

## **ORDINANCE NUMBER 2025-03-13**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCE OF THE CITY OF DECATUR, BY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DECATUR, GRANTING ZONING CHANGES ON A TRACT OF APPROXIMATELY 200.4471 ACRES, ORDERING A CHANGE IN THE USE OF SAID PROPERTY FROM EXTRATERRITORIAL JURISDICTION (ETJ) AND SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT (SF-2) TO PLANNED DEVELOPMENT DISTRICT ZONING, PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE AND NAMING AN EFFECTIVE DATE.**

**WHEREAS**, the current zoning of the tract of land illustrated in the attached Exhibit “A” is Extraterritorial Jurisdiction (ETJ) and Single-Family Residential Zoning District (SF-2); and

**WHEREAS**, application has been properly made to amend the Official Zoning Map of the City of Decatur, Texas, requesting that the current zoning of such property be changed to Planned Development (PD), with and subject to all those Stipulations as more fully set forth in the attached Exhibit “B”; and

**WHEREAS**, said application has been properly heard by the Planning and Zoning Commission of the City of Decatur, Texas, as required by State statutes and the Zoning Ordinance of said City; and

**WHEREAS**, said Planning and Zoning Commission has made a recommendation that the change of zoning classification as requested be APPROVED, and all legal requirements, conditions, and prerequisites having been complied with, the case having come before the City Council of said City after all legal notices, requirements, conditions, and prerequisites having been complied with; and

**WHEREAS**, the City Council of the City of Decatur, Texas, at a called public hearing did consider all appropriate factors in determining whether to grant such requested change; and

**WHEREAS**, the City Council of the City of Decatur, Texas, does find that the requested change is in the public interest and that the zoning changes do not unreasonably invade the rights of adjacent property owners;

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

**SECTION 1.** The Zoning Ordinance of the City of Decatur, Texas, be, and the same is hereby amended and changed in that the use of the property described upon the attached Exhibit “A” (which Exhibit is made a part hereof for all purposes) is hereby changed and assigned a Planned Development District (“PD”) zoning classification,

subject to all of those certain Stipulations as more fully set forth upon Exhibit "B" hereto (which Exhibit is also made a part hereof for all purposes).

**SECTION 2.** The Planning Director is hereby directed to correct the official zoning map of the City of Decatur, Texas, to reflect the herein change in zoning.

**SECTION 3.** In all other respects the use of the tract or tracts of land hereinabove described shall be subject to all the applicable regulations contained in said City of Decatur Zoning Ordinance and all other applicable and pertinent ordinances of the City of Decatur, Texas.

**SECTION 4.** This Ordinance shall be cumulative of all other ordinances of the City of Decatur and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

**SECTION 3.** This Ordinance shall take effect on its final passage, and it is so ordered.

**PRESENTED ON FIRST READING THIS 10<sup>TH</sup> DAY OF MARCH, 2025,**

**PRESENTED ON SECOND READING AND APPROVED THIS 24<sup>TH</sup> DAY OF MARCH, 2025, BY A VOTE OF \_\_\_\_\_ AYES, \_\_\_\_\_ NAYS, \_\_\_\_\_ ABSTENTIONS, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS.**

**APPROVED:**

\_\_\_\_\_  
Mike McQuiston, MAYOR

**ATTEST:**

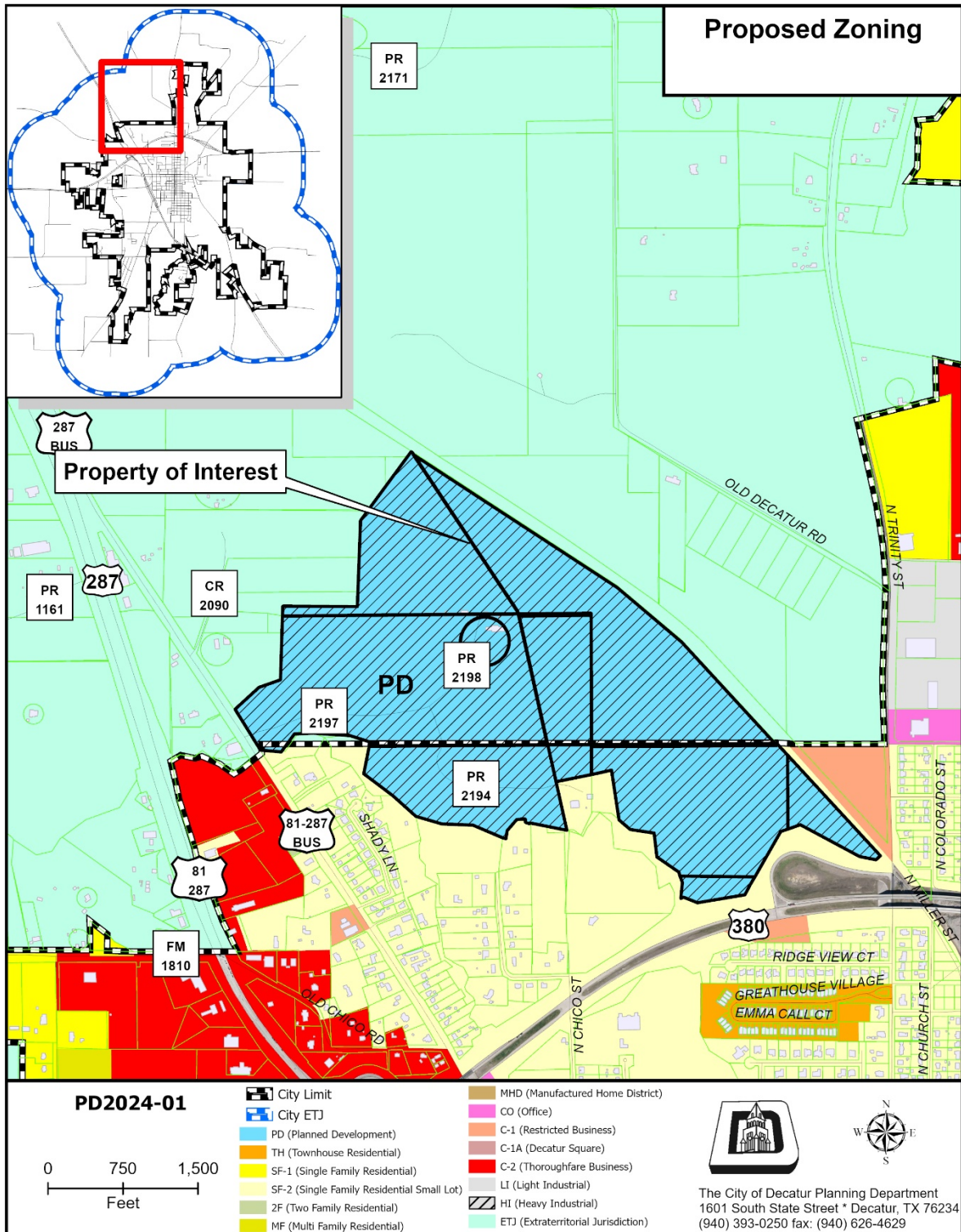
\_\_\_\_\_  
Asucena Garcia, TRMC, CMC, CITY SECRETARY

**APPROVED AS TO CONTENT AND FORM:**

\_\_\_\_\_  
Pam Liston, CITY ATTORNEY

# EXHIBIT "A"

## PROPOSED ZONING MAP



## **EXHIBIT “B”**

### **NATURE CREEK RESERVE**

#### **PLANNED DEVELOPMENT REGULATIONS**

##### **SECTION 1: PROPERTY LOCATION AND SIZE**

NATURE CREEK RESERVE is located on the east side of Business Highway 287 and north of Highway 380. This Planned Development is comprised of approximately 200.4471 gross acres of land.

##### **SECTION 2: INTENT**

To create a Planned Development District community not to exceed six-hundred ninety-seven (697) single-family detached residential lots and open space with all uses permitted in the SF-2 Single-Family Residential District. NATURE CREEK RESERVE will permit a maximum density of 3.48 units per gross acre for the entire site and will consist of three residential lot products:

Enhanced entries, including community signage and landscaping, will be provided at the connection points along Business Hwy 287 and Highway 80.

##### **SECTION 3: CONCEPT PLAN**

The proposed development will be in complete accordance with the provisions of the approved Planned Development District and all Plats recorded hereunder shall be binding upon the applicant thereof, its successors and assigns, and shall limit and control all building permits.

##### **SECTION 4: RESIDENTIAL STANDARDS**

The residential development standards shall be in accordance with the SF-2 Single-Family Residential District or as outlined herein.

- A. **Lot Coverage:** In no case shall more than fifty-five percent (55%) of the total lot area be covered by the main structure. Swimming pools, deck, patios, driveways, walks, and other paved areas shall not be included in determining maximum lot coverage.
- B. **Front Yard:** The minimum depth of the front yard shall be twenty-five feet (25') from structure to the property line. Porches and other architectural features may be allowed to extend up to five (5) feet into the front yard.
- C. **Side Yard:** The minimum interior side yards shall be five feet (5').
- D. **Side Yard Adjacent to Street:** The minimum side yard adjacent to a street shall be ten (10) feet. Key lots, as defined City's Code of Ordinances, shall have a 15-foot side yard adjacent to a side street.
- E. **Rear Yard:** The minimum depth of the rear yard shall be ten (10) feet.
- F. **Building Area:** The minimum dwelling area shall be 2,000 square feet.
- G. **Building Height:** Buildings shall be a maximum of two and one-half (2 ½) stories with a maximum height of thirty-five feet (35').
- H. **Encroachment:** No portion of a structure including roof eaves may encroach into any utility easement.

**I. Cul-de-sac Length:** One (1) cul-de-sac located north of the main entry road/collector (60 foot right-of-way) and west of the well site shall be allowed to have a length of 680 feet measured from the northern ROW of collector to the center of the bulb. The exception is to accommodate the physical constraints of developing the Property given the proximity of the Gas Well safety radius to the west and the creek on the east side.

**J. Fencing:** All interior residential fencing shall be limited to a six (6) foot wood fence. Lots that are adjacent to open space areas shall be limited to a six (6) foot ornamental metal fence.

**K. Garages:** A garage with a minimum square footage of 400 square feet, intended to accommodate two (2) cars, is required for each residential lot. Carports are not permitted.

**L. Development Standards (base zoning district SF-2):**

±690 Lots	Min. Lot Area	Min. % of Lot Count	Min. Lot Width	Min. Lot Depth	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Min. Floor Area	Max. Lot Coverage (all structures)
Lot Type 1 ±212 Lots	5,000 SF	31%	40' along front building line	120' 100' on cul-de-sac /eyebrow lots	25'	5'	10'	2,000 SF	55%
Lot Type 2 ±393 Lots	6,000 SF	57%	50' along front building line	120' 100' on cul-de-sac /eyebrow lots	25'	5'	10'	2,000 SF	55%
Lot Type 3 ±85 Lots *	9,000-15,000+ SF	12%	50' along front building line	120' 100' on cul-de-sac /eyebrow lots	25'	5'	10'	2,000 SF	55%
SF-2 Base District	5,000 SF		50'	70'	25'	10% of lot width, not less than 5'	10'	1,000 SF	35%

Base zoning district, SF-2, Single-Family Residential District

\*\*\*Minimum Floor Area\*\* (labeled above) square footage excludes the garage.

## SECTION 5: COMMUNITY ARCHITECTURAL FEATURES

### Exterior Masonry Requirements:

#### **A. Residential Structures.**

- (1) The exterior wall surfaces of all primary residential buildings shall be constructed of at least 80 percent masonry material. Masonry is defined as Stucco, Stucco Board, Cementitious Fiberboard, Stone, and Brick. This percentage shall be applied as a total of all exterior walls on all stories of the structure, as measured below the fascia board at the roof line. This requirement shall not apply to the following:
  - a. The area of doors, windows, boxed or bay windows, dormers, areas under covered porches one story in height, and other architectural projections; and
  - b. The face of walls at least eight feet above the finish floor and recessed or projected from the plane of the foundation perimeter by at least 12 inches.

## SECTION 6: GENERAL CONDITIONS

### **A. Landscaping for single-family residential uses:**

- (1) One (1) "Shade" tree and one (1) Ornamental tree shall be provided for in each front yard.
- (2) Required shade trees shall be a minimum of three (3) caliper inches, measured at six (6) inches above ground level.
- (3) A minimum of eight (8), 3 gallon foundation shrubs shall be planted in the front yard.
- (4) All residential lots shall be fully sodded and irrigated.
- (5) Each individual residential lot Owner shall maintain the Landscaping and Irrigation on their Property.

A tree survey per Decatur Code of Ordinances, Appendix B, Zoning, Appendix C Design Standards, Chapter 1. Design Criteria, Section 107, Landscape Design, Tree Survey Requirements, shall not be required for the development due to the additional tree planting requirements for residential lots, the preservation of the trees within the 100-year floodplain, and the submission of an amended tree survey as required by city staff allowing for a sampling of trees on the tract. Replacement of removed trees will be required under Decatur Code of Ordinances, Appendix B, Zoning, Appendix C Design Standards, Chapter 1. Design Criteria, Section 107, Landscape Design, Tree Survey Requirements. **Decorative Lighting:** Decorative street lighting throughout the development shall conform to City of Decatur standards and the utility provider - Reference EXHIBIT "D".

### **B. Open Space Areas:**

- (1) The development shall include one (1) park area with playscape and an open space area. Benches shall be provided in both locations for open seating areas. These areas will also connect to sidewalks within the community.
- (2) The total open space area shall be a minimum of 2.4 acres and shall satisfy open space requirements.

Park lot=±3.5 acres

Creek open space/accessible net of FP=13.5 acres

Gas well lot=4.7 acres net of 'pad' area

FP= ±7.5 acres

### **C. Screening:**

- (1) Screening for the community along the perimeter shall include:
  - a. A masonry screening wall is required for all single-family where the rear yard of two or more lots abuts a roadway with a classification of Principal Arterial or Major Arterial per the City of Decatur's Thoroughfare Plan (Decatur 2050). arterial or freeway.
  - b. Lots siding to Highway 380 may utilize decorative metal screening with a combination of masonry columns.

## SECTION 7: HOMEOWNERS ASSOCIATION (HOA)

**A. Maintenance:** The Homeowners Association shall be responsible for the ownership and maintenance of all common areas, including the following:

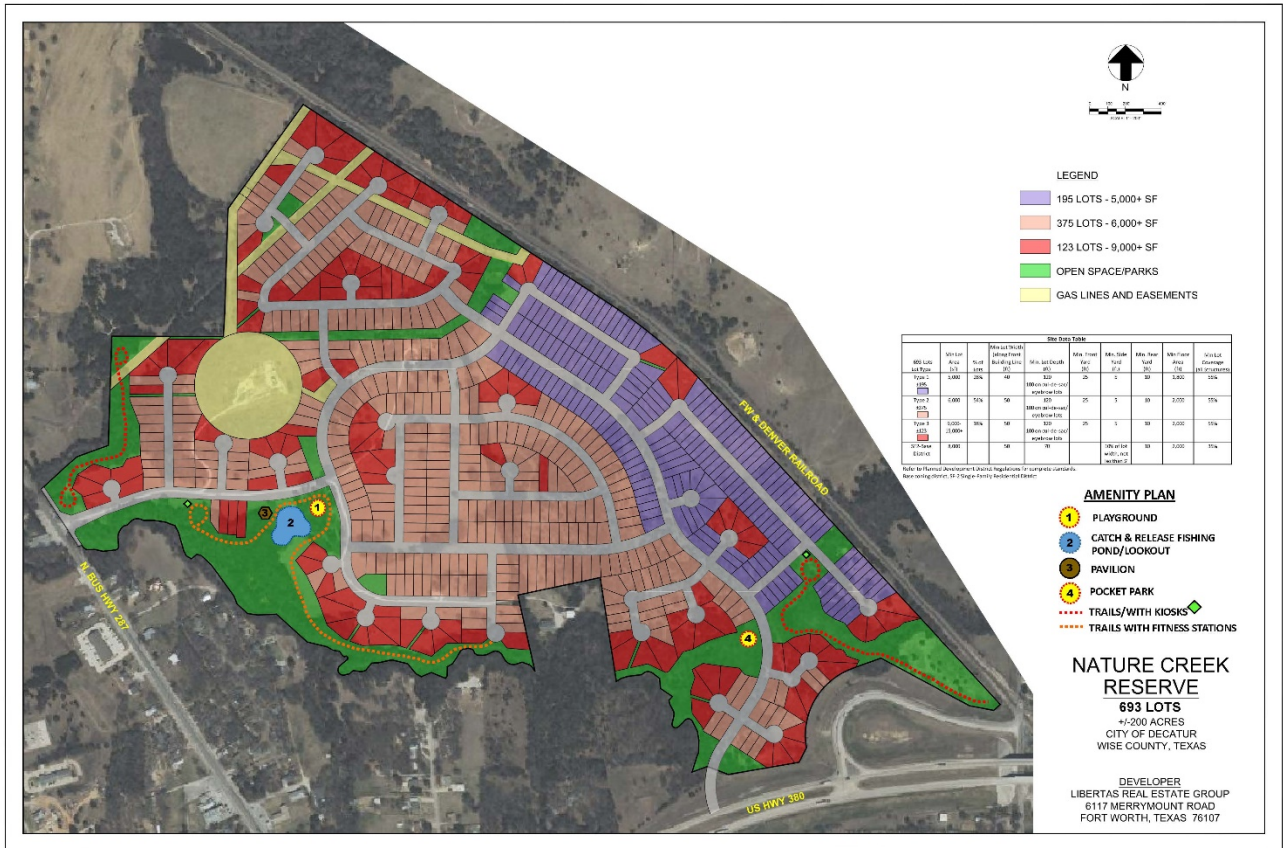
- (1) Entryway Signage/Feature, Landscaping and Irrigation for the entry features and open space lots; and
- (2) 6'-0" Masonry screening wall along the perimeter of Highway 380.

**B.** The Homeowners Association and associated documents shall be filed in accordance with the City of Decatur policies. These documents shall be reviewed by the City Attorney prior to filing the Final Plat. The HOA documents shall be filed with the Final Plat at Wise County. The documents will be submitted in a timely manner to allow for a minimum thirty (30) days review. Failure to submit the documents or incomplete documents may result in delay of construction, acceptance of the subdivision or delay in approval of a building permit. The City does not accept responsibility for any delays in construction, approval or acceptance of the subdivision cause by the failure to submit the association document or the inaccuracy of the documents.



# EXHIBIT "C"

## NATURE CREEK RESERVE CONCEPT PLAN



# EXHIBIT "D"

## NATURE CREEK RESERVE

### DECORATIVE STREET LIGHTING – REPRESENTATIVE PRODUCT PHOTOS

