor Ranch listed in Section 35.7.15.7.A.1.

2. Continuing Care Retirement Center: A facility that integrates multiple senior living options into one facility including skilled nursing, assisted living, dementia care, as well as independent living. This use is not considered a multi-family dwelling unit. (Ordinance No. 2007-110).
3. Convention Center: A facility used in connection with a convention or meeting center, or similar facility, including auditoriums, exhibition halls, facilities for food preparation and service, parking facilities, administrative offices and ancillary development such as a hotel.
4. Garden-Style Home: A single-family dwelling on a separate lot with building setbacks only on three sides commonly developed in a cluster formation. This development type is also known as zero lot line homes or patio homes.
5. Helipad: A landing pad for occasional use by rotary wing aircraft. Regularly scheduled stops and fueling or servicing facilities are not permitted as part of this use.
6. Open Space: Open space includes all surface areas of the project that are not covered with enclosed buildings, or parking and drive areas. Pedestrian plazas and sidewalks (covered or uncovered) count as Open Space. In addition, areas of Rayzor Ranch, such as easements or rights-of-way, that may be owned or controlled by a governmental agency, but that are being maintained privately, will count towards the open space and landscape area requirements. Open Space in the Marketplace shall be defined by Ordinance 2009-169.
7. Plaza or Public Area Space: An area identified on an approved Site Plan which is designated for public or civic use. This area can be part of a private development or included within a Park.
8. Rayzor Ranch: The comprehensive development which includes all phases defined within the Rayzor Ranch Overlay District. (Ordinance

2008-284).

9. Stormwater Control and/or Detention Areas. Facilities dedicated to the collection, or transportation of stormwater runoff.
10. Storm Water Control: Storm water controls (sometimes referred to as best management practices or BMPs) are constructed storm water management facilities designed to treat storm water runoff and/or mitigate the effects of increased storm water runoff peak rate, volume and velocity due to urbanization.
11. Storm Water Quality Areas: Facilities for the collection and treatment of storm water runoff.
12. Townhouse-style: A dwelling structure not to exceed three stories in height, containing a minimum of three and no more than eight dwelling units within a building, which is constructed in a series or group of attached units on one lot, up to eight (8) units, meeting fire protection requirements and the following additional requirements. Seventy-five percent (75%) of the dwellings built in compliance with the Townhouse Style development regulations are considered attached single-family dwelling units for the purpose of calculating the total number of units allowed in the Rayzor Ranch South Campus and will count towards the total number of single-family attached dwelling units and not toward the total number of multi-family dwelling units allowed in Rayzor Ranch listed in Section 35.7.15.7.A.1. Conversely, 25% of each phase of the Townhouse-style dwellings constructed shall count against multifamily.
 - a. Each unit features at least two points of direct exterior access to the structure;
 - b. Each unit is separated from the other dwellings in the structure by fire rated common walls;
 - c. No units are vertically above or below another uses or unit within the structure;
 - d. Each unit features an individual meter for each utility; and

- e. Each unit features access to a public street alley.

35.7.15.5 Marketplace – Subarea 1 Development Standards (SF-1) as defined in Ordinance 2008-084.

[TO BE INCORPORATED LATER]

35.7.15.6 Marketplace – Subarea 2 Development Standards (RR-3, P, and RR-2) as defined in Ordinance 2008-284.

In Subarea 2 of the Rayzor Ranch Marketplace, the City rules and regulations applicable to the development of property located within an RCC-D zoning district are applicable, except as otherwise provided by this Overlay District and further restricted or excepted as follows:

Permitted Uses. These uses must be located within the Subareas as shown on Exhibit B as follows:

- A. RR-3: wholesale sales; retail construction materials sales with a minimum floor area of 100,000 square feet; quick vehicle servicing; garden center with container plant materials and associated garden supplies only accessory to retail or a home improvement center in excess of 100,000 square feet, retail sales and services, restaurants, parks and open space and professional services and offices. All other uses are prohibited.
- B. RR-2: retail sales and services, restaurants, drive-through facilities, indoor recreation, parks and open space and professional services and offices. All other uses are prohibited.
- C. P: parks and open space, water quality feature as defined in this ordinance. All other uses are prohibited.

35.7.15.7 South Campus – General Use and Development Standards

- A. Residential Dwelling Units
 - 1. The South Campus shall not exceed the following number of dwelling units by type:
 - a. 185 single-family detached dwellings;
 - b. 496 single-family attached dwellings; and

- c. 1,800 multi-family units.
 - i. 1,050 of the allowed 1,800 multi-family dwelling units are to be constructed inside the Density Zone and cannot be rented by the room and cannot contain more than three (3) bedrooms in any individual unit.
 - ii. The remaining 750 multi-family dwelling units can be built within those areas identified for MF uses within Exhibit B and cannot contain more than three (3) bedrooms in any individual unit.
 - d. Approved densities shall be contingent upon demonstration that planned public infrastructure is sufficient to sustain the herein approved densities.
2. The first 750 multi-family residential units in the South Campus shall not be permitted or constructed until the non-residential component of Phase 1 of the Town Center (RR-1) has had a site plan approved, and until the first 100,000 square feet of the Town Center (RR-1) and RR-2 construction has: (1) received building permits, and (2) has been inspected and issued a green tag by the City for the building foundations. The remaining 1,050 multi-family residential units may be permitted and constructed when the first 600,000 square feet of the Town Center (RR-1) and RR-2 construction has received building permits and the City has inspected and issued a green tag for the building foundations.

B. South Campus – Town Center (RR-1)

1. The Town Center (RR-1) property is located within an RCC-D base zoning district. Permitted uses are limited to the specific land use categories set forth below, as defined, limited and permitted by the Denton Development Code for the RCC-D zoning district classification and use designation, or as further restricted or excepted in this overlay.
- a. Permitted Uses:
 - i. Hotels;
 - ii. Retail Sales and Services;
 - iii. Movie Theaters;
 - iv. Restaurants;
 - v. Drive-through Facilities.
 - vi. Professional Services and Offices;
 - vii. Outdoor Recreation, including an amphitheater;

- viii. Indoor Recreation;
- ix. Commercial Parking Lots;
- x. Parks;
- xi. Open Space;
- xii. Hospital;
- xiii. Medical Centers;
- xiv. Convention Center
- xv. Storm Water Control and/or Detention;
- xvi. Major Event Entertainment;
- xvii. Storm Water Quality Areas;
- xviii. Multifamily.

b. Allowable with limitations:

- i. Community Service - Restricted to museums, educational facilities and governmental uses only.

c. Allowable through Specific Use Permit approval:

- i. Basic Utilities;
- ii. Group Homes.

d. Sexually-oriented businesses and all other uses defined by the Denton Development Code are prohibited.

2. Density and Intensity:

- a. The maximum F.A.R. shall be 4.0.
- b. The maximum lot coverage shall be 90% in accordance with Appendix D-1.
- c. The minimum landscaped area shall be 10% in accordance with Appendix D-1.
- d. The minimum tree canopy coverage at maturity shall be 25% in accordance with Appendix D-1.
- e. The maximum building height shall be 100 feet above grade, except for hotels and office uses which shall not exceed 200 feet in height above grade. No structure shall exceed a maximum height above mean sea level as determined by the Federal Aviation Administration (FAA) or other appropriate regulatory agency.

- f. As set forth in Figure 2 of Section 35.13.13.2 of the Denton Development Code, a residential proximity slope shall be present between new development within the Rayzor Ranch South Campus and an existing single-family use outside of the Overlay District. A 35-degree residential proximity slope angle is measured from a point 40 feet above grade at the minimum setback line.

3. Design Standards.

- a. Exhibits C-1, D-1, and E-1 to this ordinance set forth the Architectural Standards, Landscape Standards, and Sign Standards for the Town Center (RR-1).

C. South Campus - South RR-2 District.

- 1. The South RR-2 District property is located within an RCC-D base zoning district. Permitted uses are limited to the specific land use categories set forth below, as defined, limited and permitted by the Denton Development Code for the RCC-D zoning district classification and use designation, or as further restricted or excepted in this overlay.

a. Permitted Uses :

- i. Hotel;
- ii. Retail Sales and Services
- iii. Movie Theaters;
- iv. Restaurants;
- v. Drive-through Facilities;
- vi. Professional Services and Offices;
- vii. Quick Vehicle Servicing;
- viii. Outdoor Recreation;
- ix. Indoor Recreation;
- x. Parks;
- xi. Open Space;
- xii. Hospital;
- xiii. Medical Centers;
- xiv. Convention Centers;
- xv. Storm Water Control and/or Detention;
- xvi. Storm Water Quality Areas;

b. Allowable with Limitations

- i. Community Service - Restricted to museums, educational facilities and governmental uses only.

c. Allowable through Specific Use Permit approval:

- i. Group Homes;
- ii. Basic Utilities;

d. Sexually-oriented businesses and all other uses defined by the Denton Development Code are prohibited.

2. Density and Intensity

a. The maximum F.A.R. shall be 4.0.

b. The maximum lot coverage shall be 90% in accordance with Appendix D-1.

c. The minimum landscaped area shall be 10% in accordance with Appendix D-1.

d. The minimum tree canopy coverage at maturity shall be 25% in accordance with Appendix D-1.

e. The maximum building height shall be 100 feet above grade, except for hotels and office uses which shall not exceed 200 feet in height above grade. No structure shall exceed a maximum height above mean sea level as determined by the Federal Aviation Administration (FAA) or other appropriate regulatory agency.

f. As set forth in Figure 2 of Section 35.13.13.2 of the Denton Development Code, a residential proximity slope shall be present between new development within the Rayzor Ranch South Campus and an existing single-family use outside of the Overlay District. A 35-degree residential proximity slope angle is measure from a point 40 feet above grate at the minimum setback line.

3. Design Standards.

a. Exhibits C-1, D-1, and E-1 to this ordinance set forth the Architectural Standards, Landscape Standards, and Sign Standards for the South RR-2 District.

D. South Campus - South Mixed Use District.

1. The South Mixed Use District property is located within the RCC-D and NRMU base zoning districts. Permitted uses are limited to the

specific land use categories set forth below, as defined, limited and permitted by the Denton Development Code for the RCC-D and NRMU zoning districts classification and use designation, or as further restricted or excepted in this overlay.

a. Permitted Uses, except as follows: The only uses permitted within the area designated as SF in Exhibit B are Single Family Dwellings, Attached Single Family Dwellings, Community Homes for the Disabled, Parks, and Open Space. The uses below are permitted within the area designated as BH/MF/O/SF in Exhibit B except for Hotels, Retail Sales and Services, Movie Theaters, Restaurants, Drive-Through Facilities, Quick Vehicle Servicing, Indoor Recreation and Convention Center are not permitted.

- i. Single Family Dwellings;
- ii. Attached Single Family Dwellings;
- iii. Community Homes for the Disabled;
- iv. Multi-Family Dwellings.
- v. Townhouse-style Dwellings;
- vi. Hotels;
- vii. Retail Sales and Services;
- viii. Movie Theaters;
- ix. Restaurants;
- x. Professional Services and Offices;
- xi. Indoor Recreation;
- xii. Parks;
- xiii. Open Space;
- xiv. Hospital;
- xv. Medical Centers;
- xvi. Big Houses;
- xvii. Elderly Housing;
- xviii. Continuing Care Retirement Centers;
- xix. Convention Center;
- xx. Storm Water Control and/or Detention;
- xxi. Storm Water Quality Areas;

b. Allowable with Limitations

- i. Community Service - Restricted to museums, educational facilities and governmental uses only.

c. Allowable through Specific Use Permit approval:

- i. Major Event Entertainment;

- ii. Group Homes;
 - iii. Basic Utilities;
 - iv. Helipads as an accessory use to a Hospital.
 - v. Quick Vehicle Servicing (SUP required when abutting residential use or zoned property, otherwise use is permitted in the RR designated areas as shown in Exhibit B);
 - vi. Drive-through Facilities (when abutting residential use or zoned property otherwise use is permitted in the RR designated areas as shown in Exhibit B);
- d. Sexually-oriented businesses and all other uses defined by the Denton Development Code are prohibited.
2. Density and Intensity.
- a. The maximum F.A.R. shall be 4.0.
 - b. The maximum lot coverage shall be 90% in accordance with Appendix D-2. (80% for Single-Family Detached Residential)
 - c. The minimum landscaped area shall be 10% in accordance with Appendix D-2. (20% for Single-Family Detached Residential)
 - d. The minimum tree canopy coverage at maturity shall be determined in accordance with Appendix D-2. (40% for Single-Family Detached Residential)
 - e. The maximum building height shall be 65 feet for single-family and townhouse, 100' for all others, except for hotels and office uses which shall not exceed 200' in height above grade and shall not exceed a maximum height above mean sea level as determined by the Federal Aviation Administration (FAA) or other appropriate regulatory agency.
 - f. A residential proximity slope shall be present between new development within the Rayzor Ranch South Campus and an existing single-family use outside of the Overlay District. A 35-degree residential proximity slope angle is measure from a point 40 feet above grate at the minimum setback line.
3. Design Standards.
- a. Exhibits C-2, D-2 and E-2 to this ordinance set forth the Architectural Standards, Landscape Standards, and Sign Standards

for the South Mixed Use District. These will be incorporated at a later date.

- b. In addition to these Overlay regulations, all multi-family development will comply with the site design standards in Exhibit C-3.

35.7.15.8 Landscaping and Tree Mitigation.

- A. Subchapter 13 of the Denton Development Code and Site Design Criteria Manual shall apply to the Rayzor Ranch South Campus regarding landscaping and Tree Mitigation. Additionally, the following standards shall apply:
 - 1. Landscaping and Tree Mitigation shall meet the standards as set forth in Exhibits D, D-1 and D-2 of this Ordinance;
 - 2. Trees planted to address tree mitigation will be credited on the actual caliper inch of the tree planted;
 - 3. Required tree mitigation funds will be put into a segregated tree mitigation account administered by the City of Denton. These funds will be released back to the Developer incrementally at the rate of \$125.00 per caliper inch for trees planted by the Developer, as the Developer certifies to the City that the trees have been planted and are in a healthy condition and the City arborist confirms that the trees have been planted and are in a healthy condition.
 - 4. Mitigated trees may be planted throughout the Rayzor Ranch property or as specified in Exhibits D, D-1 and D-2.
 - 5. Any open space, tree canopy, landscape area, and tree mitigation credits established pursuant to Ordinance 2009-169 may be applied throughout the entirety of Rayzor Ranch.
 - 6. Open space, tree canopy, and landscape shall be calculated as part of the entirety of Rayzor Ranch rather than on a site-by-site basis.
 - 7. Tree preservation requirements can be found in Subchapter 13 of the Denton Development Code.

8. Refer to Table 35.13.7.B in the Denton Development Code for preservation and mitigation requirements.
9. In addition to these Overlay regulations, multi-family development shall comply with the landscaping standards in Exhibit C-3.

35.7.15.9 Architecture.

- A. Architecture must meet the standards set forth in Exhibits "C", "C-1 or C-2" of the Ordinance and shall meet the guidelines stated in each District Design heading as stated within the Ordinance.
- B. Multi-family development shall comply with the architectural standards in Exhibit C-3.

35.7.15.10 Parking Standards.

- A. The rules and regulations per Subchapter 14 of the Denton Development Code and Site Design Criteria Manual shall apply to the Rayzor Ranch South Campus regarding parking standards with the following exceptions:
 1. Maximum Allowable Number of Parking Spaces.
 - a. Subsection 35.14.4.F shall not apply to the Rayzor Ranch Overlay.
 2. Parking in the rear or front.
 - a. Subsection 35.13.13.3.C is excepted to allow parking in front of a building (between the building and street or right-of-way), if it meets the requirements in the Landscape Standards, Exhibit D-1 or D-2.

35.7.15.11 Drainage.

- A. General.
 1. In this overlay district, the drainage improvements shall be designed in accordance with the requirements provided in the Denton Development Code Section 35.19 and the Drainage Criteria Manual.
 2. Final Acceptance or Certificate of Occupancy of any structure in the South Campus (RR-1 or RR-2) district may not be requested until the

improvements to the detention pond west of Bonnie Brae Road and North of U.S. 380 are accepted by the Public Works Inspection Department.

3. Approval may not be granted for any Final Plat that does not comply with the stormwater requirements of the Denton Development Code and Criteria Manuals.

B. Storm Water Quality.

1. Preliminary and Final Plats within the drainage area south of US 380 / West University Drive, for land that drains into North Lakes Pond, will include provisions for onsite or regional storm water quality enhancement, including dedication of drainage easement areas as necessary to construct the storm water quality structural controls and management practices as described in Exhibit "F". Approximately 76 acres of Rayzor Ranch South drains into the water quality / detention basin north of West University Drive (US 380). The stormwater quality controls approved in the Rayzor Ranch iSWM Plan do not account for any hot spots polluting areas south of University Drive. In the event of a proposed use within the 76 acres met the definition of a hot spot pollutant generator, an evaluation of the capacity of the iSWM treatment train could be required and additional stormwater quality controls may be required.
2. The storm water quality controls shall be constructed as part of the storm drainage improvements for the development.
3. Engineering inspection fees shall be paid to the City for the inspection of all storm water quality controls during construction. Upon City's request, designer shall certify to the best of the designer's knowledge, that the storm water quality controls and management practices were constructed in accordance with the approved plans.
 - a. Building Permits are not prohibited by these additional drainage restrictions above, provided that a construction schedule is committed to for the improvements, an onsite detention pond has been constructed and accepted by the City, and all other applicable requirements for issuance have been satisfied.

35.7.15.12 Transportation.

A. Required Improvements in Addition to Those Required by the

Denton Development Code and Criteria Manuals:

1. Required 20-foot visibility triangles shall be measured from the curb line not the property line.
2. Allegiance Hillview, L.P. or its assignee will construct, at its expense, those segments of Heritage Trail Boulevard and Panhandle Street abutting and adjacent to the Cook Children's Hospital Tract. Allegiance Hillview, L.P. or its assignee will work with City of Denton staff to set forth triggering points for roadway and other infrastructure improvements based on platting activity, traffic impact analyses, etc.

35.7.15.13 Street Standards.

- A. In this overlay district, the City rules and regulations regarding street standards, as well as the standards designed and incorporated by Section 35.20.2 shall apply.
- B. Traffic circles or roundabouts are allowed and encouraged in Rayzor Ranch subject to approval by the City Engineer and the Denton Development Code and Criteria Manuals.

35.7.15.14 Water and Wastewater Standards.

- A. In this overlay district, the City rules and regulations regarding water and wastewater standards shall apply.
- B. Allegiance Hillview, L.P. or its assignee will work with City of Denton staff to set forth triggering points for water and wastewater infrastructure improvements based on analysis, studies or models undertaken to support specific final plat activity.

35.7.15.15 Gas Well Development.

- A. Gas well development is permitted only within the area designated as the "Drill Pad" on Exhibit B, with Specific Use Permit approval from City Council prior to issuance of a gas well plat and drilling site plan. All gas well development will be subject to the requirements of the Denton Development Code, and as further restricted by Ordinances 2008-284, 2009-169, 2009-257, and 2015-233.

35.7.15.16 Property Owner Associations (POA).

- A. One or more Property Owner Associations (POA) shall be established from the maintenance of all common property not fully dedicated for public use. Documents establishing the POA must be submitted and approved as a required component of the final plat application, providing for the maintenance, repair, replacement and liability obligations of the POA for private roads, alleys, gates, fences, street lighting, drainage and or other held facilities and/or common areas, appurtenances, associated ancillary items and improvements.
1. The POA shall authorize the City to file a lien, to foreclose, or to otherwise secure payment from property owners concerning the maintenance, repair and placement, in part or in whole, of all privately held common areas, including but not limited to stormwater control and/or detention areas, stormwater quality areas, street lighting and other appurtenances and/or other associated ancillary items.
 2. The POA documents must be submitted to, reviewed and approved by the City Attorney, prior to final plat approval for plats that include common areas.
 3. The POA may not be dissolved, nor may deed restrictions and covenants providing for maintenance of common areas be deleted or amended, without prior written consent of the City Council and plat amendment.
 4. The final plat and restrictive covenants shall contain language whereby the property owners defend and hold harmless the City from claims and suits for property damage or bodily injury (including death) arising from the conditions, use or operation of any privately owned parks, open spaces, common amenities, streets or facilities.

SECTION 3. The City Council hereby adopts these amendments to the Rayzor Ranch Overlay District.

SECTION 4. If any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity or the remaining provisions or sections of this ordinance, which shall remain in full force and

effect.

SECTION 5. Any person violating any provision of this ordinance shall, upon conviction, be fined a sum not exceeding \$2,000.00. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense.

SECTION 6. This ordinance shall become effective fourteen (14) days from the date of its passage, and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record-Chronicle, the official newspaper of the City of Denton, Texas within ten (10) days of the date of its passage.

PASSED AND APPROVED this the ____ day of _____, 2016.

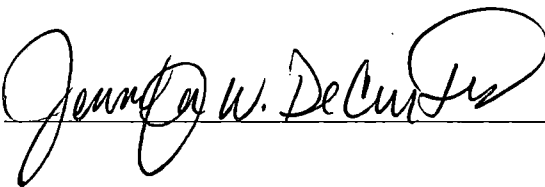
CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
ANITA BURGESS, CITY ATTORNEY

BY: _____



List of Exhibits

- Exhibit A
 - A-1 – Metes and Bounds Description of the Rayzor Ranch Overlay District North
 - A-2 – Metes and Bounds Description of the Rayzor Ranch Overlay District South
- Exhibit B – Concept Plan

- B-1 – Concept/Schematic Plan
 - B-2 – REPEALED ORDINANCE 2016-017
 - B-3 – Density Zone Plan
 - B-4 – Zoning Map
 - B-5 – Site Plan: Marketplace/DME/Cook Childrens
- Exhibit C – Architectural Standards
 - C – Marketplace Architectural Standards
 - C-1 – South RR-2 and Town Center (RR-1) Architectural Standards
 - C-2 – South Mixed Use Architectural Standards – PLACEHOLDER (TO BE INSERTED LATER)
 - C-3 – Multi-Family Design Standards
- Exhibit D – Landscape Standards
 - D – Marketplace Landscape Standards
 - D-1 – South RR-2 and Town Center (RR-1) Landscape Standards
 - D-2 – South Mixed Use Landscape Standards - PLACEHOLDER (TO BE INSERTED LATER)
- Exhibit E – Sign Standards
 - E – Marketplace Sign Standards
 - E-1 – South RR-2 and Town Center (RR-1) Sign Standards
 - E-2 – South Mixed Use Sign Standards - PLACEHOLDER (TO BE INSERTED LATER)
- Exhibit F – Water Quality Standards for the portion of South Campus, South RR-2 District that drains to North Lake and Drainage Map
- Exhibit G – Trade Dress Criteria
- Exhibit H – Street Sections

METES AND BOUNDS, PART ONE AND PART TWO
410.28 ACRES (TOTAL)
FRANCIS BATSON SURVEY, ABSTRACT NO. 43
B.B.B. & C.R.R. COMPANY SURVEY, ABSTRACT NO. 192
CITY OF DENTON, DENTON COUNTY, TEXAS

PART ONE

BEING a tract of land situated in the Francis Batson Survey, Abstract No. 43, in the City of Denton, Denton County, Texas, being all of a called 121.4759 acre tract (description of Shephard Hall Tract, Tract 2), described in deed to Denton Hillview, L.P., recorded in Denton County Clerk's File No. 2005-127450 of the Real Property Records of Denton County, Texas, all of a called 0.2254 acre tract (Tract 1), a called 2.1017 acre tract (Tract 2) and a called 2.2200 acre tract (Tract 3) described in deed to Quantum at Denton Self Storage, L.P., recorded in Volume 5021, Page 01847 of the Real Property Records of Denton County, Texas, part of a called 18.269 acre tract, described in deed to Denton Property Joint Venture, recorded in Denton County Clerk's File No. 00-R0101370 of the Real Property Records of Denton County, Texas, all of a called 2.999 acre tract, described in deed to De Hall Properties, Ltd., recorded in Denton County Clerk's File No. 2005-40231 of the Real Property Records of Denton County, Texas, being part of a called 8.9217 acre tract of land described in Deed to Mesquite Creek Development, Inc., recorded in Volume 4562, Page 0683 of the Real Property Records of Denton County, Texas, and all of Lot 1 of SANDY ADDITION, an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Volume 13, Page 47 and Cabinet J, Slide 348 of the Plat Records of Denton County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for the north end of a corner clip at the intersection of the north right-of-way line of West University Drive (U.S. Highway No. 380, a 100.20 foot wide public right-of-way) and the west right-of-way line of Bonnie Brae Street (a variable width public right-of-way) for the most easterly southeast corner of the beforementioned Lot 1 of SANDY ADDITION;

THENCE with the corner clip, South 45°48'44" West, a distance of 90.93 feet to a 3/4-inch iron rod found for corner;

THENCE with the north right-of-way line of West University Drive, the following courses and distances to wit:

- North 89°07'28" West, a distance of 773.40 feet to a 5/8-inch iron rod with "KHA" cap set for corner;
- North 88°56'28" West, a distance of 1761.77 feet to a 1/2-inch iron rod found for the southeast corner of the called 8.9217 acre tract;

THENCE leaving the north right-of-way line of West University Drive with the east line of the 8.9217 acre tract, North 00°23'40" East, a distance of 276.40 feet to a point for corner;

THENCE crossing the called 8.9217 acre tract, the following courses and distances to wit:

- North 89°10'52" West, a distance of 227.61 feet to a point for corner;
- North 00°59'35" East, a distance of 80.89 feet to a point for corner;
- North 89°00'25" West, a distance of 290.00 feet to a point for corner in the east line of Lot 1, Block A of PORTER/ANDRUS ADDITION, an addition to the City of Denton, Denton County, Texas, according to the Plat thereof recorded in Cabinet O, Slide 45 of the Plat Records of Denton County, Texas;

THENCE with the east line of Lot 1, Block A and the east line of Lot 2, Block A of PORTER/ANDRUS ADDITION, an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Cabinet V, Slide 856 of the Plat Records of Denton County, Texas, North $00^{\circ}59'47''$ West, a distance of 217.71 feet to a 5/8-inch iron rod with "KHA" cap set for the northeast corner of Lot 2, Block A;

THENCE with the north and west lines of Lot 2, Block A, the following courses and distances to wit:

- North $88^{\circ}42'36''$ West, a distance of 400.01 feet to a 5/8-inch iron rod with "KHA" cap set for corner;
- South $01^{\circ}28'09''$ West, a distance of 28.89 feet to a 5/8-inch iron rod with "KHA" cap set for the northeast corner of Lot 1R, Block 1 of ALVIN AND CHARLOTTE WHALEY ADDITION, an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Cabinet I, Slide 148 of the Plat Records of Denton County, Texas;

THENCE leaving the west line of Lot 2, Block A of PORTER/ANDRUS ADDITION with the north line of Lot 1R, Block 1 of ALVIN AND CHARLOTTE WHALEY ADDITION, North $88^{\circ}31'28''$ West, a distance of 399.39 feet to a 5/8-inch iron rod with "KHA" cap set in the northeasterly right-of-way line Interstate Highway No. 35 (a variable width public right-of-way) for the most northerly northwest corner of Lot 1R, Block 1 of ALVIN AND CHARLOTTE WHALEY ADDITION;

THENCE leaving the north line of Lot 1R, Block 1 of ALVIN AND CHARLOTTE WHALEY ADDITION with the northeasterly right-of-way line Interstate Highway No. 35, North $16^{\circ}07'54''$ West, a distance of 632.67 feet to a 5/8-inch iron rod with "KHA" cap set for the southwest corner of Lot 14 of GREENWAY CLUB ESTATES, an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Volume 4, Page 27 of the Plat Records of Denton County, Texas;

THENCE leaving the northeasterly right-of-way line Interstate Highway No. 35 with the south and east lines of GREENWAY CLUB ESTATES, the following courses and distances to wit:

- North $73^{\circ}15'13''$ East, a distance of 518.79 feet to a 5/8-inch iron rod with "KHA" cap set for the beginning of a curve to the right;
- Easterly, with the curve to the right, through a central angle of $16^{\circ}47'40''$, having a radius of 345.00 feet, and chord bearing and distance of North $81^{\circ}39'03''$ East, 100.76 feet, an arc distance of 101.13 feet to a 5/8-inch iron rod with "KHA" cap set for the end of the curve;
- North $89^{\circ}58'43''$ East, a distance of 364.46 feet to a 5/8-inch iron rod with "KHA" cap set for corner;
- North $00^{\circ}57'04''$ West, a distance of 450.70 feet to a 5/8-inch iron rod with "KHA" cap set for the southwest corner of Lot 1, Block 10 of WESTGATE HEIGHTS, an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Cabinet E, Slide 78 of the Plat Records of Denton County, Texas;

THENCE leaving the east line of GREENWAY CLUB ESTATES with the south and east lines of WESTGATE HEIGHTS, the following courses and distances to wit:

- North $89^{\circ}32'37''$ East, a distance of 48.23 feet to a 5/8-inch iron rod with "KHA" cap set for corner;
- South $87^{\circ}34'57''$ East, a distance of 1042.99 feet to a 5/8-inch iron rod with "KHA" cap set for corner;
- North $00^{\circ}32'57''$ East, a distance of 318.04 feet to a 5/8-inch iron rod with "KHA" cap set for the most northerly northwest corner of the beforementioned 121.4759 acre tract

THENCE leaving the east line of WESTGATE HEIGHTS with the north line of the 121.4759 acre tract, South $89^{\circ}13'56''$ East, a distance of 2067.29 feet to a 5/8-inch iron rod with "KHA" cap set in the west right-of-way line of Bonnie Brae Street;



THENCE leaving the north line of the 121.4759 acre tract with the west right-of-way line of Bonnie Brae Street, the following courses and distances to wit:

- South 00°37'18" West, a distance of 1455.38 feet to a 5/8-inch iron rod with "KHA" cap set for corner;
- South 00°26'45" West, a distance of 568.70 feet to the **POINT OF BEGINNING** and containing 153.37 acres of land.

Bearing system based upon Texas State Plane Coordinate System, using monuments R0610108 AND R0610060.

PART TWO

BEING a tract of land situated in the B.B.B. & C.R.R. Company Survey, Abstract No. 192, in the City of Denton, Denton County, Texas, being part of a called 265.6365 acre tract of land (description of Shephard Hall Tract, Tract 1), described in deed to Denton Hillview, L.P., recorded in Denton County Clerk's File No. 2005-127450 of the Real Property Records of Denton County, Texas, and all of Lot 3 of LOTS 1,2,8,3 PEARCY/CHRISTON ADDITION No. 1, an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Cabinet B, Slide 34 of the Plat Records of Denton County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod found in the south right-of-way line of West University Drive (U.S. Highway No. 380, a 100.20 foot wide public right-of-way) for the northerly common corner of Lots 2 and 3 of the beforementioned LOTS 1,2,8,3 PEARCY/CHRISTON ADDITION;

THENCE leaving the south right-of-way line of West University Drive with the common line of Lots 2 and 3, South 01°08'26" West, a distance of 600.00 feet to a 5/8-inch iron rod found for the southerly common corner of Lots 2 and 3;

THENCE leaving the common line of Lots 2 and 3 with the south lines of Lot 2 and Lot 1-C of LOTS 1-A, 1-B, 1-C PEARCY/CHRISTON ADDITION No. 1, an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Cabinet L, Slide 188 of the Plat Records of Denton County, Texas, South 89°04'34" East, passing the southeast corner of Lot 1-C at a distance of 711.59 feet and continuing for a total distance of 730.60 feet to a 5/8-inch iron rod found in the west right-of-way line of Bonnie Brae Street (a variable width public right-of-way) for the most easterly northeast corner of the beforementioned 265.6365 acre tract;

THENCE with the west right-of-way line of Bonnie Brae Street, the following courses and distances to wit:

- South 00°58'54" West, a distance of 1438.01 feet to a 5/8-inch iron rod with "KHA" cap set for corner;
- South 00°48'51" West, a distance of 1175.56 feet to a 5/8-inch iron rod with "KHA" cap set for the beginning of a curve to the right;
- Southwesterly, with the curve to the right, through a central angle of 45°01'58", having a radius of 321.07 feet, and chord bearing and distance of South 23°19'47" West, 245.91 feet, an arc distance of 252.35 feet to a 5/8-inch iron rod found for the beginning of a reverse curve to the left;
- Southwesterly, with the the curve to the left, through a central angle of 57°31'56", having a radius of 392.01 feet, and chord bearing and distance of South 17°04'48" West, 377.30 feet, an arc distance of 393.63 feet to a 5/8-inch iron rod found for the end of the curve;
- South 11°41'10" East, a distance of 10.57 feet to a 5/8-inch iron rod found for the north end of a corner clip at the intersection of the north right-of-way line of Scripture Street (a variable width public right-of-way) and the west right-of-way line of Bonnie Brae Street;

THENCE with the corner clip, South 39°33'50" West, a distance of 11.48 feet to a 5/8-inch iron rod found for the south end of the corner clip;



THENCE with the north right-of-way line of Scripture Street, North 88°58'00" West, a distance of 1265.16 feet to a 5/8-inch iron rod found in the south line of the 265.6365 acre tract;

THENCE leaving the north right-of-way line of Scripture Street, the following courses and distances to wit:

- North 01°02'00" East, a distance of 500.06 feet to a 5/8-inch iron rod found for corner;
- North 88°58'00" West, a distance of 761.56 feet to a 5/8-inch iron rod found for corner;
- South 01°02'00" West, a distance of 500.06 feet to a 5/8-inch iron rod found in the north right-of-way line of Scripture Street;

THENCE with the north right-of-way line of Scripture Street, the following courses and distances to wit:

- North 88°58'00" West, a distance of 318.44 feet to a 5/8-inch iron rod with "KHA" cap set for corner;
- North 88°48'26" West, a distance of 41.73 feet to a 5/8-inch iron rod found in the northeasterly right-of-way line Interstate Highway No. 35 (a variable width public right-of-way) and the north right-of-way line of Scripture Street for the most southerly southwest corner of the 256.6365 acre tract;

THENCE with the northeasterly right-of-way line Interstate Highway No. 35, the following courses and distances to wit:

- North 15°50'30" West, a distance of 38.32 feet to a 5/8-inch iron rod with "KHA" cap set for corner;
- North 16°24'00" West, a distance of 3494.36 feet to a 5/8-inch iron rod found for corner;
- North 14°50'06" East, a distance of 171.01 feet to a 3-inch brass disk in concrete found for corner;
- North 46°04'12" East, a distance of 303.95 feet to a 5/8-inch iron rod found for corner;
- North 60°32'22" East, a distance of 114.22 feet to a 5/8-inch iron rod found for corner;
- North 00°58'25" East, a distance of 13.09 feet to a concrete monument found in the south right-of-way line of West University Drive;

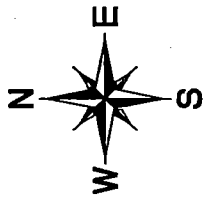
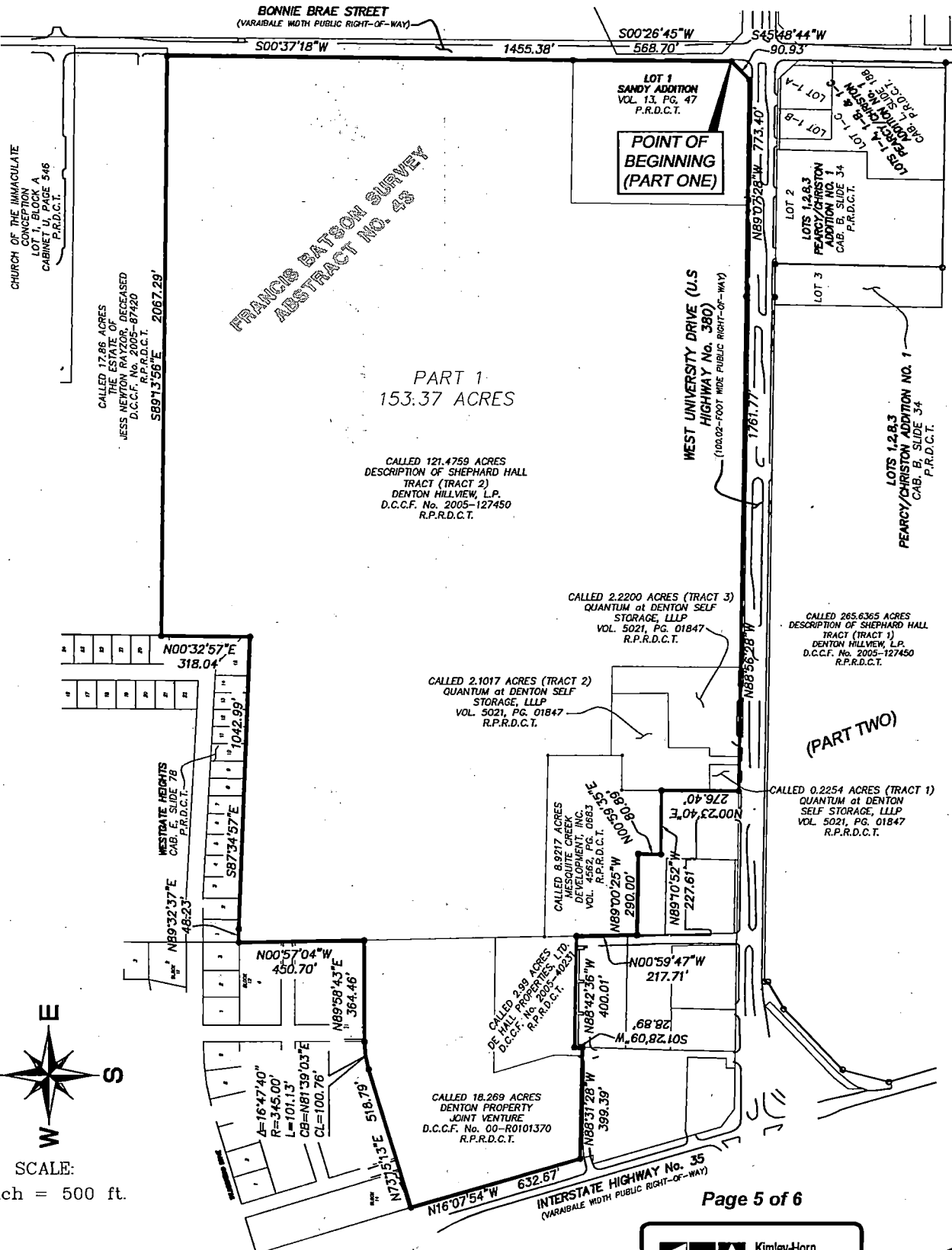
THENCE leaving the northeasterly right-of-way line Interstate Highway No. 35 with the south right-of-way line of West University Drive, the following courses and distances to wit:

- South 88°56'28" East, a distance of 2440.06 feet to a 5/8-inch iron rod with "KHA" cap set for corner;
- South 89°01'07" East, a distance of 117.72 feet to the **POINT OF BEGINNING** and containing 256.91 acres of land.

Bearing system based upon Texas State Plane Coordinate System, using monuments R0610108 AND R0610060.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

**PART ONE, 153.37 ACRES.
FRANCIS BATSON SURVEY, ABSTRACT NO. 43
CITY OF DENTON, DENTON COUNTY, TEXAS**



SCALE:
1 inch = 500 ft.



U.S.E. & C.R.E. COMPANY SURVEY
ABSTRACT NO. 192

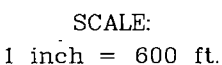
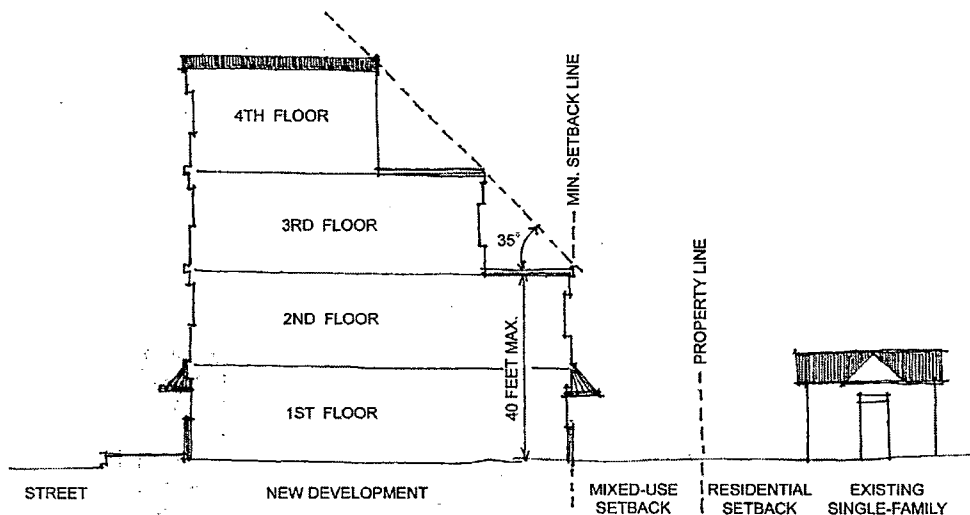


EXHIBIT C-3 RAYZOR RANCH MULTI-FAMILY GUIDELINES

The following provisions apply to all Multi-Family Tracts and Lots located within the Rayzor Ranch South Campus and replaces Section 35.13.13.2 of the Denton Development Code, in its entirety. All other provisions of Subchapter 13 apply unless otherwise stated.

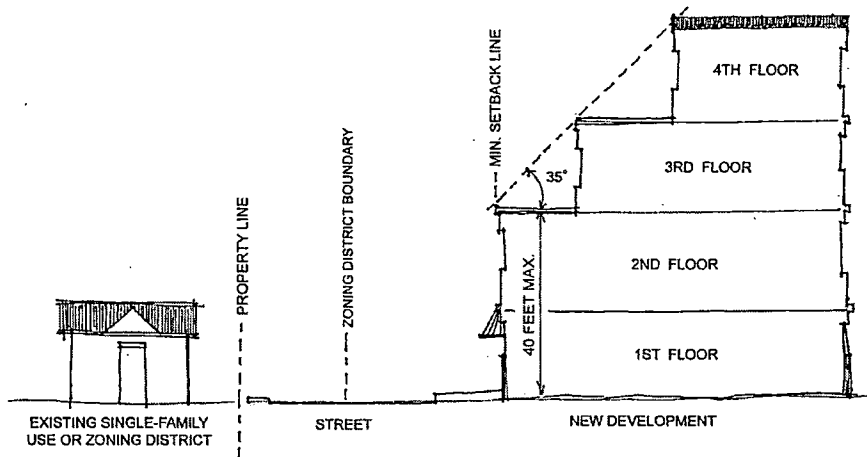
A. Site Design & Orientation

1. Buildings shall be located within 20 feet of the property line for at least 50% of the total frontage along all streets within public right-of-way. Up to an additional 10 feet from the property line may be granted to reasonably accommodate enhanced sidewalks, street trees, landscaping, or other requirements that would otherwise be limited due to easements or other encumbrances.
2. Parking is not permitted between front facades of buildings and streets within public right-of-way.
3. All buildings abutting an existing single-family use or district outside of the Rayzor Ranch Overlay District shall comply with the Residential Proximity Slope. No part of any building may extend beyond the Residential Proximity Slope.
 - a. Residential Proximity Slope is represented by two planes projected upward and outward from a specific property or site, as defined by the text and diagrams below:
 - i. The first plane is a vertical plane extending through the boundary line of a specific property or site at the building setback line up to a height of 40 feet.
 - ii. The second plane extends upwards and towards the restricted building at a slope of 35 degrees from horizontal, from its intersection with the top of the first plane.
 - iii. The horizontal distances used to calculate the height restrictions imposed by the residential proximity slope may be determined by using the lot, block, and right-of-way dimensions.



A RESIDENTIAL PROXIMITY SLOPE IS REQUIRED IF THE NEW DEVELOPMENT SHARES A PROPERTY LINE WITH AN EXISTING SINGLE-FAMILY USE OR ZONING DISTRICT. A 35-DEGREE RESIDENTIAL PROXIMITY SLOPE ANGLE IS MEASURED FROM A POINT 40 FEET ABOVE GRADE AT THE MINIMUM SETBACK LINE.

Figure 1



A RESIDENTIAL PROXIMITY SLOPE IS REQUIRED IF THE NEW DEVELOPMENT SHARES A PROPERTY LINE WITH AN EXISTING SINGLE-FAMILY USE OR ZONING DISTRICT. A 35-DEGREE RESIDENTIAL PROXIMITY SLOPE ANGLE IS MEASURED FROM A POINT 40 FEET ABOVE GRADE AT THE MINIMUM SETBACK LINE.

Figure 2

4. Buildings shall front on public streets and/or a private street system and not parking lots.
5. Buildings shall be directly accessed from the street and the sidewalk with a minimum of one ground floor pedestrian entrance oriented toward the street.
 - a. Accessory structures such as carports, garages and storage units (but not including leasing offices, club houses or recreation centers) shall not be located along public right-of-way or private streets within the Rayzor Ranch District.
 - b. Garages may occupy no more than 40% of the total building frontage. This measurement does not apply to garages facing an alley or courtyard entrance. Any garage may not extend beyond the building front. Garages that are at least 30 feet behind the house front may exceed the 40% frontage minimum. Garages shall not be located along the portion of the building that fronts the public or private street.

B. Architectural Standards

1. An identical exterior design may not be used for more than three buildings in a project. A variety of compatible exterior materials' use and type, building styles, massing, composition, and prominent architectural features, such as door and window openings, porches, rooflines, shall be used.
2. Building frontages greater than 100 feet in length shall have recesses, projections, windows, arcades or other distinctive features to interrupt the length of building façade. Elements including, but not limited to, balconies, setbacks, and recesses or projections greater than 16 inches may be used to articulate individual units or collections of units.
3. Building features, outdoor patios (covered or uncovered), and architectural building feature elements (fountains, towers, awnings, trellis, outdoor gazebos for multi-family, or similar) may encroach upon the front setback (by as much as 10 feet), within

restrictions. Encroachment may occur on one side (or two sides if approved by the City).

4. Un-enclosed stairwells shall not be located on the exterior of any buildings. Stoops are permitted for the entrance to ground level units directly accessible from the sidewalk.
5. Use of false door or window openings shall be defined by frames, sills, and lintels.
6. All building façades shall include no less than three of the elements listed below. Elements shall occur at intervals of no more than 100 feet horizontally or 40 feet vertically. Vertical architectural design features, such as towers, are not required to comply with the 40 feet vertical requirement.
 - a. Color change.
 - b. Texture change.
 - c. Material change.
 - d. Medallions / accent pieces.
 - e. Decorative light fixtures.

7. Roofs:

- a. If pitched roof forms (gable, hip, shed) with overhanging eaves are used, they shall be between three inches of vertical rise to 12 inches of horizontal run, and 12 inches of vertical rise to 12 inches of horizontal run.
- b. Metal standing seam roofing allowed.
- c. Asphalt roofing shingles shall be dimensional (shadow line) type and at least a "40 year" shingle.
- d. Clay tile or concrete tile.
- e. Distinctively shaped roof forms, detailed parapets, parapet steps, or exaggerated cornice lines should be incorporated into rooflines along building façades greater than 75 feet in length.
- f. Flat roofs are permitted and must have parapets as required to screen any roof top equipment. Walls adjoining flat roofs must contain a distinctive finish at the top of the wall such as a cornice, banding, large coping, or other architectural termination.
- g. All sloped roofing areas shall include gutters and downspouts except for small roof areas such as, but not limited to, roofs over bay windows, awnings, and canopies.

8. Materials and Colors:

- a. For all facades that face a public or private street, windows and doors shall comprise at least 20% of the wall area. All other facades may be reduced to 10%, or may provide one window or door per sleeping area (as defined by the Building Code), whichever method provides for the greater coverage of windows and doors. Shutters, trims, or false windows, shall not count toward the minimum requirement.
- b. A minimum of 40% of the total net exterior wall area of each building elevation, excluding gables, windows, doors and related trim, shall be brick or native/natural stone or masonry. The balance of the net exterior wall shall be comprised of at least two of the following materials, which shall not be counted

toward the minimum masonry requirement.

- i. Stucco
 - ii. EIFS. When used, EIFS shall be a minimum of 8 feet above grade.
 - iii. Architectural precast or tilt wall concrete with a textured finish.
 - iv. Prefinished metal panels and corrugated siding materials. All materials must have a Kynar finish with a 20 year warranty.
 - v. Wood or cement fiber siding such as Nichiha. All siding members must be individual boards. (Soffits may utilize sheet materials)
 - vi. Concrete Masonry Units, provided that the units are not painted, are integrally colored, have a highly textured finish, are classified as severe weather grade, and are not lightweight or featherweight concrete or cinder blocks.
 - vii. Cast or manufactured brick or stone products.
- c. No individual building material, with the exception of brick, native/natural stone, or masonry may comprise more than 30% of the net exterior wall area of each building elevation.
 - d. All buildings within the project shall be constructed of building materials from a similar color and material palette. This is not intended to require similar materials with adjacent properties within Rayzor Ranch.
 - e. Windows may be residential type vinyl, aluminum, or wood with insulated glass. Storefront glazing systems are also permitted. Window surrounds (trim) are required in all walls other than brick or stone.
9. Public entrances to buildings shall be clearly defined and highly visible including features such as, canopies, porticos, awnings, peaked roof features, towers, or similar architectural forms and details.

C. Accessory Structures

1. Accessory structures (including parking structures, detached garages, and storage units) shall complement the main building architecture and use the same materials and color palette.
2. Accessory structures visible from a public or private street or a residential use or district are subject to the same masonry and roofing requirements as the main buildings but are not subject to the other building design standards. Garage doors shall be metal or metal faced with wood.

D. Landscaping

1. Street Trees shall be provided along all public and private streets consistent with the requirements in Subchapter 35.13.7.C of the Denton Development Code.
2. All parking lots and areas for vehicle maneuvering or loading must be screened from view from public and private streets by a 15-foot landscape screening buffer. The 15-foot buffer is the area located between the right-of-way and the parking lot. Utility easements are allowed to count towards part of the 15-foot wide right-of-way landscape screening buffer subject to required separation from utilities. The landscape screening buffer shall contain the following items.
 - a. One large tree for every 40 feet or three small accent trees for every 30 feet.
 - b. Landscape plantings containing at least one of the following:
 - i. Xeriscaping landscaping may be planted within the landscape area and

- shall require water irrigation for a period of three years for landscaping to be established. After three years, no irrigation is required.
- ii. A minimum three foot high, when mature, continuous row of evergreen shrubs. The shrubs may be grouped and not planted in a continuous row provided that the shrubs overlap to form a continuous buffer.
 - iii. A minimum three foot high continuous wall made of any combination of wrought iron, stone, brick, or masonry. If wrought iron is used, vines shall be grown on the wrought iron to help screen the parking lot.
 - iv. A grass or landscaped berm, three feet high above the parking pavement surface.
3. A minimum of 7% of the total parking area shall be landscaped.
 4. A minimum of 15% of the total parking area shall be covered by tree canopy.
 5. Landscape islands shall be evenly distributed throughout the parking areas. All landscape islands and endcaps shall be landscaped with sod or groundcover and include one large tree.
 6. A 15 foot landscape buffer is required along the entire property line abutting a single-family use or district. The buffer shall include a combination of six evergreen and deciduous trees and 25 shrubs per 100 linear feet.

E. Lighting

1. Lighting shall be provided for vehicular, pedestrian, signage and architectural and site features.
2. Site lighting fixtures used along entrance driveways and in parking areas shall be no taller than 25 feet high and the fixtures shall be of a consistent design within each project. This is not intended to require a consistent design within the whole of Rayzor Ranch.
3. Parking areas shall have a minimum average of 1 foot candle initial illumination. Maximum illumination at property lines where the adjacent property allows single family or multi-family uses shall not exceed 0.5 foot candles.
4. Light sources shall be LED or metal halide. Yellow/orange source lights are prohibited from use. LED lighting is strongly encouraged.
5. Identification graphics and signs shall be lighted internally or from ground mounted locations. If ground mounted, light fixtures should be screened from view in front of the sign.
6. Illumination for all parking lots and pedestrian spaces shall commence one half hour before sunset and cease one half hour after sunrise.
7. Lights shall generally be shielded to prevent upward diffusion (full cut off). Up-lighting and accent lighting is only permitted for building elevations that in excess of 250 feet from a single family residential use or district. LED light source is required for all such accent lighting.

F. Open Space & Amenities

1. An area equal to at least 8% of the lot area, excepting required setbacks, shall be dedicated to open space for recreation for use by the tenants of the development. Mixed-use developments of greater than 35 units per acre shall be exempt from this

requirement.

2. Areas covered by shrubs, bark mulch and other ground covers which do not provide a suitable surface for human use may not be counted toward this requirement.
3. Private decks, patios, and similar areas are eligible for up to 5% of the 8% required open space.
4. Play areas for children should be provided for projects of greater than 50 units that are not designed as age limited or student housing.

G. Service & Security Areas

1. Service areas for common use recreation and activity buildings shall be located at the rear or side yard of the buildings. Such areas must not be visible from public roadways. No service or delivery vehicles may park or load/unload on public roadways, primary entrance drives or in visitor drop-off areas.
2. Service, loading and storage areas shall not encroach on any landscape area.
3. When used, guard houses (manned or unmanned) and entrance gates shall be a minimum of 60 feet from the property line.
4. Gate controls, card pads and intercom boxes shall be located in driveway islands adequate distances from the gate to allow "U-turning" without backing onto the public street.

H. Parking & Circulation

1. Parking areas must be paved with concrete, asphalt, concrete pavers or brick pavers and curbed and guttered with concrete. Access drives must be paved, curbed and guttered with concrete in accordance with the development standards promulgated by the City.
2. Parking areas must be sufficient to accommodate all parking needs for employees, company vehicles, residents, invitees and visitors without the use of on-street parking. If parking needs increase on any Building Site, additional off-street parking must be provided by the Owner of such building site. The number of parking spaces must be provided in accordance with City of Denton code requirements.
3. Pedestrian Connectivity:
 - a. Provide a logical layout for vehicular and pedestrian circulation to help minimize the conflicts between the two. When there are crossings or common path areas, provide well marked or differentiated pathways.
 - b. Sidewalks shall be provided along all sides of the lot that abut a public right-of-way and where otherwise required to promote pedestrian connectivity within the site and to adjacent properties. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building entry point.

I. Fencing

1. If walls and fencing are used to secure the perimeter of a building site in a multi-family zone, they must be a minimum of six (6) feet high and constructed of materials and finishes that match the buildings. "Wrought iron" style metal fencing is allowed provided

it is interrupted with columns or walls such that no run of metal fencing exceeds 40 feet. Metal fencing is to be powder coated or otherwise pre-finished. Field painting is only allowed for touch up when required.

2. Walls and columns must be constructed with appropriate structural footings and foundations to minimize movement and wall failure, and must be constructed with level wall/fence tops.
3. Tilt-up concrete walls regardless of texture, finish and color are not permitted.
4. Fencing shall be setback a minimum of five feet from the sidewalk or ten feet from the back of curb along a public or private street, whichever is greater.

J. Screening (Dumpsters & Mechanical Equipment)

1. Storage areas, incinerators, storage tanks, trucks based on the premises, roof objects (including fans, vents, cooling towers, skylights and all roof-mounted equipment which rises above the roof line), trash containers and maintenance facilities, shall either be housed in closed buildings or otherwise completely screened from view from public access ways and adjacent properties. Service, loading and storage areas shall be screened from view by walls, berms or a combination thereof, constructed a minimum one foot above all service equipment, such as trash containers, incinerators, storage tanks and cooling towers. Dumpsters and recycling containers shall be screened from public view on three sides with a solid fence or wall constructed of masonry, concrete, or composite wood with metal posts and frame, or other compatible building material.
2. No satellite dish shall be placed in an area visible from a public way or space and no dish shall be mounted to a balcony.
3. Air conditioning compressors shall be located in clusters or linear groups and they shall be set on level grades ideally on the end exterior walls of the buildings and screened from view of public streets, pedestrian amenity areas by the use of walls, berms, evergreen planting, or a combination thereof. Height of shrubs, at planting, shall be no less than 30 inches above the grade at the equipment, and spaced no further than 36" apart.
4. Utility meters shall be located in clusters or groups preferably in separate structures or on either end of the building's exterior walls. If located on the ends of the building, they shall be screened from view with a compatible building material and allow convenient accessibility by the utility company.

K. Signage

1. Each property shall be allowed one monument sign with a maximum height of six feet and maximum effective area of 60 square feet at each entry into the development. Related architectural features (such as clock towers, obelisks, etc) may be taller than six feet provided the signage mounted to such features is at a maximum height of six feet.
2. Building sites which front other perimeter public streets and have no access to that public street, may install one monument sign with a maximum height of six feet and maximum effective area of 60 square feet.
3. Monument signs are required to be setback a minimum of 20 feet from any public or private street and 10 feet from any rear or side property lines.
4. Directional signage is permitted and shall be limited to a gross surface area of 20

square feet and shall not exceed six feet in height.

5. Flashing or moving character signs may not be installed. Illuminated signs must be rear lighted or lighted from non-apparent light sources.
6. Each building elevations shall be allowed one wall sign limited to a maximum effective area no greater than 20% of the wall area to which the sign is attached.
7. Building mounted blade signage is allowed. The materials and scale of the sign must be appropriate to the building it is mounted to, but shall not exceed 20 feet in height and a 5 foot projection from the building wall. The bottom of blade mounted signs must be no lower than 10 feet above grade and the top shall not extend above the eave line of sloped roofs or the parapet height on flat roofs.

L. Grading and Drainage

1. All grading must be done to alleviate ponding and must be coordinated with the master storm drainage plan and detention facilities. Depressions on paving or the landscape areas which will allow ponding of water are not permitted.
2. Drainage swales must be shallow, gently contoured and sloped to minimize erosion. Concrete rip-rap, trapezoidal concrete channels and concrete pilot channel ditches are not permitted.