

Exhibit B – Land Use and Development Regulations – Ordinance No. 3754 – Page 1 of 8

Zoning Case ZC23-0069

Wayfarer

Tract 1A2, John C Yates Survey, Abstract 1753
6716 Stardust Drive, North Richland Hills, Texas

This Residential Infill Planned Development (RI-PD) District must adhere to all the conditions of the North Richland Hills Code of Ordinances, as amended, and adopt a base district of R-2 (Single-Family Residential). The following regulations must be specific to this RI-PD district. Where these regulations conflict with or overlap another ordinance, easement, covenant or deed restriction, the more stringent restriction will prevail.

A. *Permitted Land Uses.* Uses in this RI-PD are limited to those permitted in the R-2 (Single Family Residential) zoning district, as amended, and subject to the following.

1. Any land use requiring a special use permit in the R-2 (Single-Family Residential) zoning district, as amended, is only allowed if a special use permit is issued for the use.
2. Any land use prohibited in the R-2 (Single-Family Residential) zoning district, as amended, is also prohibited.

B. *Site development standards.* Development of the property must comply with the development standards of the R-2 (Single-Family Residential) zoning district unless otherwise provided below.

1. The minimum standards for lot dimensions and setbacks are as follows.

| STANDARD | MINIMUM REQUIREMENT |
|--------------------------------------|---|
| Lot area | 4,000 square feet |
| Number of residential lots (maximum) | 14 lots |
| Lot width, interior | 50 feet |
| Lot width, corner | 55 feet |
| Lot depth | 80 feet |
| Front building line | 20 feet facing street 5 feet facing open space |
| Side building line | 5 feet interior 10 feet on corner street side 20 feet on reverse corner street side |
| Rear building line | 10 feet |
| Rear yard open space | Not required |

2. The development must set aside at least ten percent (10%) of the land area as common open space. All common open space areas and amenities must be owned and maintained by the home owner’s association. The common open space areas must be designed as shown on the site plan attached as Exhibit “C.”

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3. Fencing must be designed as shown on the site plan attached as Exhibit “C” and is subject to the following.
 - a. A six- (6-) foot tall masonry screening wall must be constructed on the rear property line of the single-family lots abutting Lot 3, Block 1, Ranger Crossing Addition. The columns may not exceed seven (7) feet in height. The wall must include a twelve (12) inch mow strip. The developer is responsible for the wall construction as part of the public improvements for the subdivision.
 - b. A six- (6-) foot tall ornamental metal fence must be constructed on the side lot lines of the single-family residential lots that abut the open space lot adjacent to Stardust Drive, as depicted on Exhibit “C.” Wood privacy fences are prohibited adjacent to the open space lots.
 - c. A six- (6-) foot tall ornamental metal fence must be constructed on the rear property lines of the open space lot abutting the railroad right-of-way, as depicted on Exhibit “C.” The developer is responsible for the fence construction as part of the public improvements for the subdivision.
 - d. Privacy fences constructed on residential lots must be a pre-stained board-on-board cedar fence with top cap and side trim; metal posts, brackets, and caps. The privacy fence must not exceed eight (8) feet in height. However, where a privacy fence intersects an ornamental metal fence on an open space lot or a masonry screening wall, the privacy fence must transition to six (6) feet in height over the course of at least one fence panel.
4. Sidewalks, crosswalks, and parking areas must be designed as shown on the site plan attached as Exhibit “C” and are subject to the following.
 - a. A four- (4-) foot wide sidewalk must be constructed on internal streets adjacent to all single-family residential lots. The builder is responsible for the sidewalk construction.
 - b. A four- (4-) foot wide sidewalk must be constructed on Stardust Drive and the internal streets adjacent to the open space lots at the entry to the development. The developer is responsible for the sidewalk construction as part of the public improvements for the subdivision.
 - c. Crosswalks must be designed and installed as shown on the site plan attached as Exhibit “C.” All crosswalks must be at least six (6) feet wide and enhanced with a decorative stamp and stain or dyed as approved by the Development Review Committee.
5. Utility construction is subject to the following.
 - a. Lateral and service lines for all franchise utilities must be placed and maintained underground.

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- b. Streetlights must be selected from Oncor’s decorative street lighting options, excluding any fiberglass poles.
 - c. New aerial utilities are prohibited as part of this development.
6. The development must include cluster mailboxes. The mailbox design must be equipped with decorative tops and pedestals. The location and design must be approved by the Development Review Committee and US Postal Service.
 7. Development entry signs must be designed and installed in accordance with *Chapter 106 – Signs* of the North Richland Hills Code of Ordinances and details attached as Exhibit “C.”
 8. Landscaping must be designed as shown on the landscape plan attached as Exhibit “C” and is subject to the following.
 - a. The landscape improvements shown in the open space lots on the site plan are considered conceptual for the purpose of identifying the proposed location and type of improvements on the lot. A formal landscape site plan prepared by a Registered Landscape Architect must be submitted for approval by the Development Review Committee. The plan must be submitted with the public infrastructure plans for the development.
 - b. Street trees must be planted in open space lots adjacent to Stardust Drive. The trees may be spaced twenty (20) to fifty (50) feet on center, provided the average spacing is thirty (30) feet on center.
 - c. Landscaping on and adjacent to individual residential lots is subject to the following.
 - i. On all lots, at least two (2) trees must be installed. At least one (1) tree must be a Large/Canopy Tree of a hardwood species such as oak, elm, maple, or similar species at least three (3) caliper inches in size. One (1) tree may be a Small/Ornamental tree selected from the City’s Plant List.
 - ii. On all lots, one (1) street tree must be planted between the sidewalk and curb adjacent to the front of each lot. The street trees must be spaced a minimum of twenty (20) feet apart and must be maintained to provide proper clearance along the sidewalk and street.
 - iii. The front yard of all lots must be landscaped with a minimum of eight (8) three- or five-gallon shrubs and eighteen (18) one-gallon shrubs. The shrubs must include at least three different species.
 - d. All landscaped areas of each residential lot and each open space lot must be watered by an automatic underground irrigation system equipped with rain and freeze sensors. All large and ornamental trees must be on bubbler/drip irrigation on separate zones from turf grass.

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- e. The homeowner’s association is responsible for the maintenance of the landscaping and trees within all open space lots.
- C. *Building design standards.* Building design and appearance must comply with the standards described below.
1. The conceptual building elevations attached as Exhibit “C” are intended to be a reference for architectural elements and design techniques. The purpose of the elevation is not to dictate how residences are designed, but to provide flexibility for variety and ensure that the community possesses a distinct character.
 2. The minimum dwelling unit size is 2,000 square feet.
 3. The maximum structure height is thirty-eight (38) feet.
 4. The exterior walls of dwelling units are subject to the following.
 - a. The construction of exterior walls must be designed and constructed in accordance with Section 98-125 (Railroad noise attenuation) of the North Richland Hills Code of Ordinances, as applicable.
 - b. Exterior wall material changes may not occur at a front outside corner of the front elevation. Materials must wrap at least two (2) feet around the side elevation.
 5. Garages are subject to the following.
 - a. Front entry garages are permitted within the development. At least four (4) houses must have individual doors separated by a minimum twelve-inch (12) wide column.
 - b. The garage entry must be set back at least twenty (20) feet from the property line.
 - c. The proportion of garage doors on a front building façade may not exceed fifty (50) percent of the building width.
 - d. Three-car garages are prohibited.
 - e. Garage doors must include at least two of the following elements.
 - i. Two single garage doors.
 - ii. Decorative windows.
 - iii. Decorative hardware.
 - iv. Raised or recessed panels, reveals with texture.
 - v. Garage door paint or stain that is darker in color than the trim of the dwelling.
 6. Driveways are subject to the following.
 - a. Surface materials for driveways must be salt finished, aggregate pebble, pavenstone, or stamped and stained concrete.

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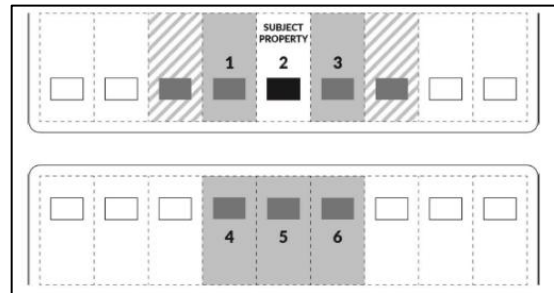
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- b. The drive approaches must not exceed forty percent (40%) of the lot width as measured at the property line.
7. Building roofs are subject to the following.
- a. Roof must have a minimum pitch of 8:12 on front elevation of house, and a minimum pitch of 6:12 on the sides. Accent roofs, porch roofs, and shed roofs must be pitched 4:12 or greater.
 - b. Roofing materials must have a minimum 30-year warranty.
 - c. Three-tab shingles are prohibited.
 - d. Mansard, gambrel, chalet, and flat roofs are prohibited.
8. Building elevations and floor plans are subject to the following. The purpose of this section is to limit the effects of repetition and uniformity by requiring substantive variation and diversity in front elevations within a certain lot pattern.
- a. The same front building elevation may not be repeated more frequently than every fourth lot.

- b. There must be at least two (2) dwellings located between dwelling units that have the same building elevation or the same floor plan.
- c. The same floor plan may not be used if a dwelling with that floor plan already exists either directly across the street or diagonally across the street.



- d. A dwelling is considered sufficiently differentiated when three of the following elements are satisfied:
 - i. Different number of full stories.
 - ii. Change in the roofline that is at least fifty percent (50%) of the width of the front elevation.
 - iii. Change in roof pitch of at least two units of change, e.g., 6:12 pitch to 8:12 pitch.
 - iv. Inclusion or exclusion of a front porch or change in height of a front porch roof by at least four (4) feet.
 - v. Difference in the number of dormers.
 - vi. Change in number of front-facing garage doors.
 - vii. Garages recessed or projected by at least four (4) feet.

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- viii. Change in exterior materials covering fifty percent (50%) or more of the wall coverage on the front elevation, excluding door and window openings.
- ix. Difference in the number of windows, provided there is at least two (2) feet of separation between windows when two or more windows are present.
- e. The following elements will not be considered when evaluating the elements stated above.
 - i. Change in paint or material color.
 - ii. Change in roof pitch of less than two units of change, e.g., 5:12 pitch to 6:12 pitch.
 - iii. Change in roofline of less than fifty percent (50%) of the width of the front elevation.
 - iv. Minor changes in exterior architectural features.
 - v. Same proportions of exterior features, including flipped or mirrored front elevations.
 - vi. Changes in roof material.
- 9. Each building must include the following architectural elements:
 - a. Decorative coach lighting fixtures at least thirteen (13) inches in height.
- 10. Each building must also include at least three of the following architectural elements.
 - a. At least two distinct masonry materials.
 - b. Divided light or border light windows on street facing elevations, including front elevations and side elevations on corner lots.
 - c. Enhanced brick details, such as herringbone, rowlocks, etc.
 - d. Metal seam roof accents.
 - e. Cedar shutter accents that are at least one-half the width of the window.
 - f. Cast stone accents.
 - g. Front porches with a minimum depth of at least six (6) feet and an area of at least sixty (60) square feet.
 - h. Cedar columns.
 - i. Dormers.
 - j. Balconies.
 - k. Eight-foot-tall entry doors.

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- D. *Property owner's association.* Each lot owner must be a mandatory member of the homeowner's association (HOA). Conditions, covenants, and restrictions (CC&Rs) for all property within the RI-PD district must be recorded in the official public records of Tarrant County by the owner before a final subdivision plat may be approved, a lot sold, or a building permit issued. Conditions, covenants, and restrictions that relate to provisions required in this district must be approved by the city attorney, and they must:
1. Create a property owners' association with mandatory membership for each property owner.
 2. Establish architectural standards that are in conformity with the requirements of this RI-PD district.
 3. Create an architectural review committee to review development for compliance with the architectural standards and issue certificates of approval for additions and exterior remodels prior to a building permit application.
 4. Provide for the maintenance of the landscaping and trees within the right-of-way.
 5. Provide for the maintenance of all common amenities, common areas, open space lots, and associated landscaping and irrigation.
 6. Provide for the maintenance of fences and walls adjacent to open space lots and/or within dedicated wall easements.
 7. At a minimum, the conditions, covenants, and restrictions establishing and creating the mandatory property owners' association must contain and/or provide for the following:
 - a. Definitions of terms contained therein;
 - b. Provisions acceptable to the City for the establishment and organization of the mandatory property owners' association and the adoption of bylaws for the association, including provisions requiring that the owner of any lot within the applicable subdivision and any successive buyer shall automatically and mandatorily become a member of the association;
 - c. The initial term of the covenants, codes, and restrictions establishing and creating the association must be for a 50-year period and must automatically renew for successive ten-year periods, and the association may not be dissolved without the prior written consent of the City;
 - d. The right and ability of the City or its lawful agents, after due notice to the association, to remove any landscape systems, features, or elements that cease to be maintained by the association; to perform the responsibilities of the association if the association fails to do so in compliance with any provisions of the covenants, codes, and restrictions of the association or of any applicable city code or regulations; to assess the association for all costs incurred by the City in performing said responsibilities if

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the association fails to do so; and/or to avail itself of any other enforcement actions available to the city pursuant to state law or city codes or regulations; and

- e. Provisions indemnifying and holding the City harmless from any and all costs, expenses, suits, demands, liabilities or damages, including attorney's fees and costs of suit, incurred or resulting from the City's removal of any landscaping, features, or elements that cease to be maintained by the association or from the city's performance of the aforementioned operation, maintenance or supervision responsibilities of the association due to the associations' failure to perform said responsibilities.
- E. *Amendments to Approved Planned Developments.* An amendment or revision to the Residential Infill Planned Development (RI-PD) must be processed in the same manner as the original approval. The application for an amendment or revision must include all land described in the original ordinance that zoned the land to the RI-PD district.

The city manager or designee may approve minor amendments or revisions to the RI-PD standards provided the amendment or revisions does not significantly:

1. Alter the basic relationship of the proposed uses to adjacent uses;
2. Change the uses approved;
3. Increase approved densities, height, site coverage, or floor areas;
4. Decrease on-site parking requirements;
5. Reduce minimum yards or setbacks; or
6. Change traffic patterns.