



# CITY OF IOWA COLONY

## CITY COUNCIL WORK SESSION

Monday, March 20, 2023  
6:30 PM

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Iowa Colony City Hall, 12003 Iowa Colony Blvd., Iowa Colony, TX 77583

Phone: 281-369-2471

Fax: 281-369-0005

[www.iowacolonytx.gov](http://www.iowacolonytx.gov)

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THIS NOTICE IS POSTED PURSUANT TO THE TEXAS OPEN MEETING ACT (CHAPTER 551 OF THE TEXAS GOVERNMENT CODE). THE CITY COUNCIL OF IOWA COLONY WILL HOLD A WORKSESSION AT 6:30 PM ON MONDAY, MARCH 20, 2023 AT IOWA COLONY CITY HALL, 12003 IOWA COLONY BLVD., IOWA COLONY, TEXAS 77583 FOR THE PURPOSE OF DISCUSSING THE FOLLOWING ITEMS.

*Requests for accommodations or interpreter services must be made 48 hours prior to this meeting. Please contact the City Secretary at 281-369-2471.*

### CALL TO ORDER

### CITIZEN COMMENTS

### ITEMS FOR DISCUSSION

1. Discussion on FY2023-24 Budget Calendar
2. Discussion on HOA-provided landscape maintenance in certain subdivisions.

### ADJOURNMENT

I, Kayleen Rosser, hereby certify that the above notice of meeting of the Iowa Colony City Council was posted pursuant to the Texas Open Meeting Act (Chapter 551 of the Texas Government Code) on March 17, 2023.

  
\_\_\_\_\_  
Kayleen Rosser, City Secretary



**CITY OF IOWA COLONY**  
**BUDGET SCHEDULE FOR FY 2023-2024**  
(INCLUDES COUNCIL and CCPD)

Item 1.

<b>Date</b>	<b>Time</b>	<b>Meeting Description</b>
<b>April 6</b>	<b>1:30 PM</b>	“Budget Kickoff” staff meeting to discuss FY 2023-2024 budget process.
<b>May 15-26</b>	<b>TBD</b>	City Manager meets with Department Heads to discuss FY 2022-2023 budget estimates and FY 2023-2024 budget requests.
<b>May 16</b>	<b>7:00 PM</b>	CCPD Meeting – PD presents proposed FY 2023-2024 CCPD budget to board. Board schedules public hearing on proposed budget.
<b>May 28</b>		Notice for CCPD public hearing on proposed CCPD budget runs in newspaper. <i>At least 10 days before hearing 363.204(b)</i>
<b>June 13</b>	<b>7:00 PM</b>	CCPD public hearing on CCPD budget. <i>At least 100 days before October 1; On or before June 23 363.204(a)</i> CCPD Meeting to adopt FY 2022-2023 CCPD budget. <i>At least 80 days before October 1; On or before July 13 363.204(d)</i> Board submits budget to Council. <i>No later than 10 days after adoption 363.204(e)</i>
<b>June 23</b>		Distribute FY 2023-2024 Budget worksheets and documentation to Council.
<b>June 26</b>	<b>5:30 PM</b> <b>7:00 PM</b>	City Council Budget Workshop. City Council calls for public hearing on proposed CCPD budget. <i>102.006(b)</i>
<b>June 27</b>	<b>6:00 PM</b>	City Council Budget Workshop ( <i>if necessary</i> ).
<b>July 2</b>		Notice for Council public hearing on CCPD budget runs in newspaper. <i>At least 10 days before hearing 363.205(b)</i>
<b>July 17</b>	<b>7:00 PM</b>	City Manager presents proposed budget to City Council. City Council calls public hearing on proposed City budget. City Council public hearing on proposed CCPD budget. <i>At least 45 days before October 1; On or before August 17 363.205(a)</i>
<b>July 21</b>		City Manager files proposed budget with City Secretary. <i>At least 31 days before Council passes property tax rate 102.005(a)</i> <i>Using this date to allow Council Meeting on normal meeting night.</i>
<b>August 21</b>	<b>7:00 PM</b>	City Council approves or rejects the CCPD Budget. <i>At least 30 days before October 1; On or before September 1 363.205(d)</i> If the governing body rejects the budget submitted by the board, the governing body and the board shall meet and together amend and approve the budget before the beginning of the fiscal year. <i>363.205(e)</i> City Council adopts “proposed” tax rate (aka Not-to-Exceed Tax Rate)
<b>August 27</b>		Notice for Council public hearing on City budget runs in newspaper. <i>At least 10 but no more than 30 days before hearing; Aug 19-Sep 9 102.0065(c)</i>
<b>Sept. 18</b>	<b>7:00 PM</b>	Public Hearing on proposed City budget. Public Hearing on proposed tax rate. <i>At least 16 days after budget is filed with City Secretary but before the date Council passes property tax rate 102.006(b)</i>
<b>Sept. 19</b>	<b>6:00 PM</b>	City Council adopts FY 2023-2024 Budget. City Council adopts tax rate.
<b>Oct. 1</b>		FY 2023-2024 begins.

# Meridiana Planned Unit Development District Amendment #4

## The City of Iowa Colony

Ordinance # 2022-04

Adopted March 21, 2022

Prepared for:

**Rise Communities**

1602 Avenue D, Suite 100

Katy, Texas 77493

832.916.2160

Prepared by:



**ENGINEERING THE FUTURE**  
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City of Iowa Colony Ordinance 2007-10

City of Iowa Colony Ordinance 2009-4

## **I. INTRODUCTION**

### **A. Summary**

The Planned Unit Development District (PUD) establishes comprehensive guidance and regulations for Meridiana (previously known as Seven Oaks Ranch). Meridiana is comprised of 2,914.1 acres of privately owned land. Of this area, 1,144.7 acres lies within the City of Iowa Colony, 25.4 acres lies with the City of Alvin, and the remaining 1,744.0 acres is within the City of Manvel.

The intent of this document is to provide a means by which development may occur in an orderly and responsible manner by establishing guidelines that ensure quality development and specifically address the goals of both the city and the developer.

### **B. Purpose of the Amendment**

The purpose of this amendment is to 1) revise the preliminary land use plan acreages for open space, multi-family, village center, patio home, and commercial and 2) add courtyard home as a land use to be allowed within the Village Center.

### **C. Project Location**

The Project is located generally east of State Highway 288 and south of State Highway 6 in the northern portion of Brazoria County, just south of the metro Houston area. The Overall Project falls under the jurisdiction of three municipalities: Alvin, Iowa Colony, and Manvel. The City of Alvin will allow the City of Iowa Colony to establish zoning regulations and design criteria within the portion of this project that lies within the City of Alvin's jurisdiction.

### **D. Existing Zoning**

The majority of the site is currently zoned Planned Unit Development, or PUD established by the Seven Oaks Ranch Planned Unit Development District, City of Iowa Colony Ordinance #2007-10 approved on July 11, 2007. The policies and regulations established by this PUD shall amend and supersede Ordinance #2017-02 as amended by the City Council on January 23, 2017. It shall also replace and supersede zoning and other city regulations in conflict with this PUD. However, that certain tract of land identified as Parcel 2F on Exhibit 5 (Page 20) shall remain subject to Ordinance #2007-10 as it is not a part of this amendment. Copies of both ordinances are contained in the appendix of this document.


**E. Surrounding Land Use**

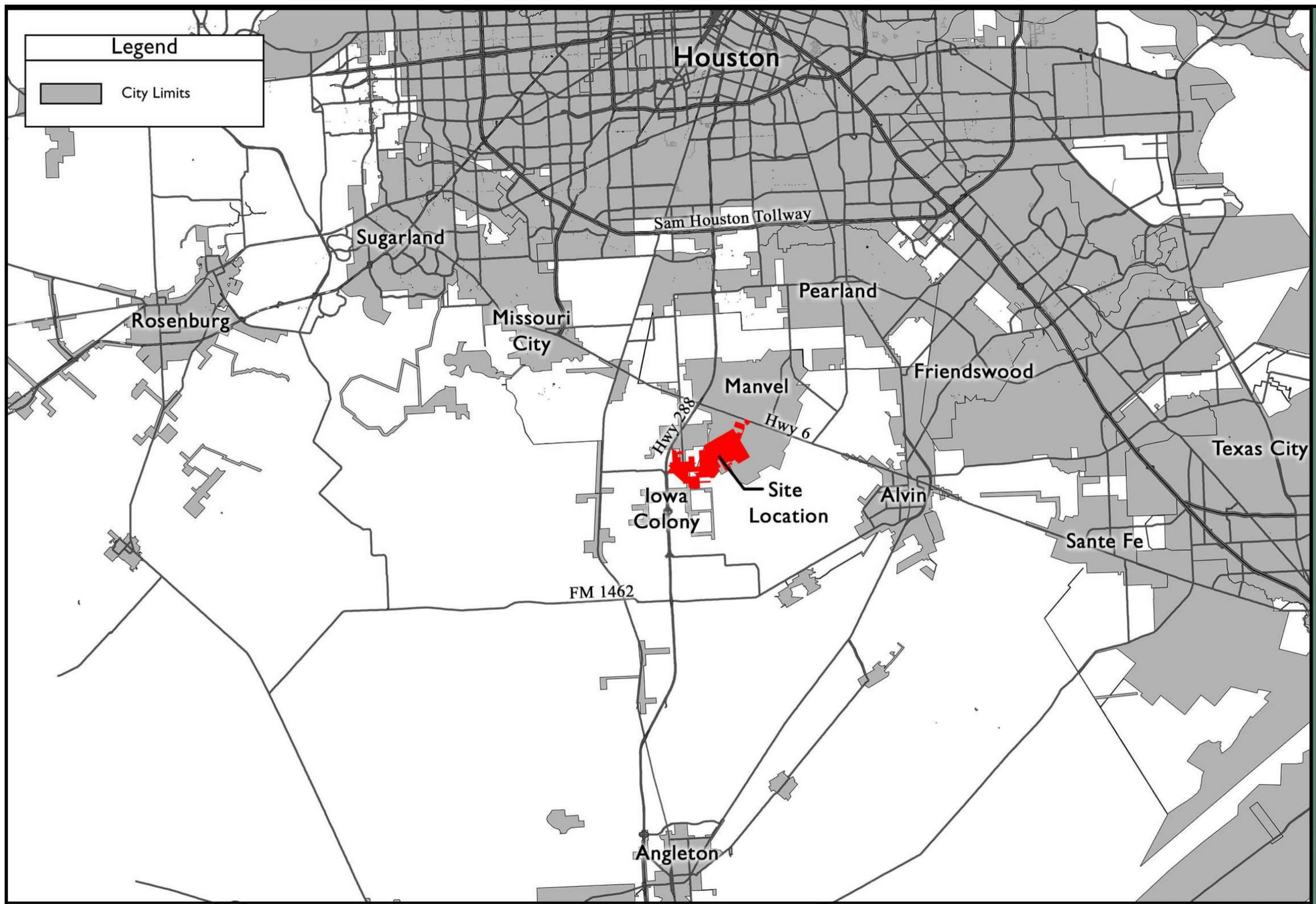
The majority of properties surrounding the project are undeveloped with some existing industrial uses located near State Highway 288 with pockets of large lot single family development in other areas.

**F. Existing Site Conditions**

The most notable natural feature of the site is the West Fork of Chocolate Bayou, which traverses the property generally from north to south. The areas adjacent to the bayou are heavily vegetated while the remainder of the site is mostly open pasture. The property is generally flat with little topography. In addition to the west fork of Chocolate Bayou, there are several man-made drainage and irrigation canals as well as pipelines that cross the property in various locations.

**Legend**

 City Limits



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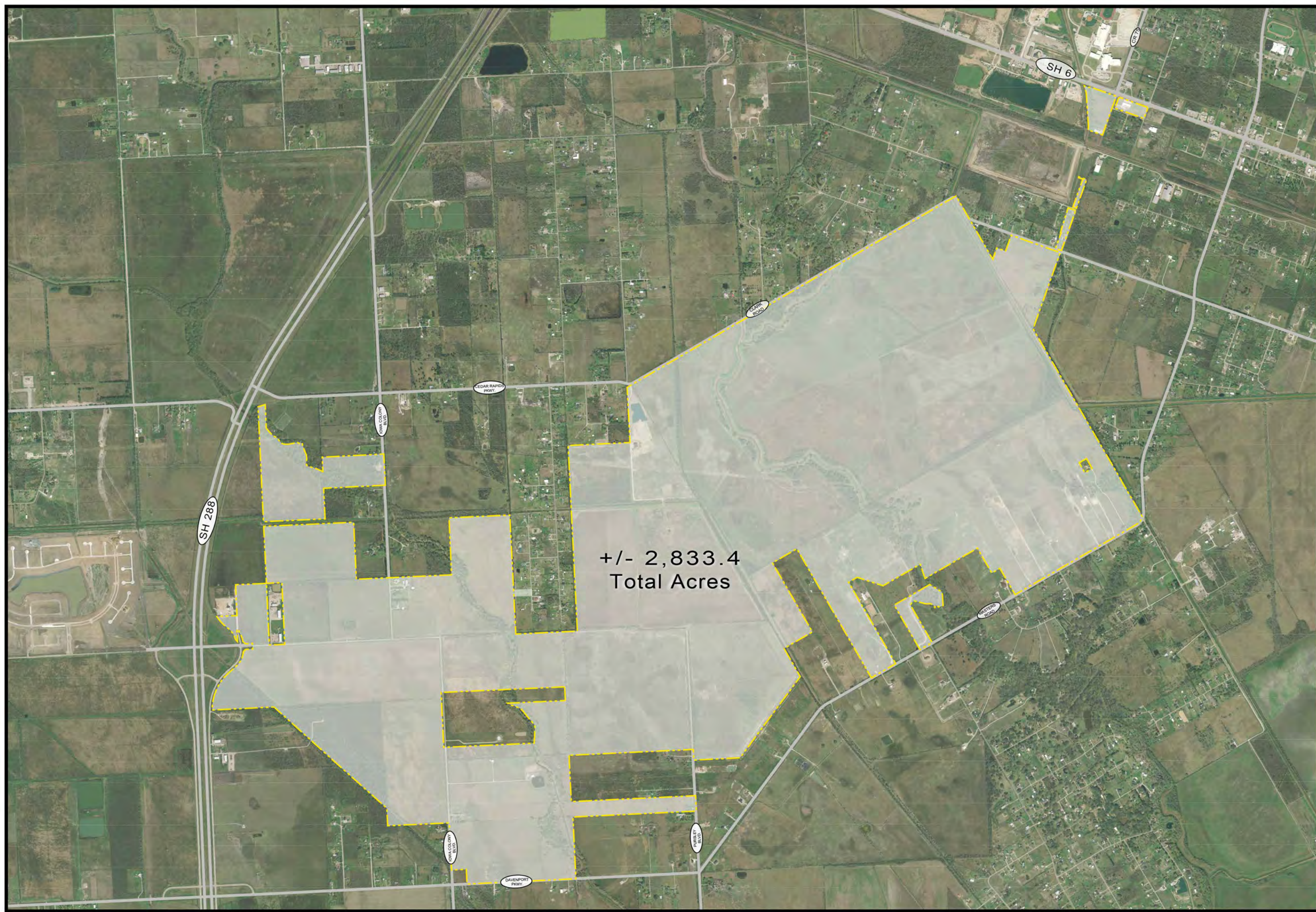
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No warranty or representation of intended use, design, or proposed improvements are made or implied. All drawings are subject to change without notice.



January 7, 2022  
NOT TO SCALE

**Meridiana**  
Exhibit 1: Vicinity Map  
Meridiana, Texas



+/- 2,833.4  
Total Acres

**Meridiana**

**Exhibit 2: Ownership Map**

Aberia County, Texas

January 7, 2022  
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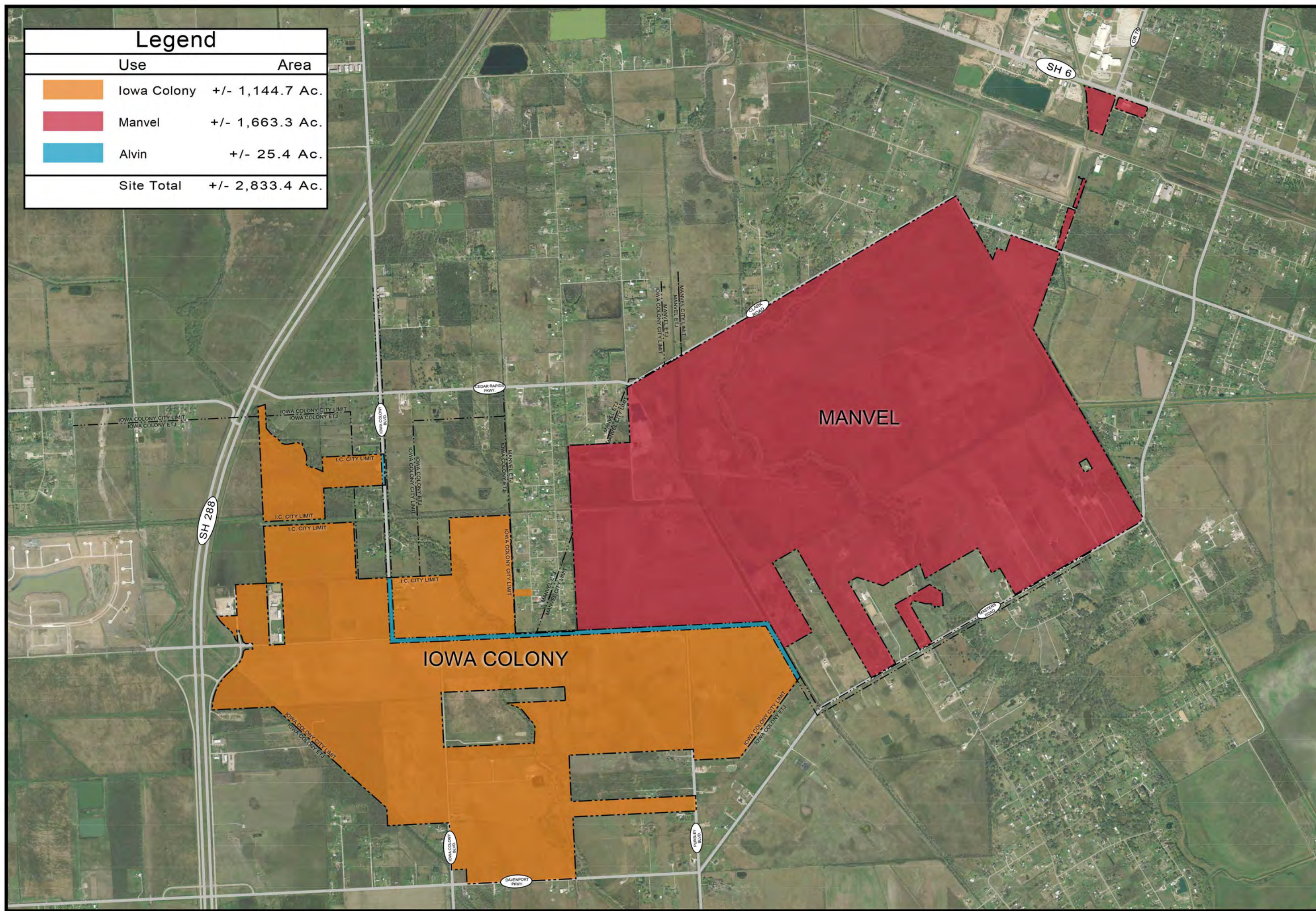


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Item 2.

Legend		
Use	Area	
	Iowa Colony	+/- 1,144.7 Ac.
	Manvel	+/- 1,663.3 Ac.
	Alvin	+/- 25.4 Ac.
Site Total		+/- 2,833.4 Ac.



No warranty or representation of intended use, design or proposed improvements are made unless specifically stated or facilities are subject to change without notice.

## II. DEVELOPMENT PLAN

### A. Purpose & Intent

The purpose of the Development Plan is to clarify planning considerations within the plan area and guide the implementation of the vision for the community in addition to establishing a framework for Meridiana by identifying the type, location, and projected density of the various land uses proposed within the development.

This section contains a description of the goals, objectives, and policies of the PUD combined with various plan components intended to guide the design principles of the community.

### B. Goals & Objectives

The primary goal of the Meridiana Planned Unit Development District is to create a master planned community that features a mixture of uses and a variety of housing types that will encourage sustainable neighborhoods and attract investment to the area while preserving the natural environment.

In order to achieve this goal, key objectives have been established in order to guide development and provide direction for the overall vision of the community. These objectives are as follows:

#### 1. Establish a Strong Community Character & Sense of Place

A strong community character will be created by the extensive open space system which will offer neighborhood connectivity within the community as well as access to daily activities, thus reducing dependency on vehicular travel and preserving the rural character of the area.

Strategically located public gathering areas will encourage community activities and enhance Iowa Colony's small town quality of life.

In addition, the implementation of a community theming plan will establish a strong sense of place by assuring design and visual continuity throughout the community.

#### 2. Provide a Variety of Housing Types

Providing a variety of housing types will help to create a community that attracts individuals from all stages of life. The establishment of a well-balanced population

base is critical to the long-term sustainability of Meridiana and will enhance the social and economic base of the community.

### **3. Ensure Quality Development**

Meridiana will ensure the quality of development through the establishment of design guidelines for the community that regulate architectural standards, landscaping, signage, and other common elements of the development. Copies of the residential guidelines have been provided to the City. Non-residential design guidelines will be provided to the City once prepared.

### **4. Provide for Orderly Growth**

Meridiana will provide for orderly growth by being sensitive to the natural features of the site and selecting land uses that are appropriate based on site characteristics. Buffering between incompatible land uses will be achieved by parks, greenbelts, landscaping, streets, open space or drainage features.

In addition, Meridiana will help the City achieve a highly efficient and cohesive public infrastructure system.

## **C. Preliminary Land Use Plan**

### **1. Proposed Uses & Densities**

Successful master planned communities provide a variety of uses and housing options in order to attract residents from all stages of life. The proposed land uses will help to achieve a variety of housing choices in order to create a sustainable community while allowing for a reasonable amount of flexibility to accommodate ever-changing market demands.

Land uses proposed for Meridiana consist of Single-Family Residential (SFR), Patio Home (PH), Townhome (TH), Multi-Family (MF), Village Center (VC), Commercial (C), Institutional (I) and Parks & Open Space (POS). The following is a brief description of these proposed uses.

*Single Family Residential* - The Single Family Residential category (SFR) is intended for the development of detached, single family dwelling units. Lot sizes within the Single Family Residential category are intended to range in size from 50-foot wide lots to 80-foot wide lots or larger with a minimum lot area of 5,750 square feet.



*Patio Home* – The Patio Home category (PH) provides for the development of detached, single family dwelling units. Patio homes may have a zero (0) foot side setback on one of the interior lot lines or five (5) feet side setbacks on both sides at the discretion of the developer, but all homes shall be separated by a minimum of ten (10) feet. Patio homes shall have a minimum lot width of 40 feet and a minimum lot area of 4,400 square feet.

*Townhome* – The Townhome category (TH) provides for the development of attached, single family dwelling units separated by a fire rated wall. Buildings shall consist of a minimum of two (2) units with a maximum of eight (8) units and shall be separated by a minimum of ten (10) feet. Each townhome shall be platted on an individual lot and shall have a minimum lot width of 25 feet and a minimum lot area of 2,500 square feet.

*Courtyard Home* – The Courtyard Home category (CH) provides for the development of detached, single family dwelling units within the Village Center. Courtyard homes may be served by a “shared driveway” on which a maximum of four (4) courtyard homes may take sole vehicular access. If lots utilize a shared driveway, lots do not require frontage along a public or private roadway but shall have five (5) feet side setbacks. Homes shall be separated by a minimum of ten (10) feet. If lots do not utilize a shared driveway, lots shall have a minimum of twenty-five (25) feet of frontage along a public or private roadway, may have a zero (0) foot side setback on one of the interior lot lines or three (3) feet side setbacks on both sides at the discretion of the developer, but all homes shall be separated by a minimum of six (6) feet. Each Courtyard home shall be platted on an individual lot and shall be a minimum lot area of 2,500 square feet.

*Multi-Family* – The Multi-Family category (MF) provides for medium to high density multi-family dwelling units such as apartments and condominiums. The density in the MF category shall not exceed 30 dwelling units per gross acre. Buildings that exceed two stories in height shall require special approval from the fire marshal.

*Village Center* – The Village Center category (VC) is intended to create a distinctive venue within Meridiana that will serve as the heart of the community. The village center will feature a civic component together with a mixture of uses in a pedestrian friendly environment.

*Commercial* – The Commercial category (C) is designed to meet the demand for commercial development along State Highway 288.

*Institutional* – The Institutional category (I) is intended to provide for the development of public and private uses that serve the community. Private uses may include, but are not limited to private schools, day care facilities, hospitals, etc.

*Parks & Open Space* – The Parks & Open Space category (P-OS) is intended to provide for the development of recreation and open space areas within the community.

<b>TABLE 1</b>		
<b>Land Use</b>		
<b>Land Use</b>	<b>Gross Acres</b>	<b>%</b>
<b>Single Family (SF)</b>	388.4	33%
<b>Patio Home (PH)</b>	108.1	9%
<b>Townhome (TH)</b>	17.2	1.5%
<b>Multi-Family (MF)</b>	11.6	1%
<b>Village Center (VC) *</b>	58.3	5%
<b>Commercial (C)</b>	42.4	4%
<b>Institutional (I)</b>	114.4	10%
<b>Rights-of-Way</b>	60.8	5%
<b>Parks &amp; Open Space (P-OS)</b>	368.9	31.5%
<b>Totals</b>	<b>1,170.1</b>	<b>100%</b>

\* Inclusive of Courtyard Homes (CH)

Land uses may be relocated within the boundaries of the PUD, provided they are in compliance with the acreage restrictions referred to in this section. The city will be notified of any changes to the Preliminary Land Use Plan.

Land use categories shall be regulated on a total gross acreage basis. The gross acreage of individual land uses may increase or decrease by up to ten (10) percent without further approval of the Planning Commission or City Council. This shall not apply to land within the Parks and Open Space category which may be increased by any amount without further approval. However, the Parks and Open Space category may not decrease more than ten (10) percent without approval of the Planning Commission and City Council. Table 1 shall be the basis for calculating any and all land use changes by future administrative approvals as described in the administrative section of this PUD.

There shall be no restrictions on the number of residential units within any category; however, the density within the City of Iowa Colony shall not exceed 2.87 units per gross acre. At a gross acreage of 1,170.1, this would result in a maximum of 3,358 allowed units. A maximum of seventeen percent of the total allowed units or 570 patio lots may be less than 50 feet in width.

**D. Benefits to the City of Iowa Colony**

Meridiana will help meet the demand for quality residential and commercial development as the City of Iowa Colony continues to grow and will enable the City to achieve its vision for the future.

Master planned communities, in general, provide tremendous benefits for cities over traditional “piece-meal” development. Historically, property values in master planned communities are greater and more stable than property values outside of master planned communities, providing cities with a greater ability to plan and fund services. Additionally, residents of master planned communities typically call upon public services, including public safety, at a lower rate than in other areas that are not master planned, deed restricted, and managed by strong homeowner’s associations. Master planned communities bring stability and predictability that facilitate a city’s long range planning and financial objectives.










The creation of the village center and community recreation centers within Meridiana will enhance the quality of life in Iowa Colony by promoting community activities and involvement. The rural character of the area will be preserved by protecting the West Fork of Chocolate Bayou and creating an extensive system of “created” bayous reflective of the natural environment and providing extensive open view corridors. By creating an environment that encourages people to form bonds and share experiences, Meridiana

will establish a cohesive community of people that blends with and preserves Iowa Colony's small town values.

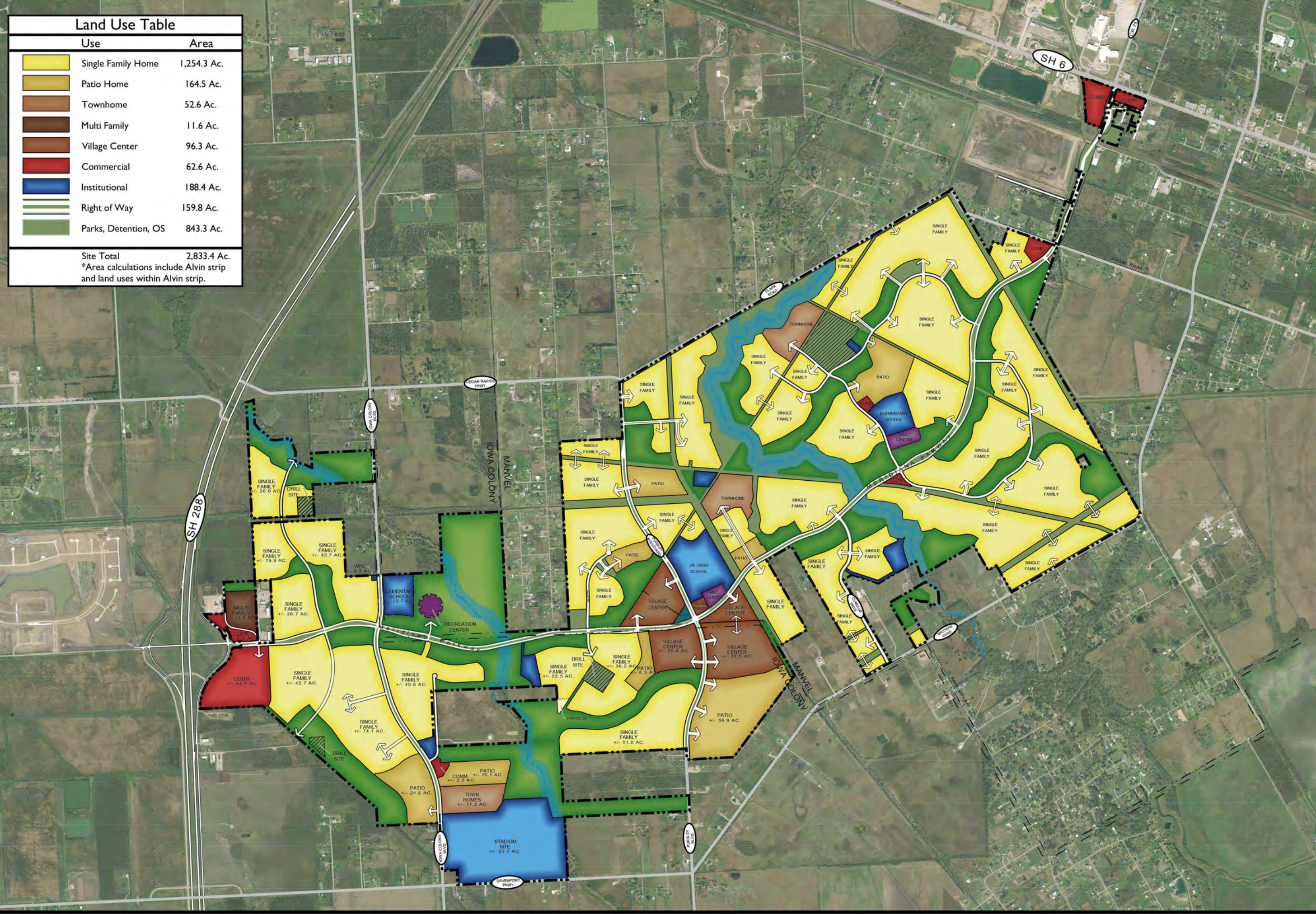
The Tax Increment Reinvestment Zone (TIRZ) provides a financing mechanism for the economic feasibility of the overall system of capital improvements required to serve the tract and additional areas of the city. The TIRZ allows the public improvements for this region of the city to be constructed as a cohesive system rather than as a disjointed series of smaller improvements. Implementation of a cohesive system of roadways, utilities, recreation facilities, and drainage is more efficient and better serves the residents of the City.

In addition, Meridiana will help create the "rooftops" necessary to drive the commercial development planned along State Highway 288 which will generate sales tax revenue for Iowa Colony.

### Land Use Table

Use	Area
 Single Family Home	1,254.3 Ac.
 Patio Home	164.5 Ac.
 Townhome	52.6 Ac.
 Multi Family	11.6 Ac.
 Village Center	96.3 Ac.
 Commercial	62.6 Ac.
 Institutional	188.4 Ac.
 Right of Way	159.8 Ac.
 Parks, Detention, OS	843.3 Ac.

Site Total 2,833.4 Ac.  
 \*Area calculations include Alvin strip and land uses within Alvin strip.



## Meridiana

### Exhibit 4: Preliminary Land Use Plan

Meridiana, Texas

January 7, 2022

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EHRA JOB NO. 081-011-150

No warranty or representation of intended use is made herein. All plans for land or facilities are subject to change without notice.












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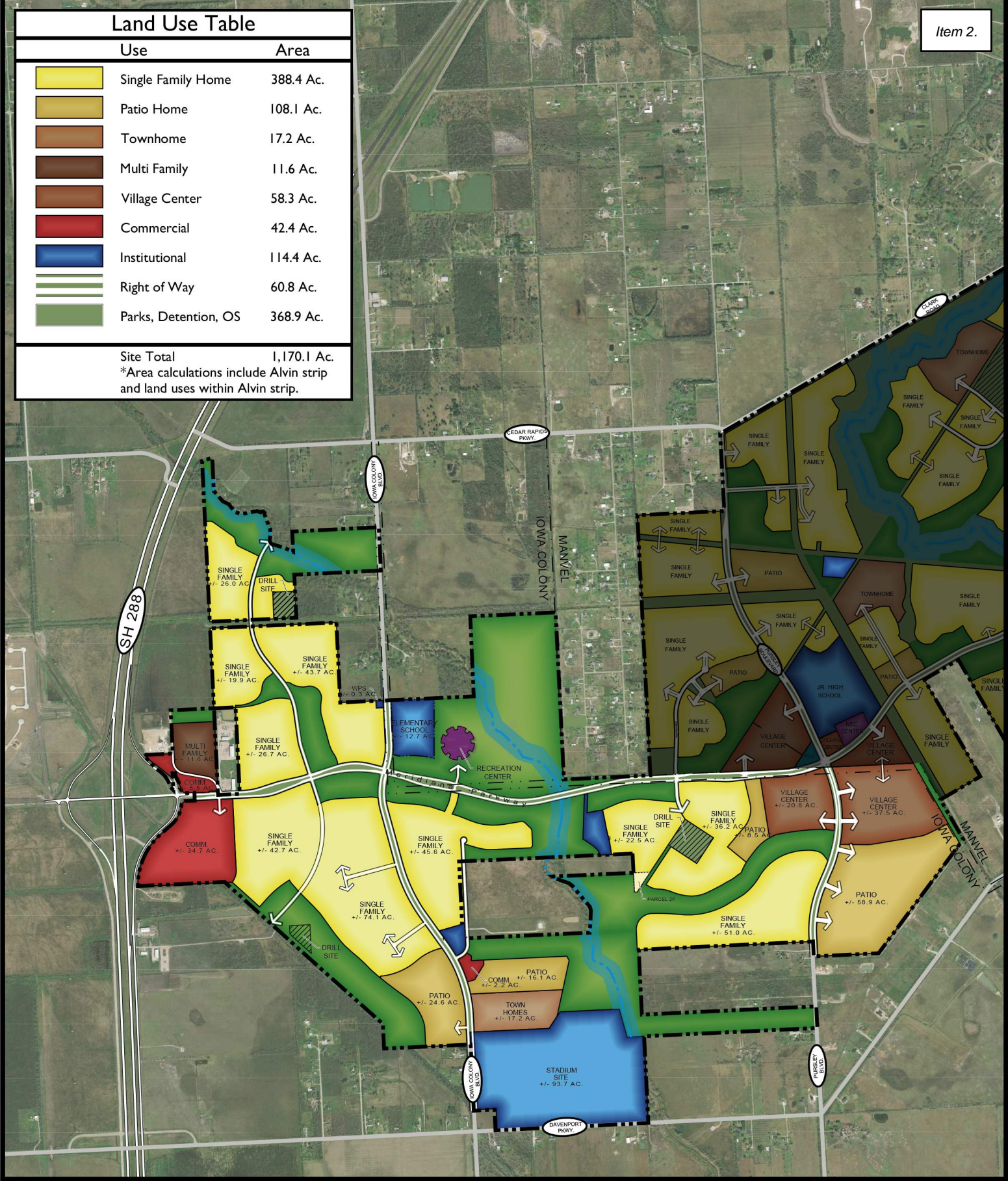
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Item 2.

### Land Use Table

Use	Area
 Single Family Home	388.4 Ac.
 Patio Home	108.1 Ac.
 Townhome	17.2 Ac.
 Multi Family	11.6 Ac.
 Village Center	58.3 Ac.
 Commercial	42.4 Ac.
 Institutional	114.4 Ac.
 Right of Way	60.8 Ac.
 Parks, Detention, OS	368.9 Ac.

Site Total 1,170.1 Ac.  
 \*Area calculations include Alvin strip and land uses within Alvin strip.



## Meridiana

### Exhibit 5: Preliminary Land Use Plan - Iowa Colony

Brazoria County, Texas

P:\081-011-150\LandPlan\PUD\Graphics\19 & 20 Preliminary Land Use Plan.dwg Jan 07, 2022-11:43am Edited by: Aberd

January 7, 2022

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 081-011-150

No warranty or intended use, design improvements are subject to change without notice.

## E. Transportation

Meridiana will establish a transportation network consisting of streets and other forms of transportation designed to meet the mobility needs of the community.

### 1. Existing Access

Meridiana currently has access to State Highway 288 to the west and State Highway 6 to the northeast. Meridiana Parkway extends through the property to connect Highway 288 and Highway 6. Iowa Colony Boulevard intersects with Meridiana Parkway and extends southward to the project boundary. In addition, Pursley Boulevard intersects with Meridiana Parkway and will eventually connect with Davenport Parkway to the south.

### 2. Street Hierarchy

The street system in Meridiana consists of a hierarchy of streets ranging from major thoroughfares to alleys. The intent of the system is to establish a series of streets that are sized appropriately for the land uses that they serve and to direct traffic within the community to the collector streets and major thoroughfares while discouraging any negative impact on residential neighborhoods and surrounding properties. The following is a brief description of street types that may be implemented within Meridiana:

*Major Arterials* – Major arterials are intended to serve as principal thoroughfares identified as Major Arterial Streets on the City’s Thoroughfare Plan.

*Village Center Major Arterials* – Village center major arterials are intended to serve as principal thoroughfares within major corridors that extend through the village center of Meridiana. These thoroughfares are designed to accommodate higher traffic volumes in a context sensitive manner and are identified as Major Arterial Streets on the City’s Thoroughfare Plan.

*Major Collector Streets* – Major Collector streets are intended to help distribute traffic between major thoroughfares and other collector streets and are identified as Major Collector Streets on the City’s Thoroughfare Plan.

*Minor Collector Streets* – Minor collector streets are designed to help distribute local street traffic within residential areas, as well as to provide direct access to lots and are identified as Minor Collector Streets on the City’s Thoroughfare Plan.

*Village Center Local Streets* – Village Center Local Streets may be used in the village center area to allow for on-street parking while fostering a pedestrian friendly environment.

*Local Streets* – Local streets are designed to provide access to residential lots.

*Private Streets (Type 1)* – Type 1 private streets will be privately maintained and may be gated. The right-of-way for type 1 private streets shall be identified as a 50 foot wide public utility easement in order to allow for public utility service. Any gates shall be equipped to provide for police, fire, and emergency access.

*Private Streets (Type 2)* – Type 2 private streets may be used in lieu of local streets to provide access to more dense types of housing such as patio homes, townhomes, or condominiums. Type 2 private streets will be privately maintained and may be gated. Any gates shall be equipped to provide for police, fire, and emergency access. Underground utilities may be designed and constructed under the pavement section, but must be privately maintained.

*Alleys* – Alleys may be commercial or residential and are intended to provide vehicular access to the side or rear of buildings or properties that front on a neighborhood collector, local street, village center local street, or type 1 or type 2 private street.

*Shared Driveway* – Shared driveways are 20 foot wide private driveways permitted within the Village Center for residential use only. A non-exclusive joint-use driveway access easement will be established for the owners of the lots that take access from each respective shared driveway. The total length of the shared driveway shall be 75 feet or less as measured along the centerline of the shared driveway starting from the intersection with the public street. The length of a driveway that connects to a shared driveway shall be 25 feet or less as measured from the edge of the shared driveway.



### 3. Minimum Right-of-Way Widths & Paving Sections

Streets within Meridiana shall conform to the following standards:

TABLE 2 Minimum Right-of-Way Width & Paving Sections		
	Minimum Right-of-Way Width	Standard Paving Section (Measured from back of curb to back of curb)
Major Arterial	120 feet <sup>1</sup>	Two (2) 25 foot divided sections <sup>2</sup>
Village Center Major Arterial	80 feet <sup>3</sup>	Two (2) 24 foot divided sections
Major Collector	80 feet	38 feet
Minor Collector	60 feet	32 feet
Village Center Local Street	70 feet	Two (2) 12 foot travel lanes with angled parking on both sides
Local Street	50 feet <sup>4</sup>	28 feet
Private Street (Type 1)	50 feet	28 feet
Private Street (Type 2)	28 feet	28 feet
Public Alley	20 feet	20 feet <sup>5</sup>
Private Alley	20 feet	14 feet <sup>5</sup>

- 1) Shall be widened to 130 feet at the intersection of SH 288.
- 2) All bridge crossings may have a reduced median width.
- 3) Shall be widened to 91 feet at intersections with other village center major arterials.
- 4) Local streets that provide access to single family lots having a width of 70 feet or greater shall have a minimum right-of-way width of 60 feet.
- 5) Paving for alleys shall be measured from pavement edge to pavement edge, as curbs are not provided.

### 4. Vehicular Circulation Plan

The Vehicular Circulation Plan illustrates the proposed circulation system for Meridiana. The plan is designed to meet the mobility needs of the development in a

safe and efficient manner as well as provide adequate circulation for the overall area.

**5. Meridiana Parkway**

Meridiana Parkway connects State Highway 288 to State Highway 6 and thus, is the primary, major arterial within Meridiana. Because of its prominence, Meridiana Parkway is a “signature” boulevard that is one of the most distinguishing features of the development. The parkway has variation in median width as well as elevation, provided that the minimum right-of-way width is no less than 120 feet. (The minimum width provision shall not apply to the Village Center portion of development).

Esplanade openings featuring left turn lanes are strategically placed along Meridiana Parkway and may feature left turn lanes when desired. The circulation plan illustrates the general location of the projected esplanade openings. The specific locations of esplanade openings will be determined at preliminary plat and must be approved by the City’s Designated Official. Requests for additional esplanade openings not shown on the exhibit will be considered on a case by case basis, subject to approval by City’s Designated Official.

**6. Pursley Boulevard (County Road 786), County Road 48, Davenport Parkway (County Road 64), and Iowa Colony Boulevard (County Road 65)**

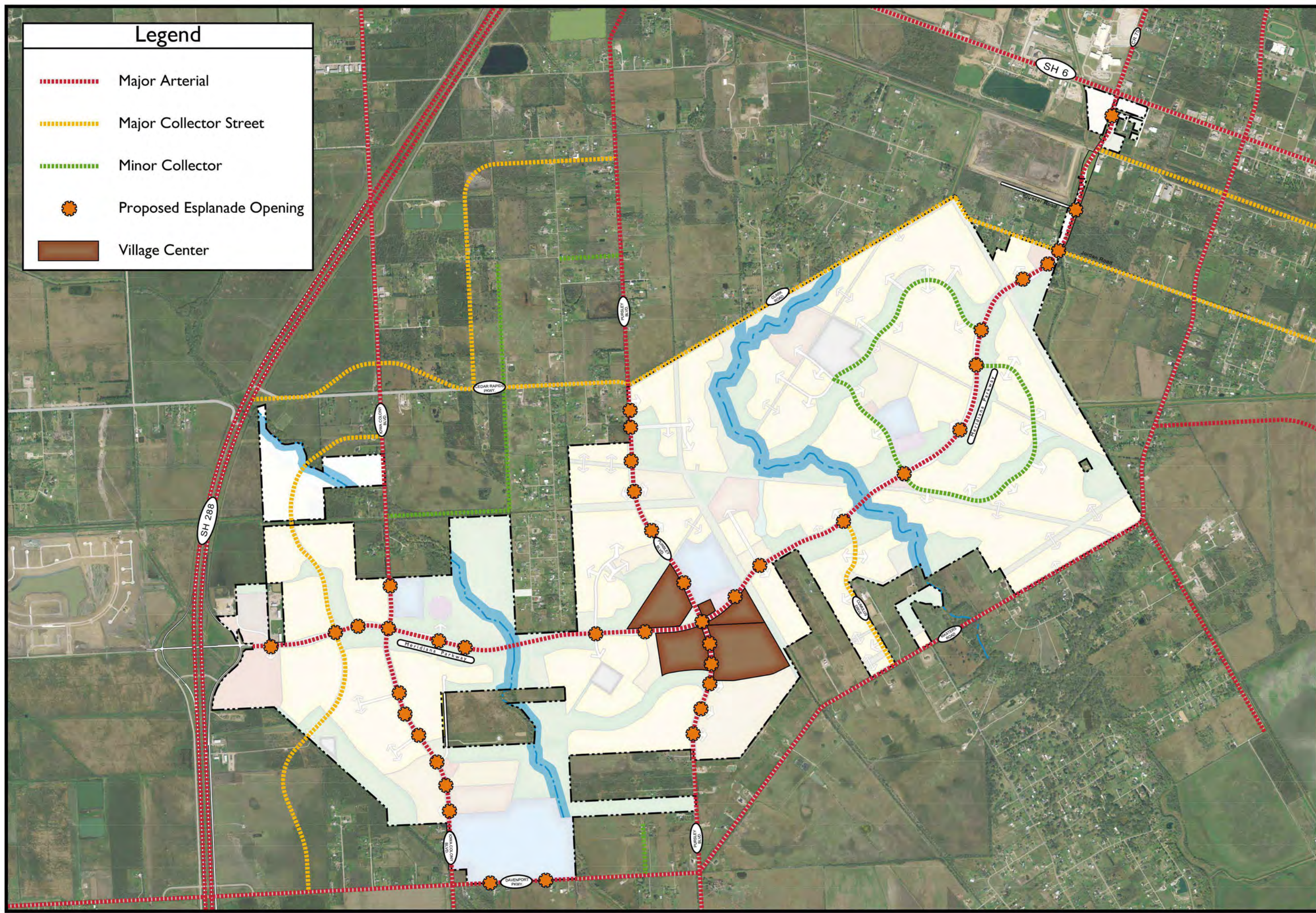
Pursley Boulevard (also known as C.R. 786) is proposed to be extended through Meridiana. In addition, County Road 48 will be extended south through the Project to connect with Iowa Colony Boulevard (also known as C.R. 65). Davenport Parkway (also known as C.R. 64) will intersect with Iowa Colony Boulevard at the southern boundary of the development. The necessary right-of-way will be dedicated and these roads will be constructed where the proposed alignments are located wholly within the Project boundary. In other areas, the necessary right-of-way will be dedicated and any improvements will be coordinated with the City and/or County.

## **7. Discovery Drive**

Discovery Drive will serve as the easternmost major collector in Meridiana as shown on the City's Thoroughfare Plan. The necessary right-of-way will be dedicated and these roads will be constructed where the proposed alignments are located wholly within the Project boundary. In other areas, the necessary right-of-way will be dedicated and any improvements will be coordinated with the City and/or County.

### Legend

- Major Arterial
- Major Collector Street
- Minor Collector
- Proposed Esplanade Opening
- Village Center



# Meridiana

## Exhibit 6: Circulation Plan

Meridiana, Texas



10011 MEADOWGLEN LANE  
HOUSTON, TEXAS 77042  
713.784.4500  
EHRAINCO.CO  
TBPE No. F-7  
TBPLS No. 1009

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January 7, 2022  
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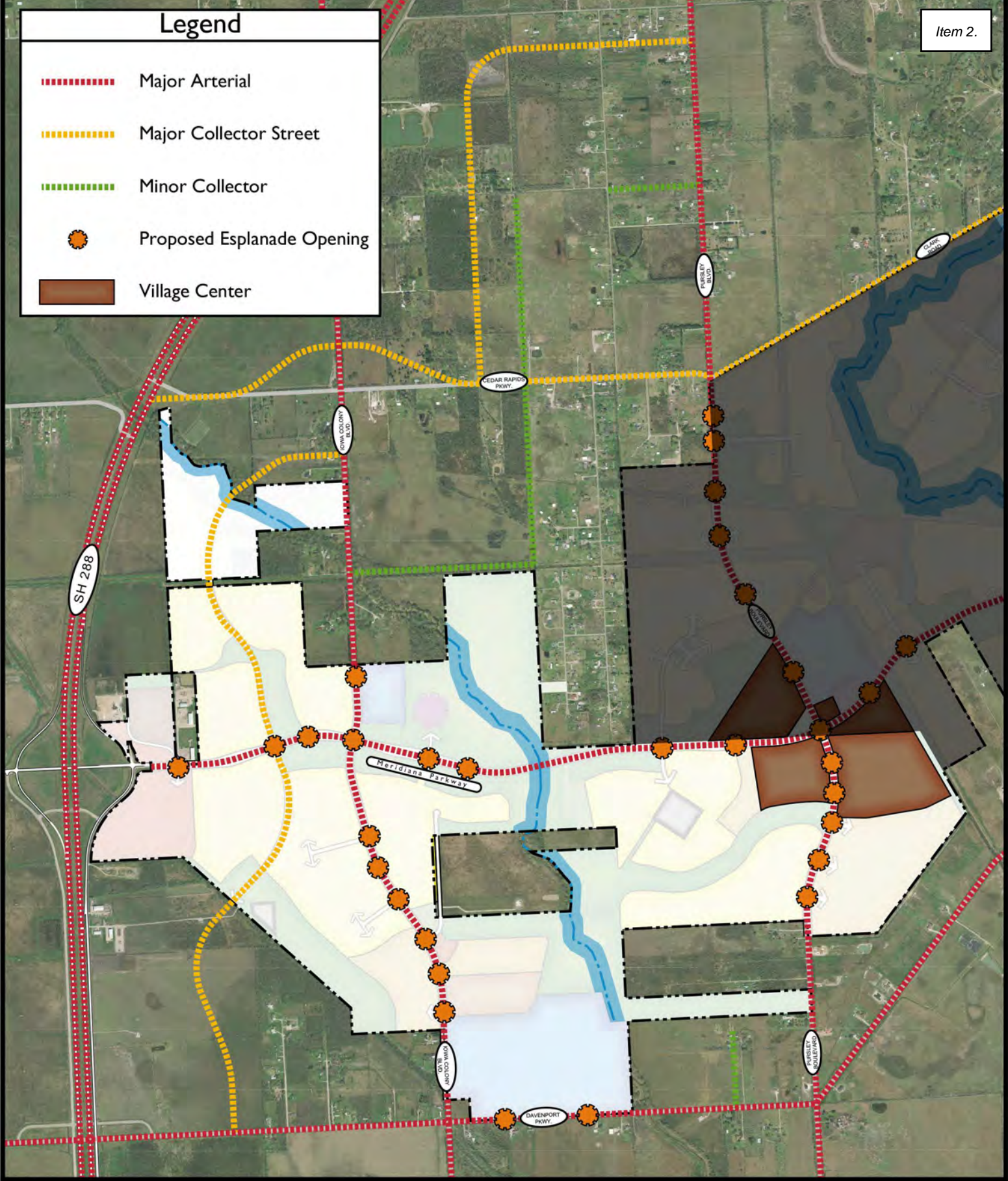
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No warranty or representation of intended use, design or proposed improvements are made to change without notice.

Item 2.

**Legend**

-  Major Arterial
-  Major Collector Street
-  Minor Collector
-  Proposed Esplanade Opening
-  Village Center



**Meridiana**  
 Exhibit 7: Circulation Plan - Iowa Colony

Brazoria County, Texas

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January 7, 2022

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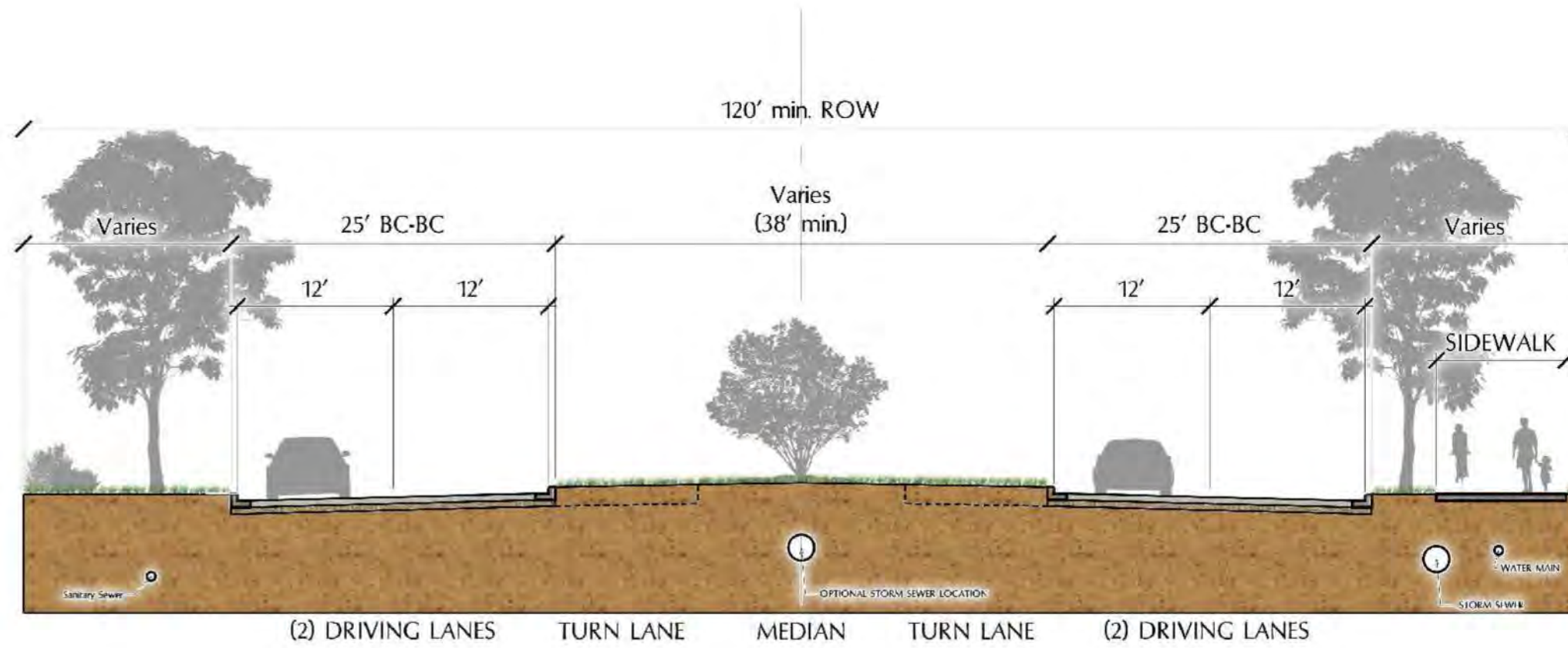
NORTH



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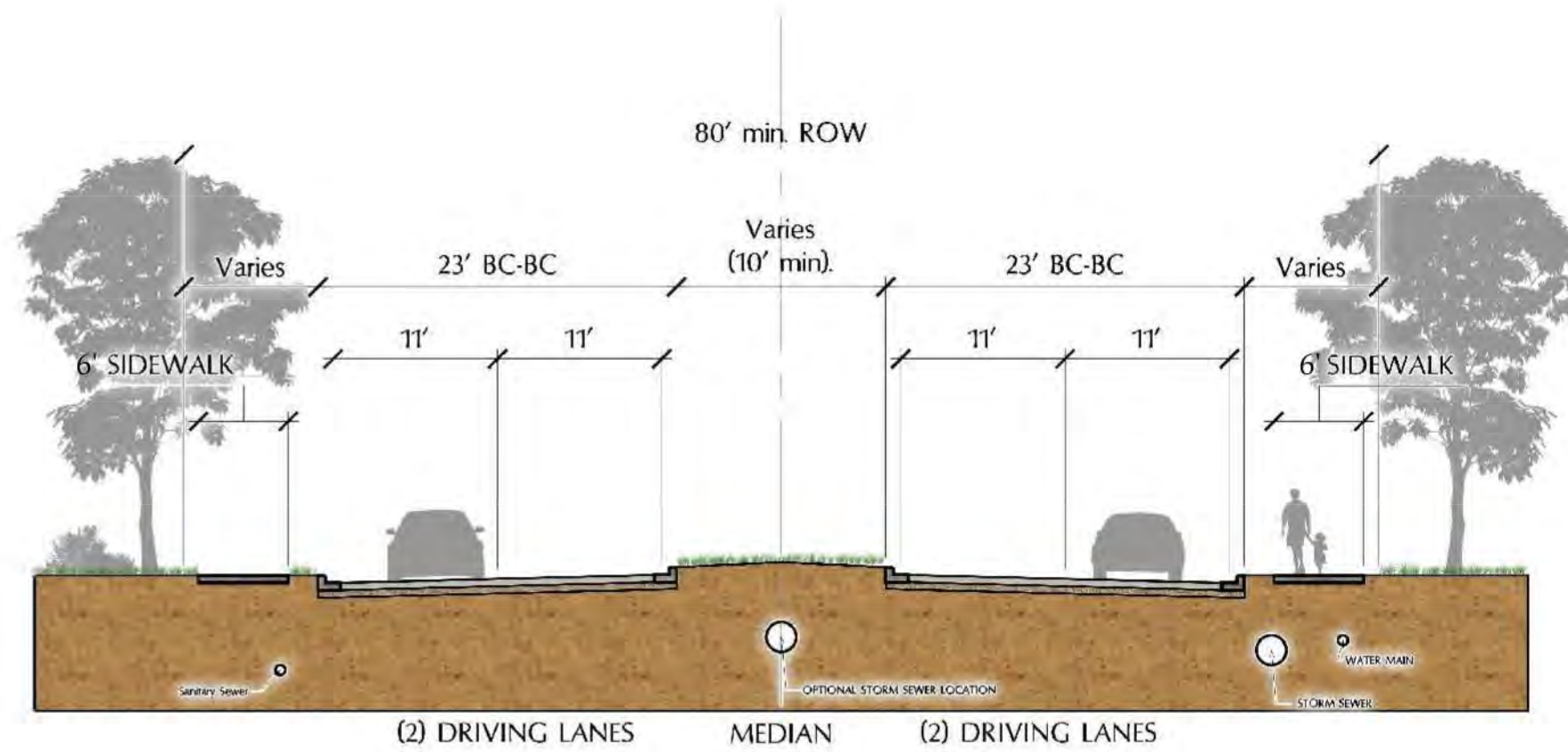
10011 MEADOWGLEN LANE  
 HOUSTON, TEXAS 77042  
 713.784.4500  
 EHRAINCO.COM  
 TBPE No. F-726  
 TBPLS No. 10002200

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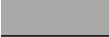
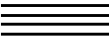
**Notes:**

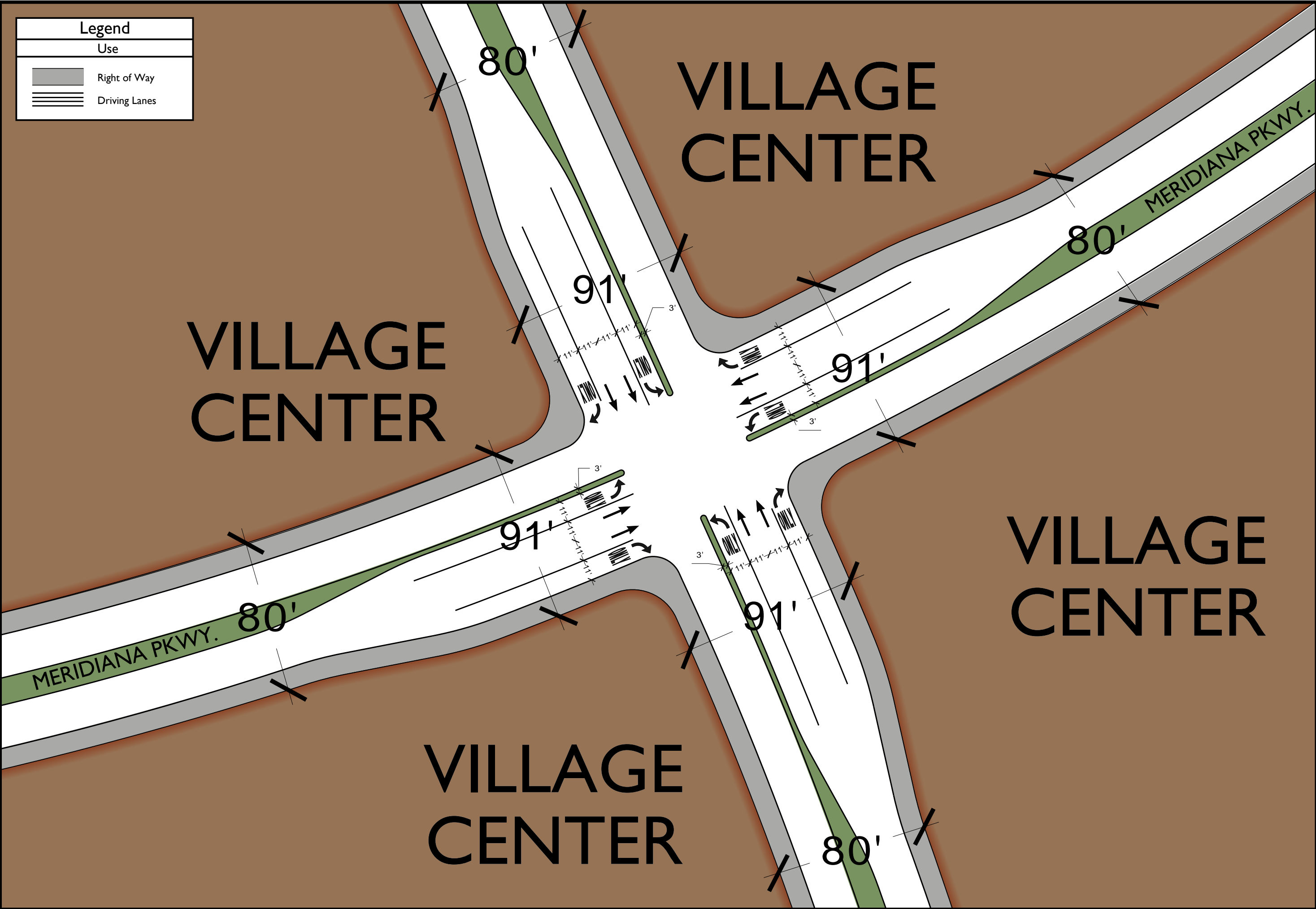
1. Sidewalk(s) may be located outside of right-of-way within an approved sidewalk easement.
2. Sidewalk may be located as 6' sidewalk on both sides of ROW or as 8' sidewalk on one side of ROW. A single sidewalk must be 10' along all major arterials if adjacent to non-single family residential areas or within 300' of an intersection with another major arterial.
3. If an existing or proposed trail is located on an adjacent reserve, a sidewalk shall not be required.
4. Median openings shall be located in conformance with the Circulation Plan.
5. Median width may be reduced to 16 feet to accommodate left turn lanes.
6. Driving lanes may meander within the right-of-way as right-of-way widens greater than 120' minimum.
7. Utility locations are schematic in nature. Actual location may vary due to engineering limitations.
8. Proposed trees within median will be planted a minimum of 5' from utility lines.



**Notes:**

1. Sidewalk(s) may be located outside of right-of-way within an approved sidewalk easement.
2. If an existing or proposed trail is located on an adjacent reserve, a sidewalk shall not be required.
3. Median openings shall be located in conformance with the Circulation Plan.
4. Median width may be increased to accommodate left turn lanes.
5. Right turn lanes will be provided, if necessary, at intersections with Major Arterials or Village Center Major Arterials. Right-of-way may be widened to accommodate 11' right turn lane.
6. Utility locations are schematic in nature. Actual location may vary due to engineering limitations.

Legend	
Use	
	Right of Way
	Driving Lanes



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081-011-150

No warranty or representation of fitness, use, or value is made by the engineer herein. All plans for land or facilities are subject to change without notice.

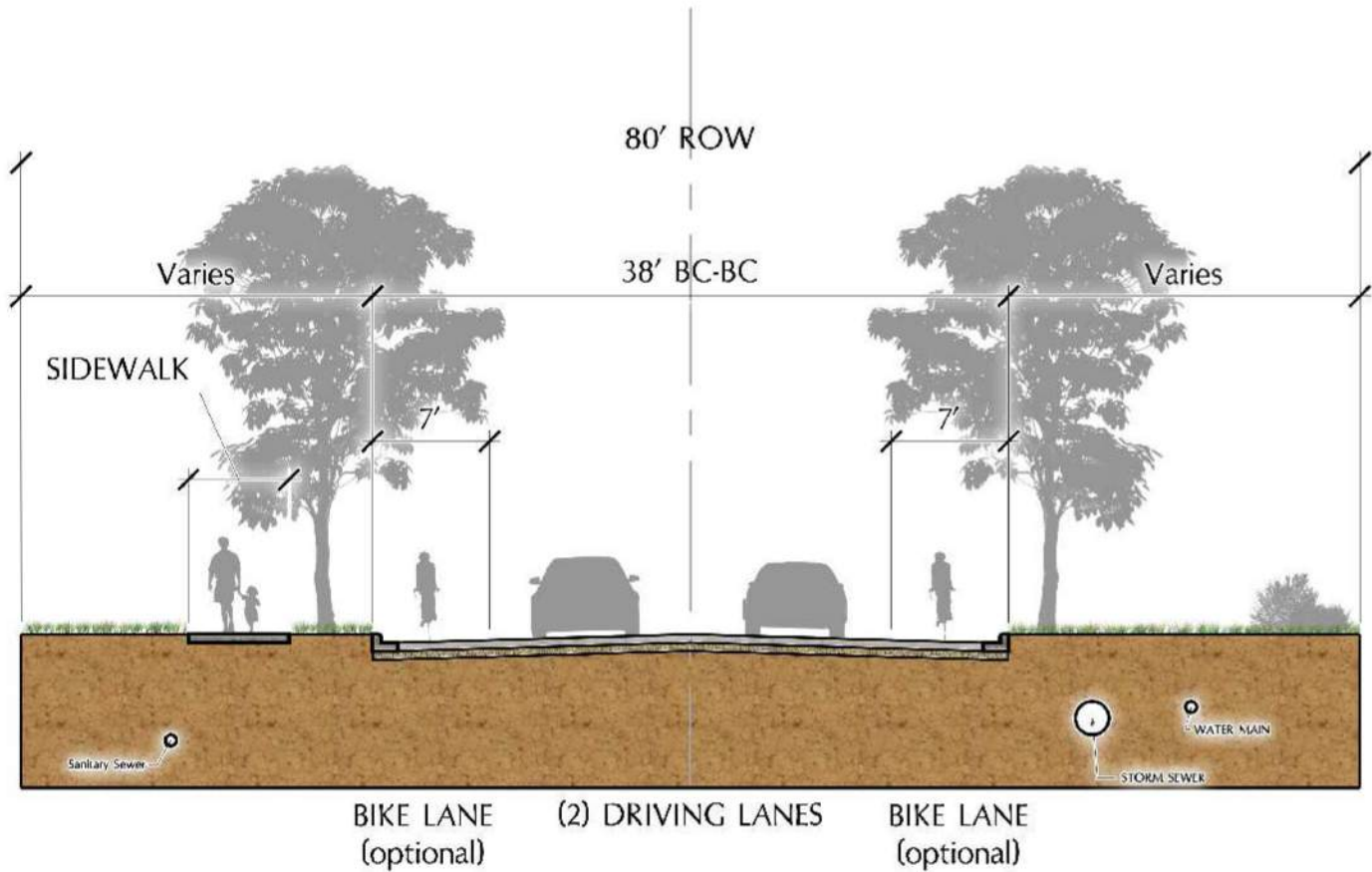


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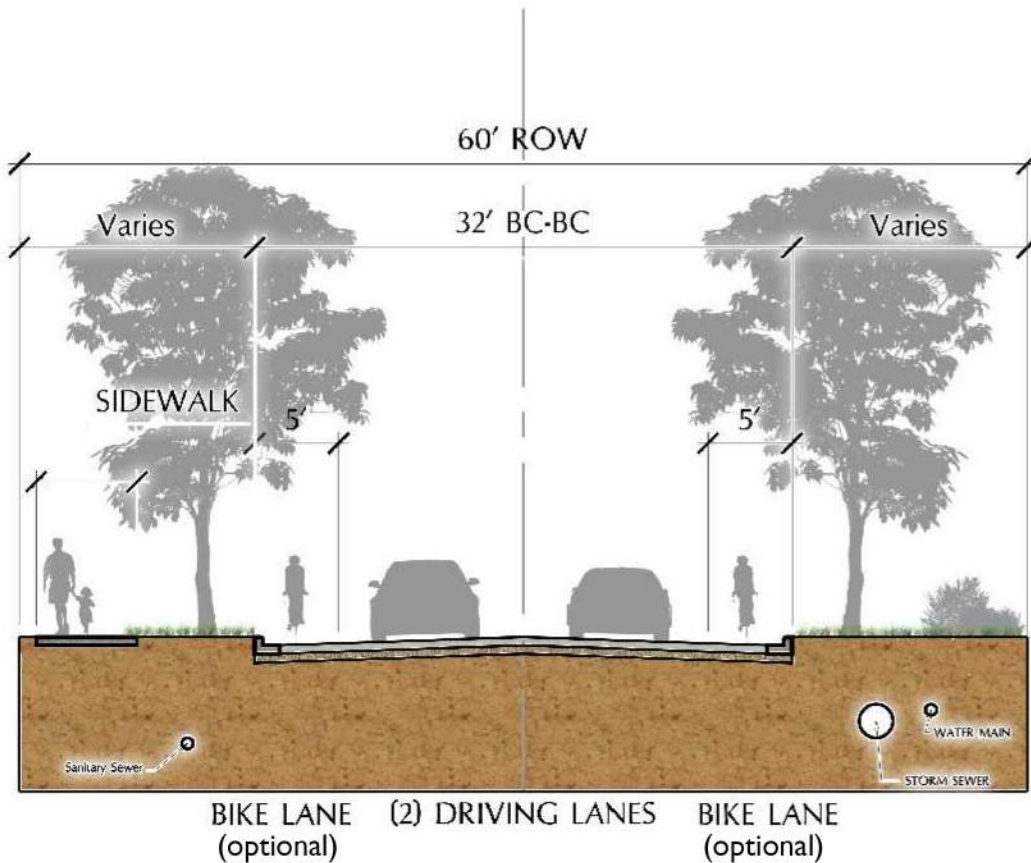
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HOUSTON, TEXAS 77042  
713.784.4500  
EHRANC.COM  
TBPE No. F-726  
TBPLS No. 100923

Item 2.



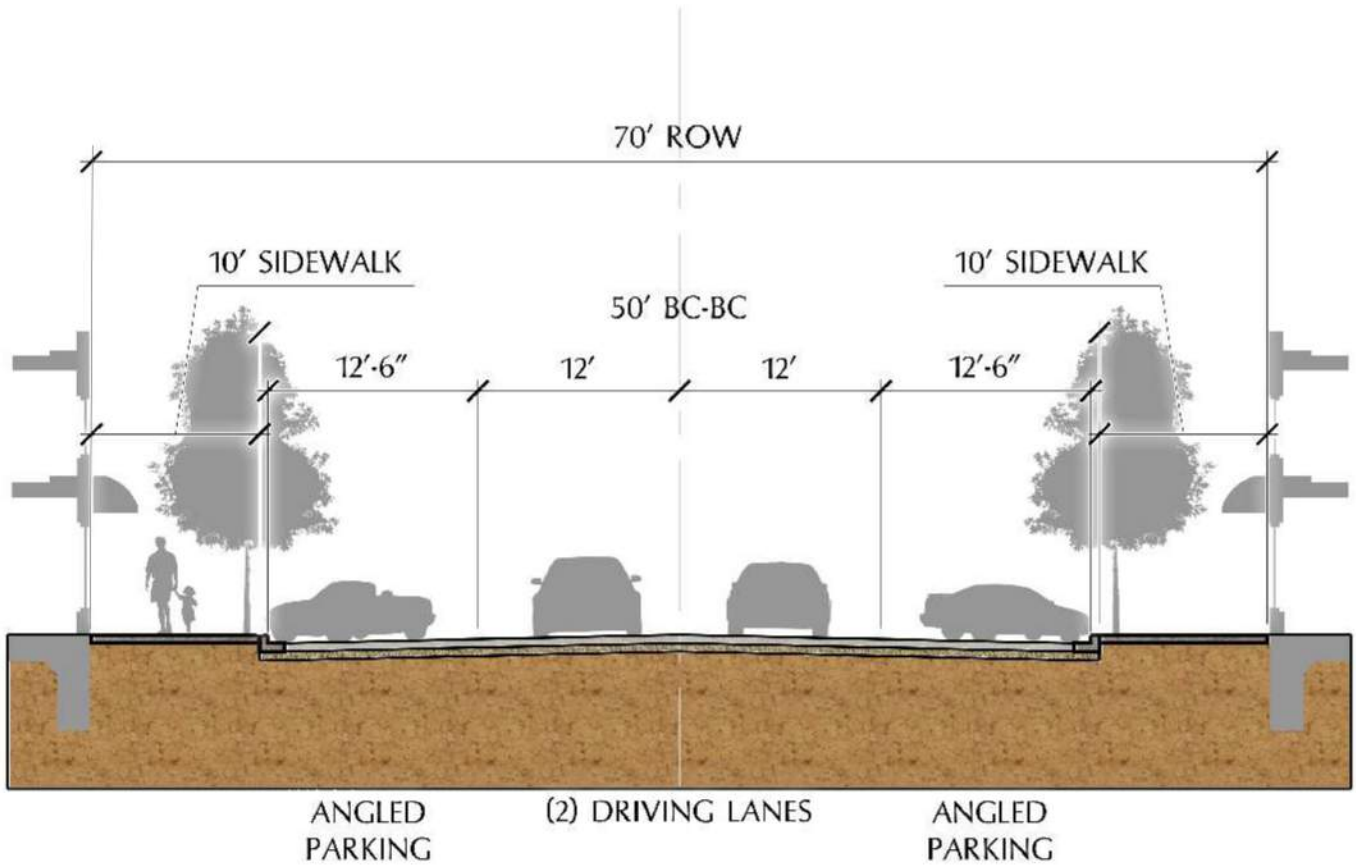


- Notes:
- 1. Sidewalk(s) may be located outside of right-of-way within an approved sidewalk easement.
  - 2. Sidewalk may be located as 4' sidewalk on both sides of ROW or as 6' sidewalk on one side of ROW.
  - 3. If an existing or proposed trail is located on an adjacent reserve, a sidewalk shall not be required.
  - 4. Utility locations are schematic in nature. Actual location may vary due to engineering limitations.
  - 5. Direct driveway access to a major collector shall not be allowed.



Notes:

1. Sidewalk(s) may be located outside of right-of-way within an approved sidewalk easement.
2. If an existing or proposed trail is located on an adjacent reserve, a sidewalk shall not be required.
3. Sidewalk may be located as 4' sidewalk on both sides of ROW or as 6' sidewalk on one side of ROW.
4. Utility locations are schematic in nature. Actual location may vary due to engineering limitations.
5. Direct driveway access to a minor collector shall not be allowed for lots closer than 500' to a major arterial intersection.



Notes:

1. Sidewalk(s) may be located outside of right-of-way within an approved sidewalk easement.
2. Minimum sidewalk width is 6' on both sides of right-of-way.
3. Where buildings have a 0' setback from the right-of-way, sidewalks shall be provided between the building and edge-of-pavement.
4. The Village Center Local section may only be located within the Village Center area.
5. Center turn lane may be provided when necessary at intersections with Major Thoroughfares.
6. Architectural features of buildings may encroach into the right-of-way a maximum of five (5) feet.
7. When angled on-street parking is not desired, the standard 50' Local street section shall apply.
8. Parking will not be allowed at public street intersections to accommodate an extended pedestrian island and reduced pedestrian crossing distances.

# Meridiana

## Exhibit 13: Street Section - Village Center Local

Brazoria County, Texas

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January 7, 2022

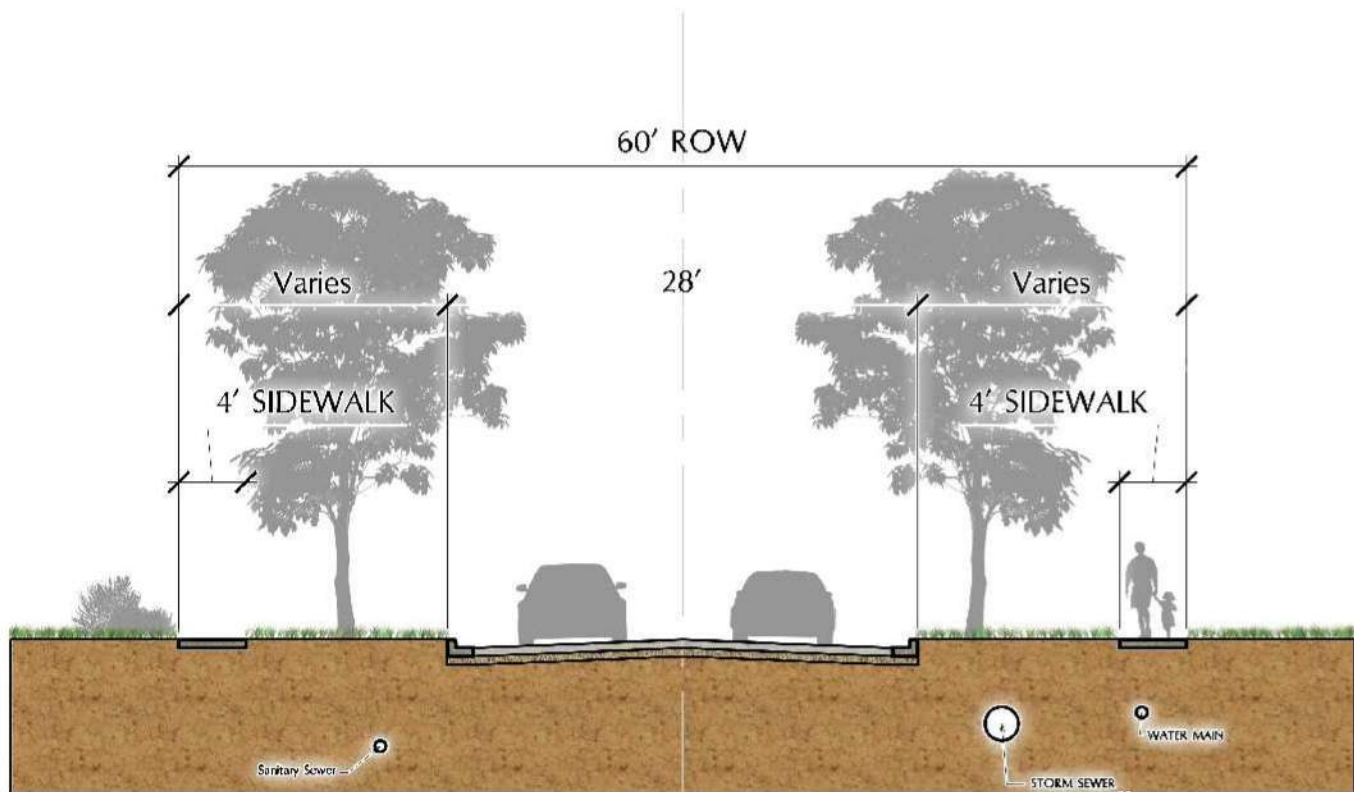
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TBPE No. F-726  
TBPLS No. 40000000

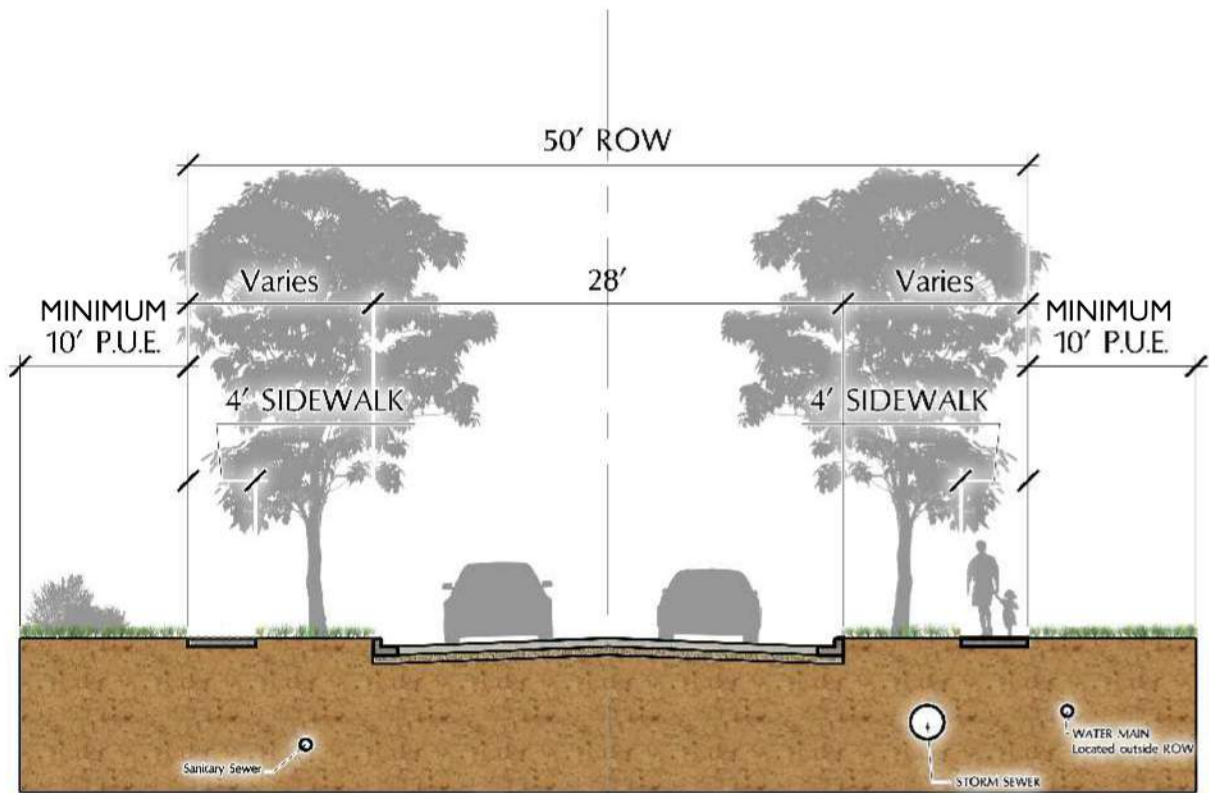
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(2) DRIVING LANES

Notes:

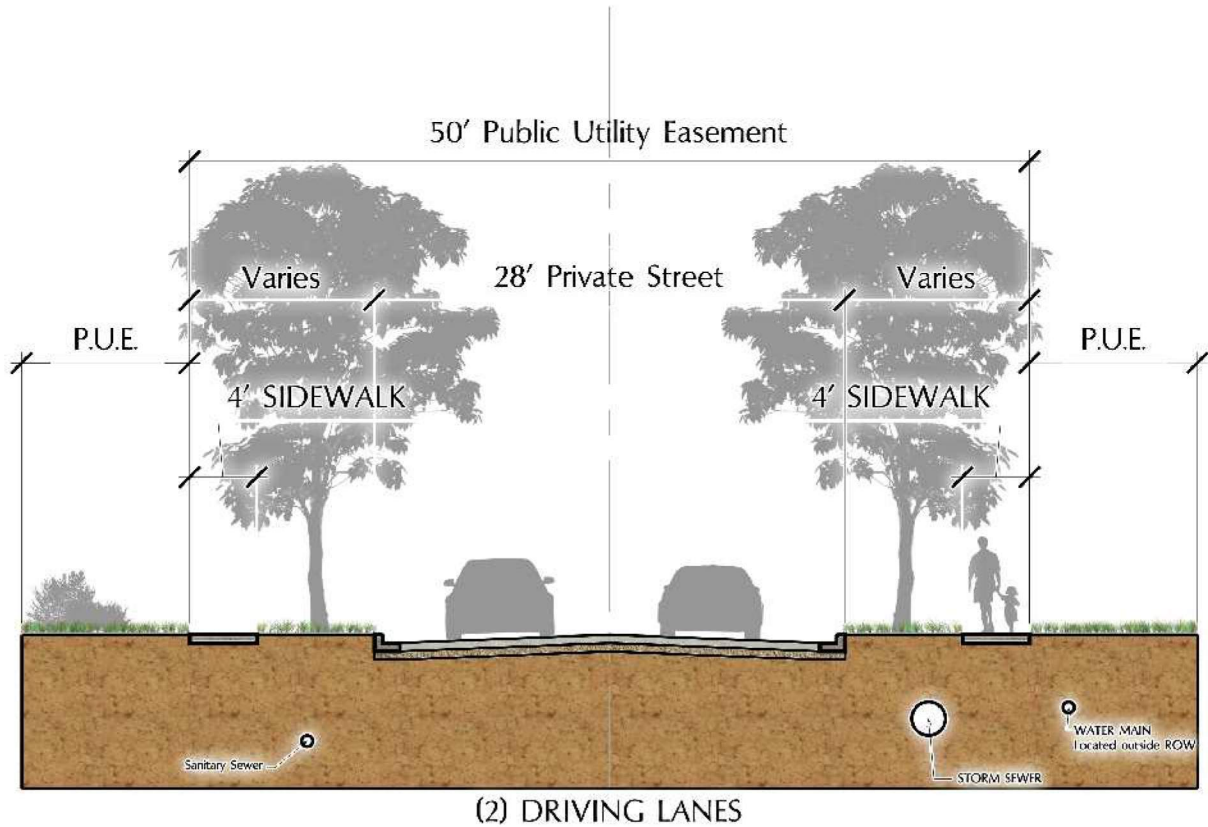
- 1. Sidewalk(s) may be located outside of right-of-way within an approved sidewalk easement.
- 2. If an existing or proposed trail is located on an adjacent reserve, a sidewalk shall not be required.
- 3. Utility locations are schematic in nature. Actual location may vary due to engineering limitations.
- 4. Where 4 foot sidewalks are provided, the sidewalk must conform to ADA standards regarding 5 foot passing space requirements at regular intervals.



(2) DRIVING LANES

Notes:

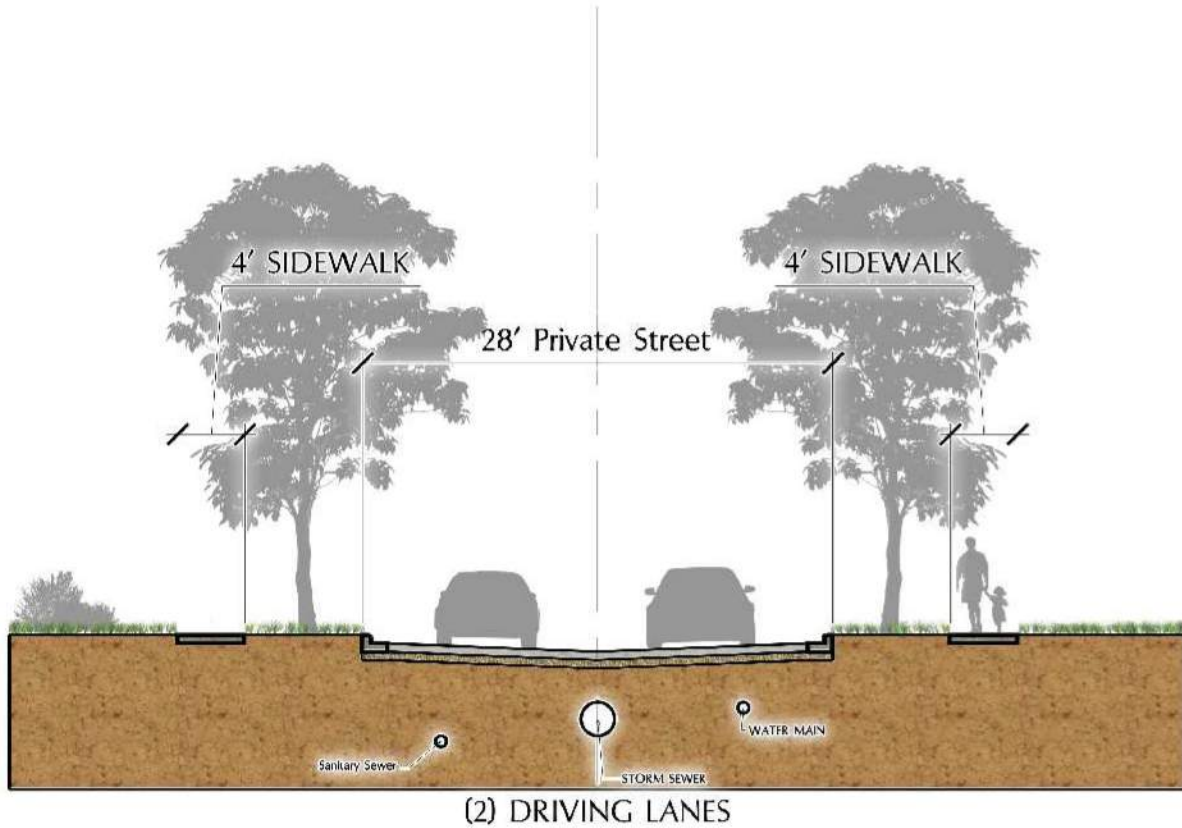
1. Sidewalk(s) may be located outside of right-of-way within an approved sidewalk easement.
2. If an existing or proposed trail is located on an adjacent reserve, a sidewalk shall not be required.
3. Utility locations are schematic in nature. Actual location may vary due to engineering limitations.
4. P.U.E. shall mean public utility easement.
5. Where 4 foot sidewalks are provided, the sidewalk must conform to ADA standards regarding 5 foot passing space requirements at regular intervals.
6. P.U.E.'s in excess of 10' may be required depending on final engineering design.



(2) DRIVING LANES

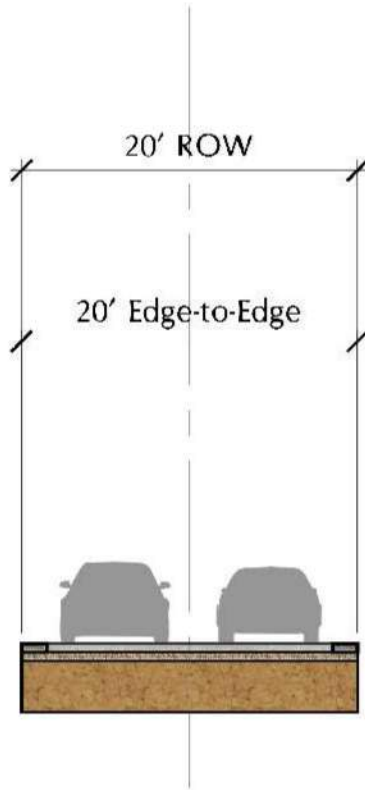
Notes:

1. Sidewalk(s) may be located outside of Public Utility Easement within an approved sidewalk easement.
2. If an existing or proposed trail is located on an adjacent reserve, a sidewalk shall not be required.
3. Utility locations are schematic in nature. Actual location may vary due to engineering limitations.
4. Any publicly owned or publicly maintained utility line shall not be located under street pavement with the exception of utility crossings or service line connections.
5. Where 4 foot sidewalks are provided, the sidewalk must conform to ADA standards regarding 5 foot passing space requirements at regular intervals.



Notes:

1. Private sidewalk(s) may be located on adjacent property within ten feet (10') of the private street.
2. If an existing or proposed trail is located on an adjacent reserve, a sidewalk shall not be required.
3. Utility locations are schematic in nature. Actual location may vary due to engineering limitations.
4. Any utilities located underneath private street shall be privately owned and maintained
5. Where 4 foot sidewalks are provided, the sidewalk must conform to ADA standards regarding 5 foot passing space requirements at regular intervals.



Notes:

1. Commercial alleys may not intersect with public streets closer than 50 feet to a public street intersection.
2. Commercial alleys shall not dead-end.

# Meridiana

## Exhibit 18: Street Section - Commercial Alley

Brazoria County, Texas

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January 7, 2022

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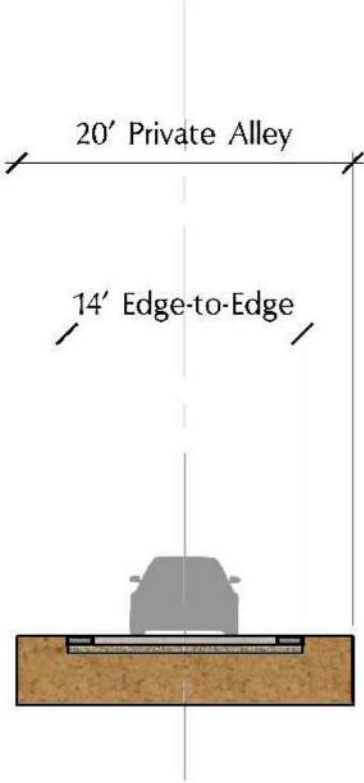
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TBPE No. F-726  
TBPLS No. 40000000

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intended use, desk  
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subject to change without notice.





- Notes:
- 1. Residential alleys shall be privately owned and maintained.
  - 2. Residential alleys shall be identified as one-way only.
  - 3. No public water or sanitary sewer utilities shall be allowed in residential alleys.
  - 4. Residential alleys may not intersect with public streets closer than 50 feet to a public street intersection.

## 8. Street Design Criteria

Streets within Meridiana shall conform to the following standards:

*Cul-de-sacs:* Cul-de-sacs within residential areas shall be measured along the centerline of the street from the nearest intersecting street to the center of the terminus bulb. The maximum length of cul-de-sacs in residential areas shall be determined by the number of vehicle trips generated per day, which shall not exceed 350. For the purposes of this requirement, the following standard shall apply:

Detached Units – 10 vehicle trips per day per unit (35 units)

Attached units – 8 vehicle trips per day per unit (44 units)

In no case shall cul-de-sacs exceed 1,200 feet in length.

Landscape “islands” having a maximum radius of sixteen (16) feet shall be permitted within cul-de-sac bulbs.

Cul-de-sacs in non-residential areas shall be considered on a case-by-case basis by the City’s Designated Official.

*Intersections:* Streets and alleys shall be designed to intersect as nearly as possible to right angles.

No street or alley shall intersect any other street at less than 70 degrees.

Property lines at intersections of major thoroughfares and collector streets shall transition with a 25 foot minimum radius curve. Property lines at intersections of neighborhood collector streets, local streets, type 1 private streets, and type 2 private streets shall transition with a 15 foot minimum radius curve. Property lines that intersect at less than 90 degrees shall transition with a 25-foot minimum radius curve.

Where alleys (either public or private) intersect with local streets, type 1 private streets, or type 2 private streets, property lines shall transition with a 15 foot minimum radius curve with a 20 foot minimum radius paving transition.

*Curves:* Curves along major thoroughfares shall be designed to meet or exceed minimum ASHTO standards. International Transportation Engineers (ITE) Context Sensitive Solutions shall be allowed.

Curves along collector streets shall have a minimum centerline radius of 300 feet. Reverse curves shall be separated by a tangent distance of not less than 100 feet.

Curves along local streets shall have a minimum centerline radius of 100 feet. Reverse curves shall be separated by a tangent distance of not less than 50 feet. This standard shall not apply to “L type” intersections. These types of intersections shall have a minimum centerline radius of 50 feet.

*Block Length:* Major thoroughfares shall have a maximum block length of 2,600 feet with the following exception:

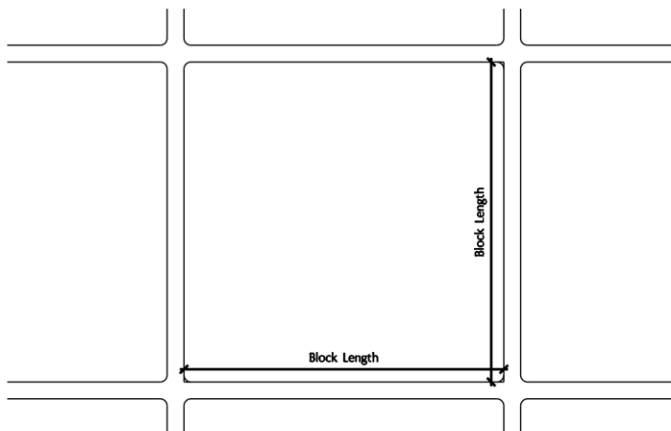
Major thoroughfares that run parallel to drainage features having a minimum width of fifty (50) feet shall have a maximum block length of 4,000 feet.

Collectors and neighborhood collectors shall have a maximum block length of 1,800 feet and local streets shall have a maximum block length of 1,200 feet with the following exceptions:

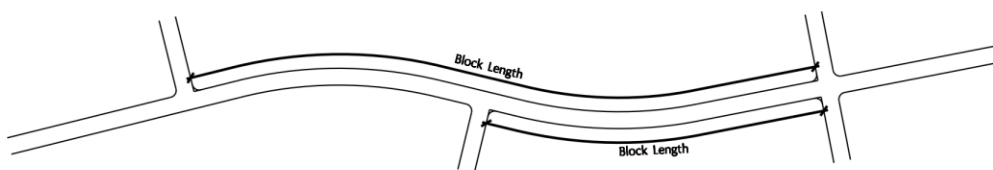
Crossings of bayous or canals shall only be required by streets that are identified as major corridors on the City’s Thoroughfare Plan.

The maximum block length along pipeline easements or drainage features having a minimum width of 50 feet shall be 2,000 feet.

Block length shall be measured between intersections from edge of right-of-way to edge of right-of-way.



Traditional Block Length Measurement



Curvilinear Block Length Measurement

In cases where multiple blocks may exceed 2,400 feet and pedestrian connections are not provided, the City’s Designated Official may require that a reserve, having a minimum width of twenty (20) feet, be provided in order to accommodate such a connection if it would significantly improve overall pedestrian circulation within the development. Where physically possible, a minimum thirty (30) feet wide emergency access reserve that connects the Meridiana boundary with a public street must be provided a minimum of every 2,400 feet along the Meridiana boundary unless determined to be unnecessary by the City’s Designated Official.

*Points of Access:* All subdivision sections containing more than thirty-five (35) lots shall have a minimum of two points of access. A divided or boulevard entry consisting of two (2) 20-foot wide travel lanes separated by a median having a minimum width of 14 feet shall be acceptable in all circumstances and shall be considered two points of access for these purposes provided that the divided

paving section extends to the first intersecting street that is not a cul-de-sac and continues to provide two points of access to all other parts of the subdivision except cul-de-sac streets. Parking along the divided entry shall be prohibited. A divided or boulevard entry with a loop shall be considered two points of access. If loop is not completed and there are over thirty-five (35) lots, a temporary emergency access easement shall be provided until such point that the loop has been completed.

All subdivision sections, regardless of the number of lots, will require a minimum of two points for emergency protection access. One of the points may be gated with a 911 emergency gate/KNOX lock box system for emergency protection personnel use only.

*Lot Frontage:* Each single family, patio home and townhome lot shall have frontage on a neighborhood collector, local street, type 1 private street, type 2 private street or common area.

Lots may not front onto Neighborhood Collectors within 500 feet of any intersection with a Major Thoroughfare.

Lots that front on a common area must have vehicular access provided by a local street, type 1 private street or type 2 private street. In addition, the common area must have a minimum dimension of twenty (20) feet.

Lots that are 70 feet in width or greater must front on a neighborhood collector or local street having a minimum right-of-way of 60 feet.

Lots may not have direct vehicular access to a major thoroughfare or collector street unless the lot is one acre or greater in size and provides a turnaround that prohibits vehicles from backing onto the major thoroughfare or collector.

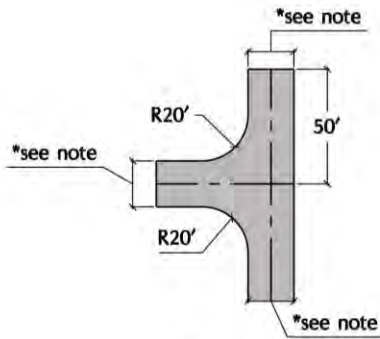
*Dead-End Streets:* Type 2 private streets may extend up to 150 feet without a turnaround. Dead-end Type 2 private streets that exceed 150 feet in length shall provide a turnaround in accordance with the

diagram shown below. Dead-end streets other than Type 2 Private Streets shall be terminated with a cul-de-sac.

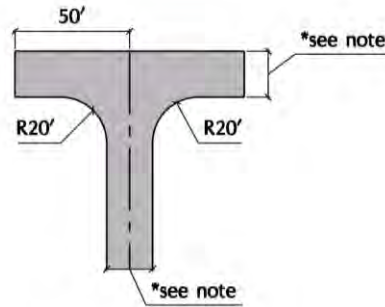
*Dead-End Alleys:* Residential alleys may extend up to 150 feet without a turnaround. Dead-end residential alleys that exceed 150 feet in length shall provide a turnaround in accordance with the diagram shown below. All other alleys may not dead-end.

*Shared Driveways:* Residential shared driveways may extend a maximum of 75 feet as measured along the centerline of the shared driveway starting from the intersection with the public street.

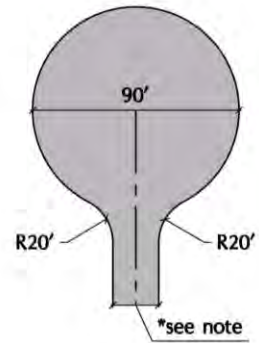
**TYPE 2 PRIVATE STREET & ALLEY TURNAROUND OPTIONS**



"L" Turn-Around



"T" Turn-Around



Turn-Around

\*Dimension shall match the corresponding paving width

Any deviation from this section shall be considered on a case by case basis and shall require written approval from the City's Designated Official.

**9. Street Sidewalks**

Sidewalks shall be provided in accordance with the following schedule:

<b>TABLE 3</b>			
<b>Sidewalk Requirements</b>			
<b>Street Type</b>	<b>Minimum Requirement</b>		
<b>Major Arterial</b>	6 foot sidewalks shall be provided on both sides of the street	<b>OR</b>	An 8 foot sidewalk shall be provided on one side of the street (1)
<b>Village Center Major Arterial</b>	6 foot sidewalks shall be provided on both sides of the street.		
<b>Major Collector</b>	4 foot sidewalks shall be provided on both sides of the street (2)	<b>OR</b>	A 6 foot sidewalk shall be provided on one side of the street
<b>Minor Collector</b>	4 foot sidewalks shall be provided on both sides of the street (2)	<b>OR</b>	A 6 foot sidewalk shall be provided on one side of the street
<b>Local Street</b>	4 foot sidewalks shall be provided on both sides of the street (2)		
<b>Village Center Local Street</b>	Where buildings have a zero (0) foot setback, ten (10) foot sidewalks with landscaping shall be provided. Where buildings have a setback greater than zero (0), 6 foot sidewalks shall be provided.		
<b>Private Street (Type 1)</b>	4 foot sidewalks shall be provided on both sides of the street (2)		
<b>Private Street (Type 2)</b>	4 foot sidewalks shall be provided on both sides of the street (2)		

\* 6 foot sidewalks shall be provided at bridge crossings

- (1) Single sidewalk width along major arterials shall be 10' along non-single family residential areas or within 300' of an intersection with another major arterial.
- (2) Where 4 foot sidewalks are provided, the sidewalk width must conform to ADA standards regarding 5 foot passing space requirements at regular intervals.

Generally, sidewalks should be constructed within the right-of-way. However, sidewalks along Type 2 Private Streets shall be constructed on private property within a sidewalk easement located within 10 feet of the edge of paving. Sidewalks



adjacent to open space areas may meander between the right-of-way and open space when desired. When trails exist or are proposed on an adjacent reserve of open space area, sidewalks shall not be required provided that the trail is constructed of concrete. If a sidewalk is provided on only one side of the street and it meanders outside the right-of-way, it must return to the right-of-way at least every 1,400 feet.

Deviations from the above schedule will be considered on a case by case basis, subject to approval by City's Designated Official.

## **F. Parks, Open Space & Trails**

### **1. Parks & Open Space**

Parks and Open Space will be the central feature of the community and its identity. Meridiana will celebrate and draw upon the natural beauty of the West Fork of Chocolate Bayou by establishing a "bayou greenbelt" system that stretches throughout the community. At the heart of this system will be the West Fork of Chocolate Bayou itself. The Bayou will be preserved to the greatest extent possible. There will be no clear cutting and the introduction of concrete structures will be minimized. In addition to Chocolate Bayou, several man-made detention basins will be created that will extend out into the community from the Bayou. These detention basins will be contoured and landscaped to resemble natural bayous forming the backbone of the open space system and providing a common "thread" that binds the community together both physically as well as socially.

In addition to the bayou greenbelt, many active recreational facilities will be developed and built within Meridiana, ranging from small pocket parks to the larger neighborhood parks which will be connected through an extensive pedestrian trail system. This will be the backdrop for many leisure activities. If needed, school playgrounds and athletic fields, when not servicing educational needs are anticipated to be available to community residents for informal or organized use. The Parks, Open Space, & Trails Plan illustrates the proposed parks and open space areas within Meridiana.

The City of Iowa Colony planned unit development regulations require that not less than 5% of the total area of development be set aside for open space, not including utility easements, drainage easements, and detention basins. Based on a total area of 1,170.1 the open space requirement for Meridiana is 58.5 acres.

Approximately 273.1 acres of land within the Iowa Colony portion of Meridiana is planned to be designated as parks and open space. The following table indicates the amount of open space to be provided relative to the standard requirement.

<b>TABLE 4</b>				
<b>Open Space</b>				
	<b>Required</b>		<b>Provided</b>	
<b>Land Use</b>	<b>% of gross acreage</b>	<b>Acreage</b>	<b>% of gross acreage</b>	<b>Acreage</b>
<b>Parks &amp; Open Space (POS)</b>	5%	58.5	23%	273.1

The recreation and open space areas, besides providing areas for neighbor interaction, will provide physical separation, buffer zones, and transitions between areas of development. The undeveloped open space portion of the project is preserved to provide the communities with “passive” recreational opportunities and to maintain a visual barrier between adjacent uses.

Parks greater than twenty (20) acres in size shall be dedicated to the City. Parks less than twenty (20) acres in size will be owned and maintained by a Municipal Utility District or the Home Owner’s Association, with the exception of any park areas that the City may choose to accept. Other than a few private areas, such as Recreation Centers and pools, all parks and open space areas will allow general public use. Open space areas shall include pipeline and utility easements, drainage ways, and wet and dry detention areas provided that a minimum of 58.5 acres of open space is unencumbered by such features.

The Parks, Open Space, & Trails Plan is preliminary in nature. The specific location of individual parks or open spaces may be moved or combined as the design and development of Meridiana moves forward. The city will be notified of any changes to the Parks, Open Space, & Trails Plan.

**2. Trails**









In addition to the required street sidewalks, Meridiana will feature an extensive trail system that will extend throughout the community providing access to the various destination centers, including the village center, commercial areas, recreation

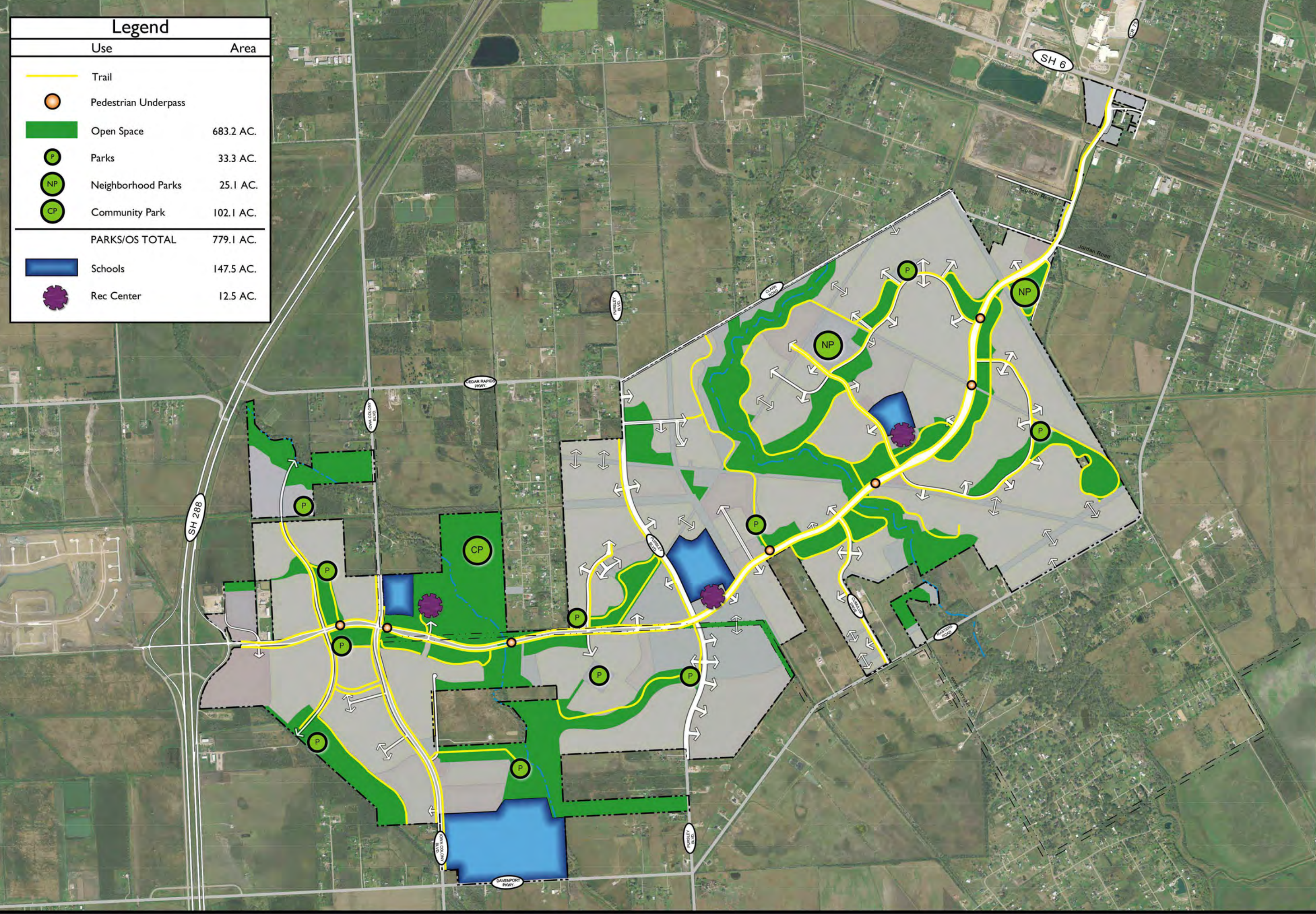
centers, schools, and parks. This system may be comprised of both paved and unpaved trails and will be linked to the required sidewalks throughout the community. The trail system within Meridiana will be maintained by the Municipal Utility District or Home Owner's Association.

Pedestrian underpasses will be located at strategic locations along Meridiana Parkway to allow residents to safely access areas of the community on both sides of the parkway by avoiding pedestrian/auto conflicts. This will help to create a unified community that is walkable and promotes healthy lifestyles. In addition, the trail system will feature distinctive signage that will assist residents with way finding.

The Parks, Open Space, & Trails Plan identifies the proposed location of trails within Meridiana. Trails may be paved or unpaved and constructed of materials that are appropriate for the specific application. The Parks, Open Space, & Trails Plan is preliminary in nature. The specific location of individual trails may be moved or combined as the design and development of Meridiana moves forward. The city will be notified of any such changes.

All trails along roadways shall follow the guidelines as set forth in Table 3. All other trails not along roadways shall be a minimum of 4 feet in width.

Legend		
Use	Area	
	Trail	
	Pedestrian Underpass	
	Open Space	683.2 AC.
	Parks	33.3 AC.
	Neighborhood Parks	25.1 AC.
	Community Park	102.1 AC.
<b>PARKS/OS TOTAL</b>		<b>779.1 AC.</b>
	Schools	147.5 AC.
	Rec Center	12.5 AC.



# Meridiana

## Exhibit 20: Parks, Open Space, & Trails Plan

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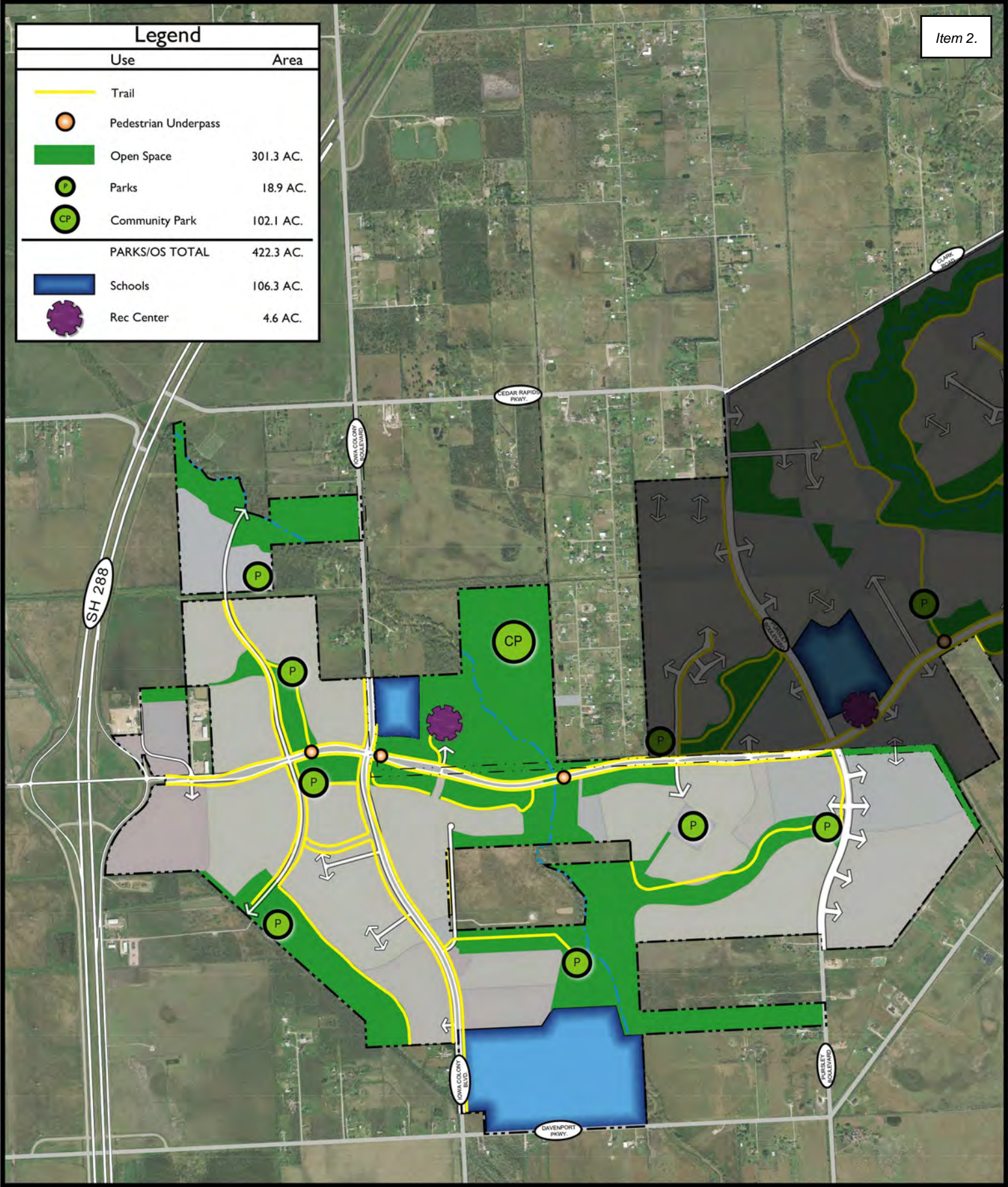
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Use	Area
 Trail	
 Pedestrian Underpass	
 Open Space	301.3 AC.
 Parks	18.9 AC.
 Community Park	102.1 AC.
<b>PARKS/OS TOTAL</b> 422.3 AC.	
 Schools	106.3 AC.
 Rec Center	4.6 AC.




**Meridiana**  
 Exhibit 21: Parks, Open Space, & Trails Plan - Iowa Colony  
 Brazoria County, Texas

January 7, 2022  
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## **G. Infrastructure**

### **1. Municipal Utility Districts**

Meridiana is served by a total of three municipal utility districts, they are: Brazoria County MUD #55, #56, and #57. Brazoria County MUD #55 is located within the City of Iowa Colony with the remaining two located in the City of Manvel. These districts will be responsible for providing public utility service to the project. The City of Iowa Colony shall have the option to assume the maintenance and operation of MUD constructed facilities. The specific terms, conditions, and timing of any transfer of MUD facilities to the City will be the subject of a separate utility agreement to be executed between the appropriate MUD and the City.

The MUD boundaries for Meridiana are illustrated on the MUD exhibit. All property within the Project Area with the exception of land located within the “Alvin 100 foot city limit strip” shall be located within a MUD. MUD boundaries may be changed or MUDS may be combined subject to TCEQ regulations.

### **2. Water**

The water distribution system within Meridiana will be designed to meet or exceed the City of Iowa Colony and TCEQ requirements. One water plant is anticipated in Iowa Colony and one in Manvel. These plants will have an emergency interconnect to form a cohesive system. Water wells, ground storage tanks, pressure tanks, and booster pumps will be constructed as necessary to meet demand.

The size of water distribution lines will vary based on the ultimate needs of the community. The City of Iowa Colony may choose to participate in the cost of facilities to be oversized in order to serve other areas outside of the boundaries of Meridiana.

### **3. Wastewater**

The wastewater collection and distribution system within Meridiana will be designed to meet or exceed the City of Iowa Colony and TCEQ requirements. Wastewater generated within the development will be collected by an internal network of gravity flow lines and lift stations and treated at one of two wastewater treatment plants which are anticipated to serve the Overall Project. One plant is planned to be located within the City of Iowa Colony and one in the City of Manvel. These plants will be constructed in phases as the project develops.

The size of wastewater collection lines will vary based on the ultimate needs of the community. The City of Iowa Colony may choose to participate in the cost of facilities to be oversized in order to serve other areas outside of the boundaries of Meridiana.

#### **4. Storm Drainage & Detention System**

The drainage plan and storm sewer system will be designed in accordance with City of Iowa Colony and Drainage District # 5 regulations. The storm water runoff within Meridiana will be routed through a curb and gutter street system to storm sewer lines that will outfall into detention basins contoured and landscaped to resemble natural bayous throughout the community. The internal detention basins will provide storage volume for the increased storm water runoff resulting from development of the property, but will also be incorporated as amenity features and open space integrated into the theme of the community. The storm water from the detention basins will outfall in a controlled fashion into Chocolate Bayou or the West Fork of Chocolate Bayou at a rate no greater than the pre-development rate of storm water runoff.

The drainage collection systems will be designed to convey the 100-year sheet flow either in the collection system near the outfall point or by sheet flow drainage through the curb and gutter streets with maximum ponding per agency requirements. The proposed internal detention basin system will be sized to contain the excess run-off resulting from a 24 hour 100-year frequency rainfall event for developed and undeveloped conditions with a minimum freeboard of one foot before out falling into the receiving stream. The storm sewer system will consist of reinforced concrete pipe and box culverts sized per agency requirements. Concrete channelization will be minimized.

#### **5. Flood Plain Management**

The various drainage and floodplain management agencies serving the area have provided information and professional opinions indicating that the current FEMA "flood plain" maps for the Meridiana area do not accurately reflect actual existing conditions. Consequently, Meridiana is cooperating with the Chocolate Bayou Steering Committee to revise the existing flood plain maps to provide a more accurate map of existing pre-development conditions. Meridiana anticipates this map revision will be accomplished via a formal process known as a "Letter of Map Revision" (LOMR) application. This LOMR application will be based on the best

available data, such as more precise topographical surveys and more detailed computer models, and will result in a more reliable flood plain map for the existing conditions in the area. Once adopted by the local flood plain administrator and FEMA, the LOMR will form the baseline against which required flood plain mitigation volumes will be calculated.

City, county, and FEMA regulations require the elevations of building slabs to be at or above certain minimum elevations to protect people and structures and to reduce the probability of flooding. When Meridiana is developed, portions of the property, including portions of the flood plain, will be filled with soil in order to meet those minimum elevation requirements. When a flood plain area is filled, the volume of storm water storage displaced from the flood plain by the new fill must be replaced. This replacement volume is known as "flood plain mitigation". Flood plain mitigation is accomplished by excavating a nearby area within the same watershed as the area of fill with a volume equal to the volume of fill placed in the flood plain. This requirement ensures that the available flood plain storage volume is not decreased and that surrounding properties are not adversely affected. Meridiana will construct the required floodplain mitigation volume in accordance with city, county, and FEMA requirements and will prepare a LOMR to reflect the adjusted flood plain areas that will occur internal to the property as a result of development. No habitable structures shall be constructed within the floodway.

The Meridiana drainage system, including storm water detention and flood plain mitigation, will comply with applicable agency requirements to ensure no adverse impacts will result upstream or downstream due to development of Meridiana.

## 6. Other Utilities

Electricity, natural gas, telecommunications, and cable services will be provided to Meridiana through agreements with private utility companies as development occurs.

The location of above ground utility lines along Meridiana Parkway and collector roads will be minimized to the extent possible.

## 7. Schools

Meridiana is located within the Alvin Independent School District. A 12.6 acre elementary school and a 93.7 acre high school stadium site has been constructed within the Iowa Colony portion of the development. A 23 acre middle school has



been constructed in the Manvel portion of the project, and an additional 11.6 acre elementary school site is still planned.

The exact size and location of these sites is subject to an agreement between the developer and the Alvin Independent School District and is subject to change.

#### **8. Home Owner's Association & Architectural Review Committee**

A Home Owner's Association (HOA) has been created to promote community involvement, maintain common areas, and to enforce deed restrictions and covenants. Copies of these restrictions and covenants have been provided to the city for their review and comment prior to being recorded with the county clerk. The City of Iowa Colony will in no way be responsible for the enforcement of these private covenants.

In addition to the HOA, an Architectural Review Committee (ARC) will be established to ensure conformance to the development standards contained within the PUD and enforce design guidelines which shall be established separately.

Property Owner's Associations (POA) may be established for non-residential property owners for the same purposes as Homeowner' Associations.

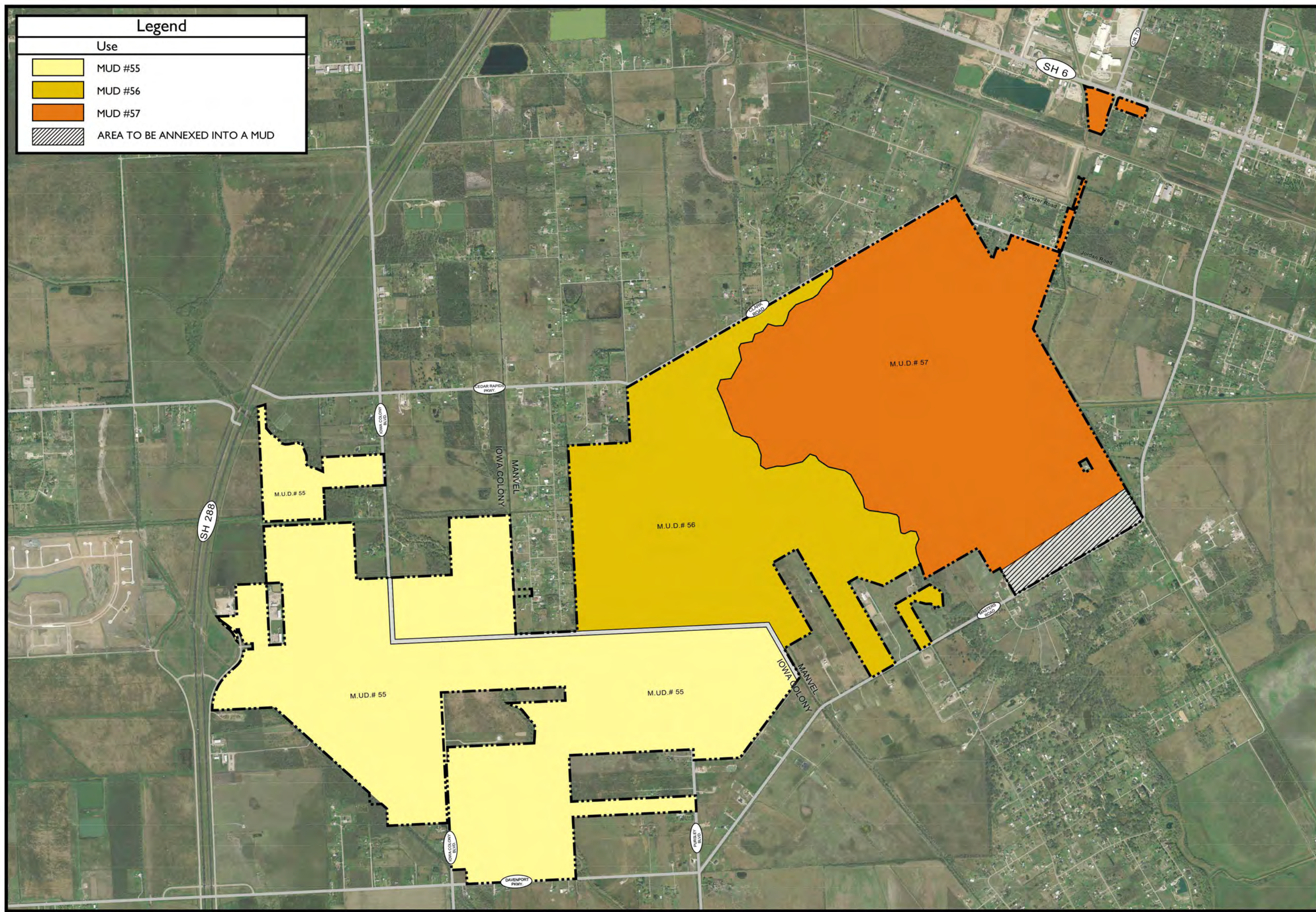
#### **H. Project Phasing**

The phasing strategy for Meridiana provides a balanced approach relative to anticipated market demands. The Project Phasing Plan illustrates the proposed phasing plan for Meridiana and indicates the estimated construction timing of each phase. This plan is subject to change based on market demands, availability of infrastructure, physical encumbrances, or legal limitations. The city will be notified of any changes to the Phasing Plan.

**Legend**

Use

- MUD #55
- MUD #56
- MUD #57
- AREA TO BE ANNEXED INTO A MUD



**Meridiana**  
Exhibit 22: MUD Map

Iowa County, Texas

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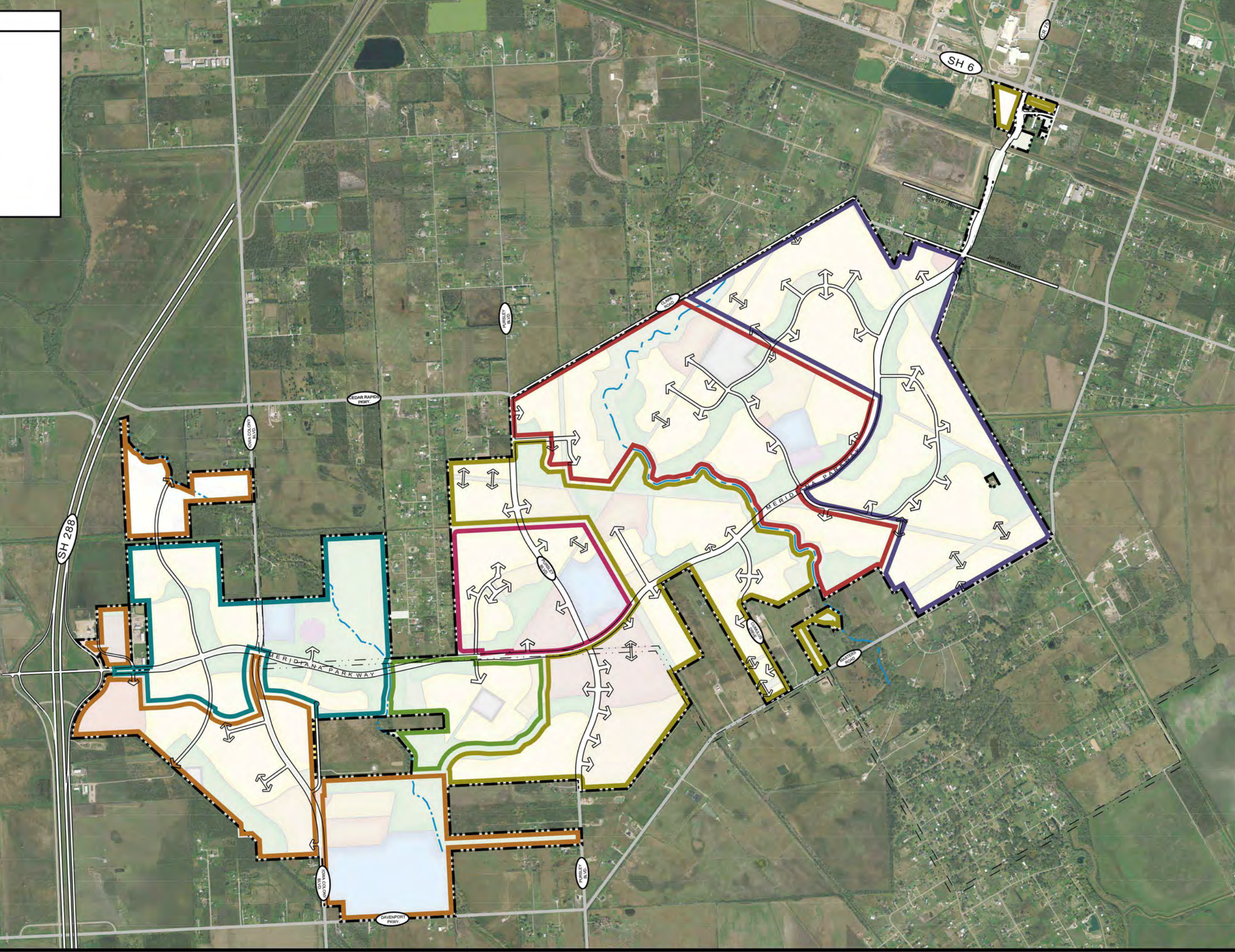
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Legend

- Phase 1
- Phase 2
- Phase 3
- Phase 4
- Phase 5
- Phase 6
- Phase 7










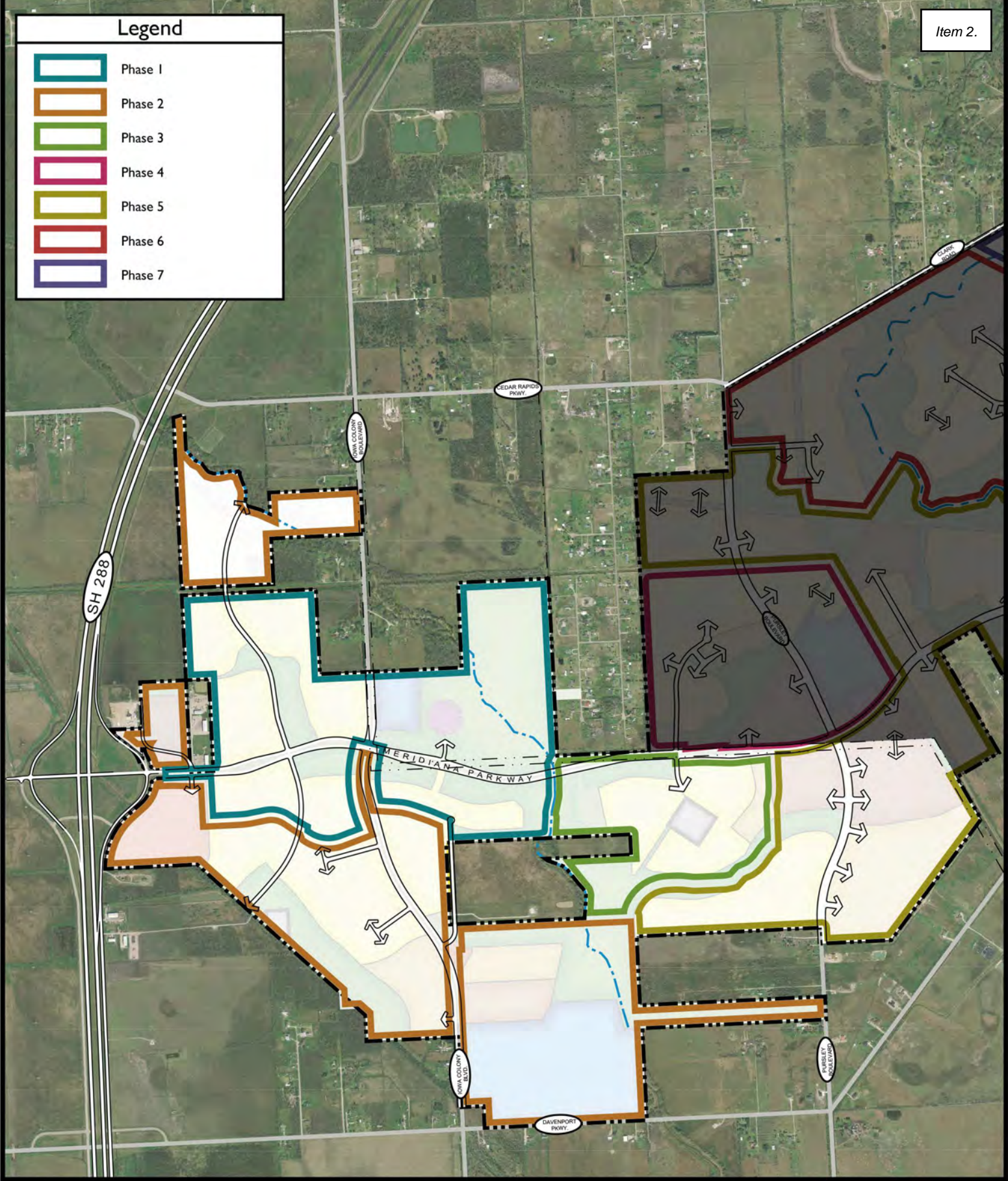
**Meridiana**

**Exhibit 23: Phasing Plan**



**Legend**

-  Phase 1
-  Phase 2
-  Phase 3
-  Phase 4
-  Phase 5
-  Phase 6
-  Phase 7



**Meridiana**  
 Exhibit 24: Phasing Plan - Iowa Colony

Brazoria County, Texas

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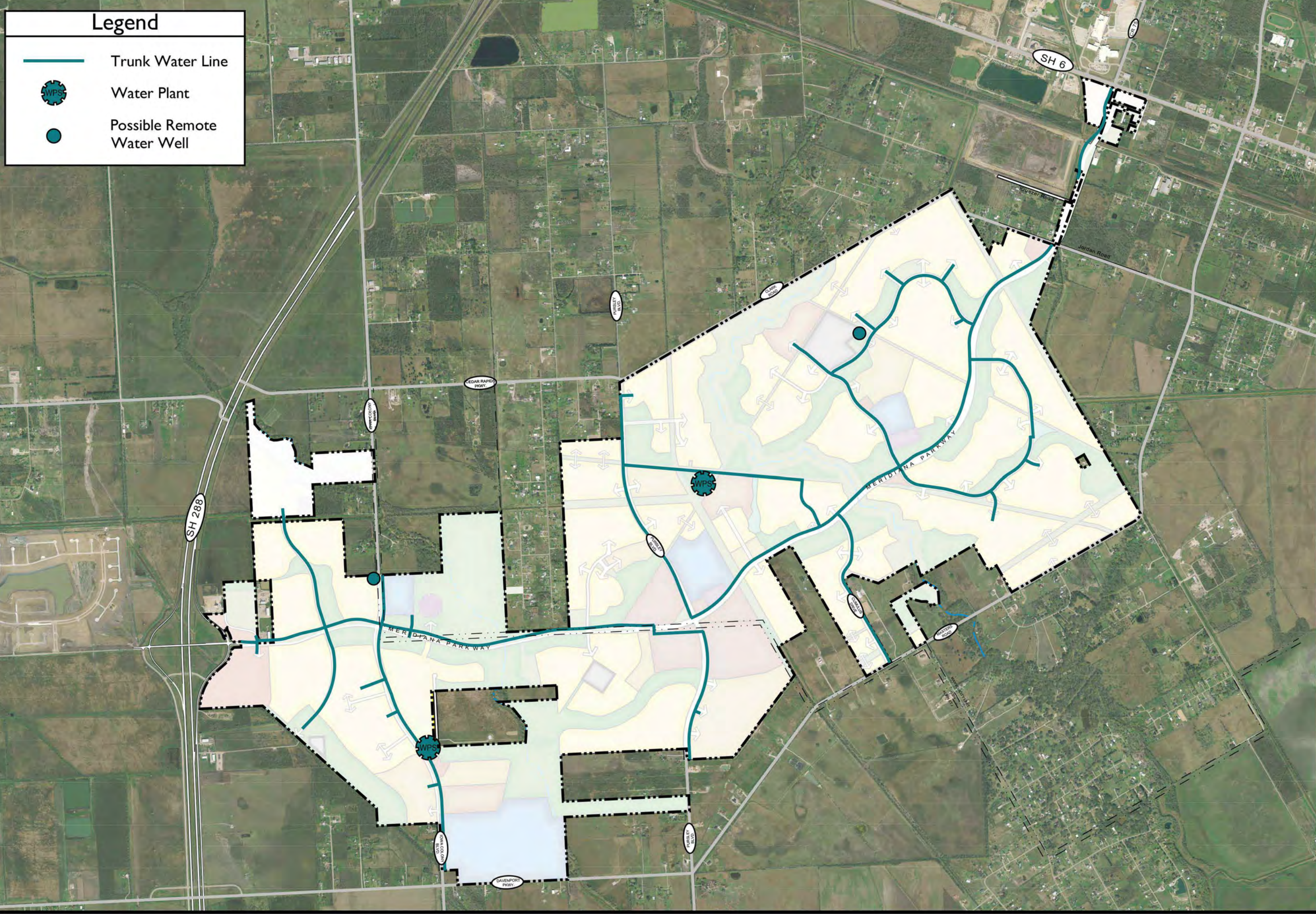
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**Legend**

-  Trunk Water Line
-  Water Plant
-  Possible Remote Water Well



**Meridiana**

**Exhibit 25: Waterway Supply and Distribution Plan**

Meridiana, Texas

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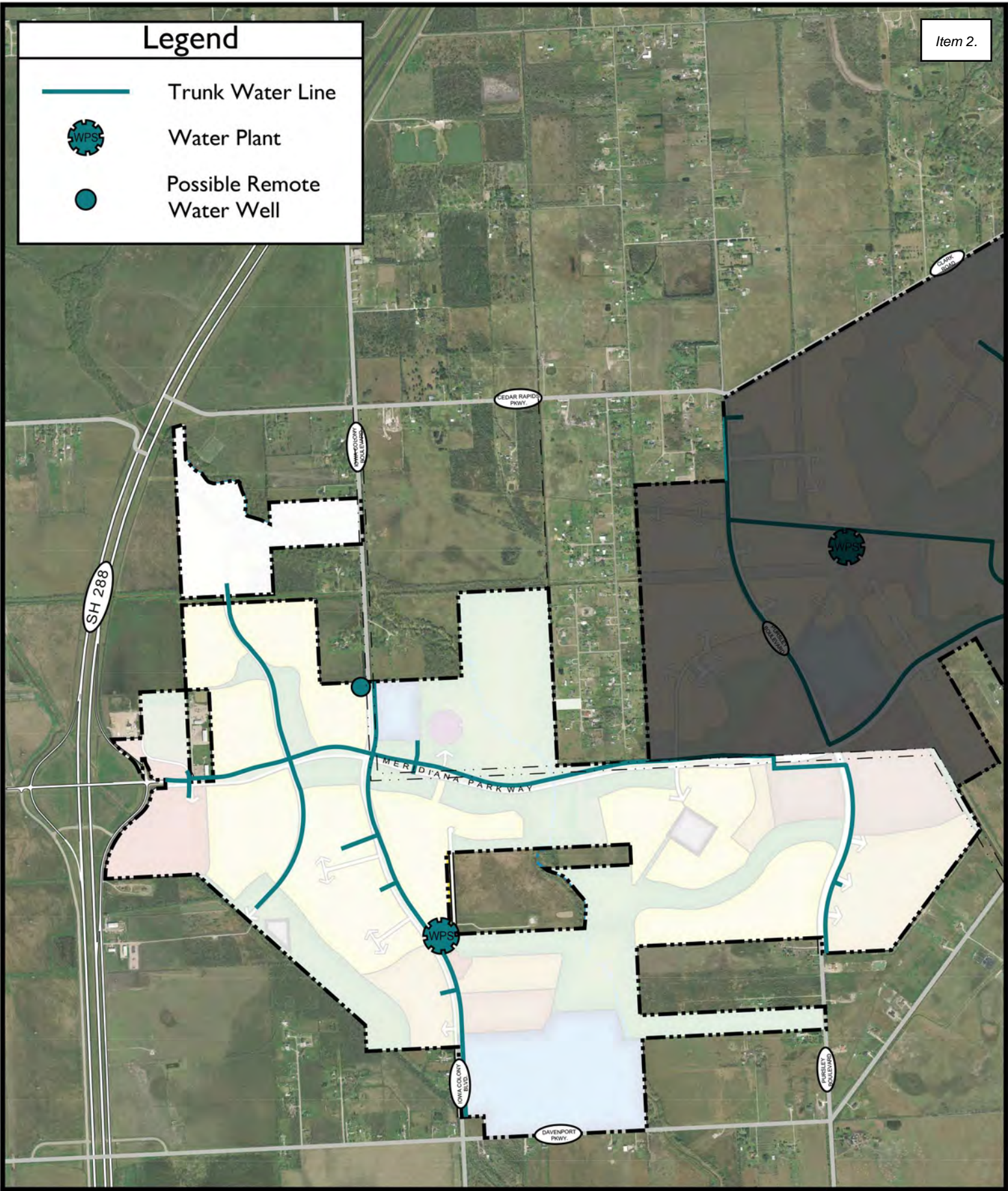
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Item 2.

# Legend

-  Trunk Water Line
-  Water Plant
-  Possible Remote Water Well



## Meridiana

### Exhibit 26: Water Supply and Distribution Plan - Iowa Colony

Brazoria County, Texas

January 7, 2022

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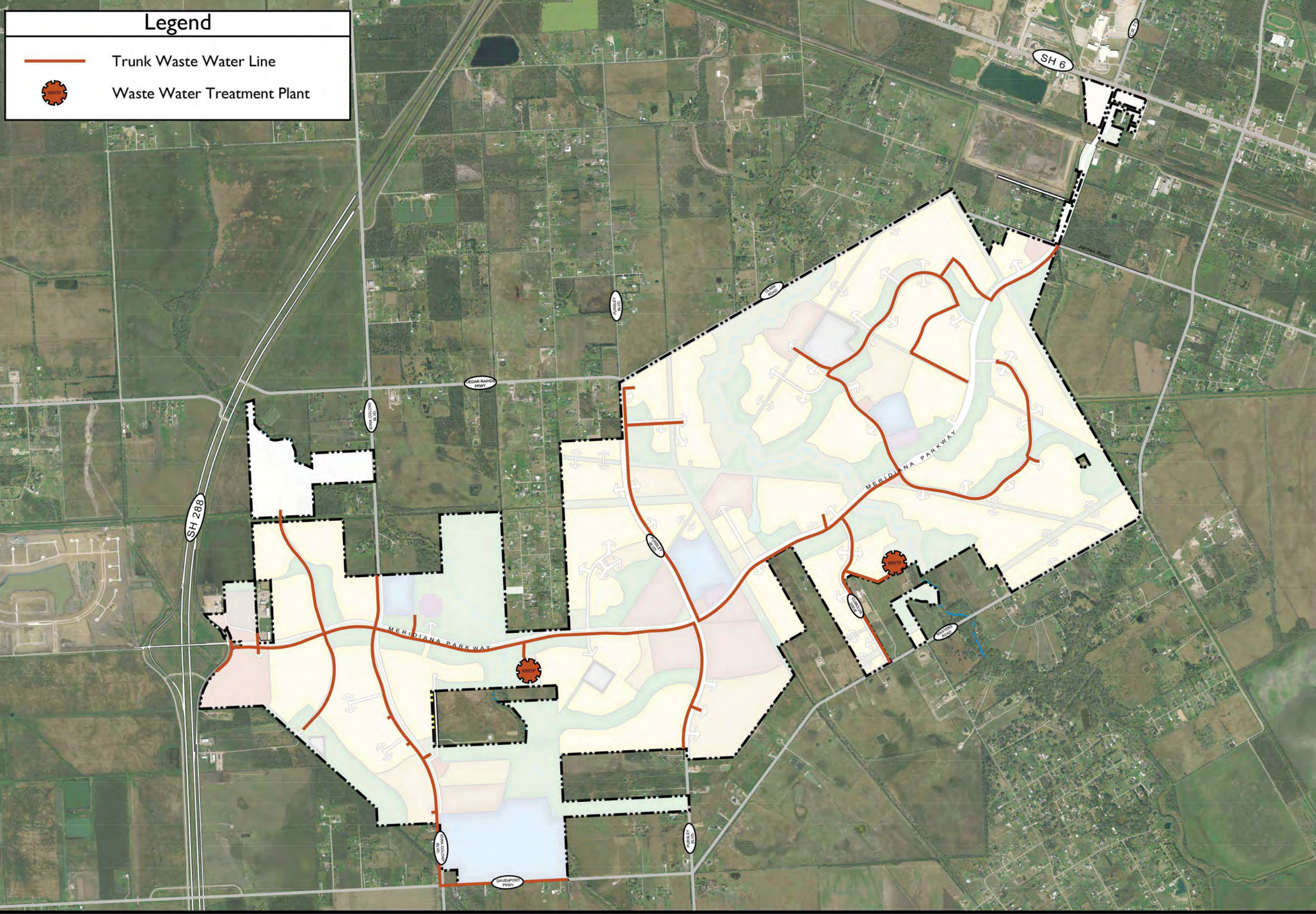
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# Legend

-  Trunk Waste Water Line
-  Waste Water Treatment Plant



## Meridiana Exhibit 27: Sanitary Sewer Collection and Treatment Plan

Meridiana, Texas

January 7, 2022

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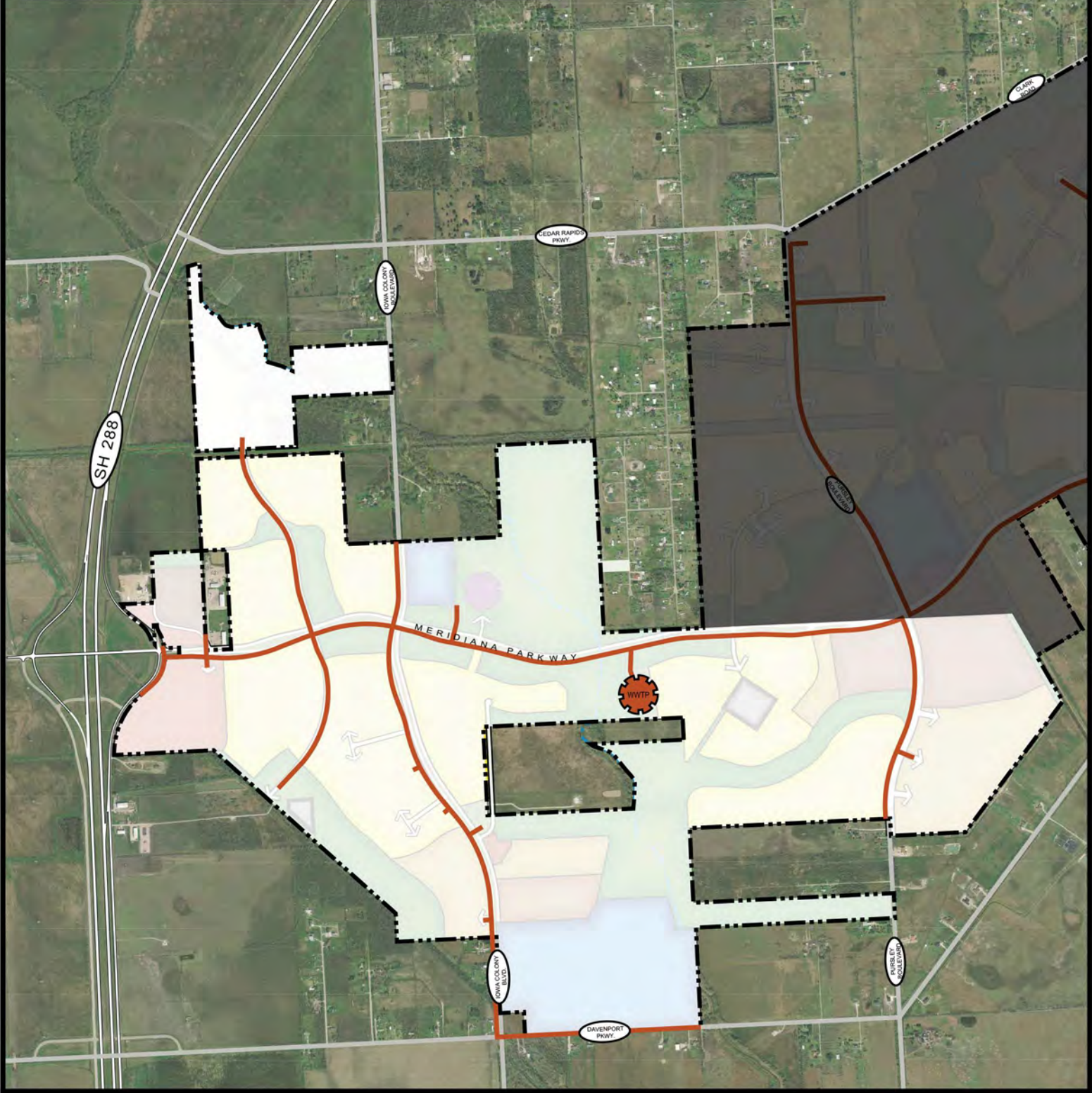
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TBPLS No. 1009

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### Legend

-  Trunk Waste Water Line
-  Waste Water Treatment Plant



**Meridiana**  
 Exhibit 28: Sanitary Sewer Collection and Treatment Plan - Iowa Colony

Brazoria County, Texas

January 7, 2022

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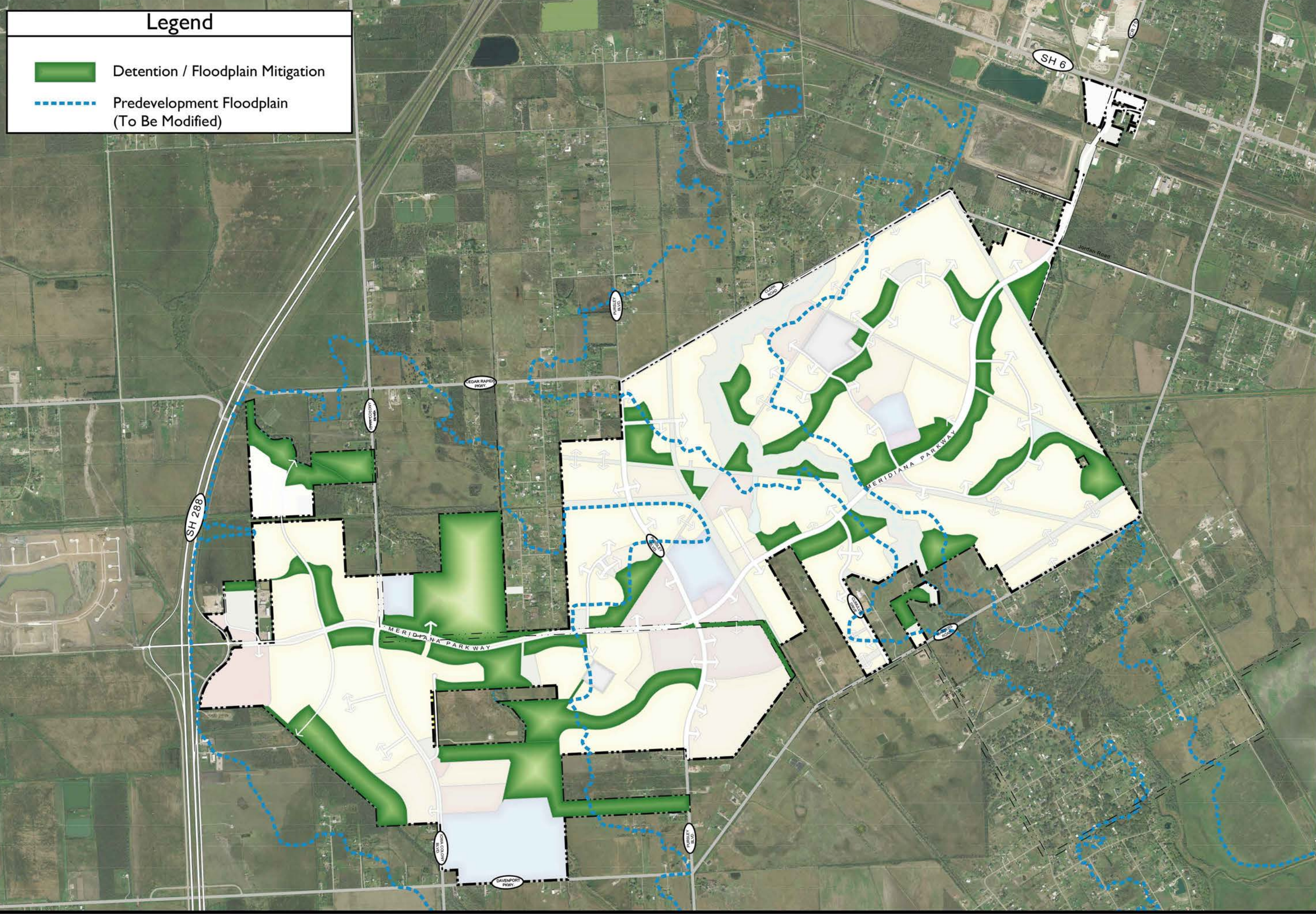
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# Legend

- Detention / Floodplain Mitigation
- Predevelopment Floodplain (To Be Modified)



## Meridiana Exhibit 29: Storm Water Detention and Floodplain Mitigation Plan

Meridiana, Texas

January 7, 2022

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# Legend

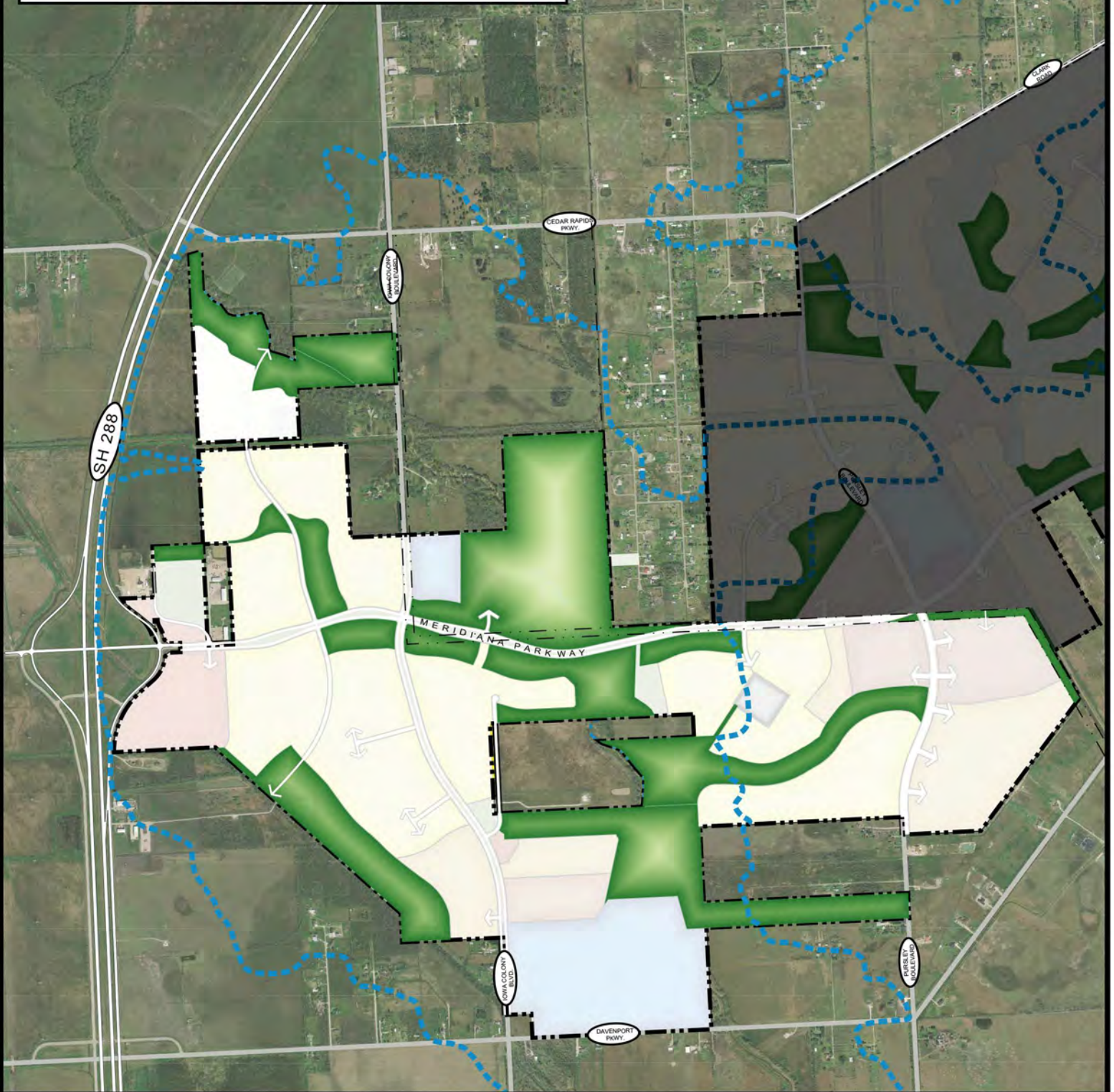


Detention / Floodplain Mitigation



Predevelopment Floodplain  
(To Be Modified)

Item 2.



## Meridiana

Exhibit 30: Detention and Floodway Mitigation Plan - Iowa Colony

Brazoria County, Texas

January 7, 2022

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### III. DEVELOPMENT REGULATIONS

#### A. Purpose & Intent

The purpose of the development regulations is to serve as the primary means of achieving the goals and objectives of the Development Plan.

They are designed to establish clear minimum development standards while providing a reasonable amount of flexibility in order to accommodate future needs.

#### B. General Provisions

##### 1. Applicability

The regulations contained herein shall apply to all property located within the boundaries of Meridiana PUD. Appendix 1 contains the legal description of the property.

All construction and development within the PUD area shall comply with applicable provisions of the City of Iowa Colony codes and ordinances as they exist on the date of adoption of this PUD and the laws of the State of Texas, except as modified within the amended PUD.

If specific development standards are not established or if an issue, condition, or situation arises or occurs that is not clearly addressed or understandable in the PUD, then those regulations and standards of the City of Iowa Colony codes and ordinances that are applicable for the most similar issue, condition, or situation shall apply as determined by the City's Designated Official. Appeal of any determination regarding applicability may be made to City Council.

This PUD may be amended by the same procedure as it was adopted, by ordinance. Each amendment shall include all sections or portions of the PUD that are affected by the change.

##### 2. Additional Uses

In the event that a proposed use has not specifically been listed as being a permitted use in a particular land use category within the PUD, it shall be the duty of the City's Designated Official to determine if said use is: 1) consistent with the intent of the zone; and 2) compatible with other listed permitted uses.

### 3. Non-Conforming Land Uses

Where, at the adoption of this PUD, a lawful use of land exists which would not be permitted by the regulations imposed by this PUD, such use may continue so long as it remains otherwise lawful, provided:

- No non-conforming use shall be enlarged, increased, or extended to occupy a greater area of land than was originally occupied at the date of adoption of this PUD.
- No non-conforming use shall be moved, in whole or in part, to any lot or parcel within the PUD.
- If any non-conforming use ceases for a period of more than 180 days, any subsequent use of the land shall conform to the regulations established by this PUD.
- No additional structures shall be erected in connection with any non-conforming use that does not conform to the regulations established by this PUD.

### 4. Non-Conforming Structures

Where, at the adoption of this PUD, a lawful structure exists which would not be permitted by the regulations imposed by this PUD, such structure may continue to exist so long as it remains otherwise lawful, provided:

- No non-conforming structure shall be enlarged, increased or extended beyond its size at the date of adoption of this PUD.
- In the event that any non-conforming structure or non-conforming portion of a structure is destroyed by any means to an extent of more than 50 percent of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the regulations established by this PUD.
- No non-conforming structure shall be moved, in whole or in part, to any lot or parcel within the PUD.

### 5. Existing Utilities

Existing utilities and all uses allowed by existing easements shall continue to be permitted in all designations within the PUD.

## 6. Drill Sites

Three drill sites currently exist within the Iowa Colony portion of Meridiana. Drilling activities on these sites shall be permitted provided that such activities comply with any and all state and local regulations.

## 7. General Development Plan

A general development plan illustrating all contiguous property under one ownership shall be submitted for approval of the Planning Commission prior to or simultaneously with the application for the first preliminary subdivision plat. The General Development Plan shall show the following:

- The alignment of any major thoroughfares and collector streets in accordance with the City's Thoroughfare Plan.
- All recorded easements
- Other proposed streets that are necessary to demonstrate an overall circulation system for the development
- Proposed land uses and public facilities

The General Development Plan shall eliminate the requirement of a master preliminary plat set forth in Section 20 of the City of Iowa Colony Subdivision Ordinance. Preliminary plats shall be required for each section of development with the exception of minor plats as defined by state law.

Preliminary plats should generally conform to the General Development Plan. Any significant change, as determined by the City's Designated Official shall require the submittal of a revised general development plan for approval by the Planning Commission.

## 8. Grading

The developer shall be permitted to commence grading of the property, including clearing and grubbing, in preparation of development upon preliminary plat approval. For road construction, grading may commence upon the submittal of construction drawings. However, prior to any grading activity a Storm Water Pollution Plan must be submitted and any required City of Iowa Colony grading permits must be obtained. The City may issue the necessary permits prior to the

approval of construction plans and plat recordation with the understanding that any grading performed under these circumstances shall be at the risk of the developer.

## 9. Temporary Uses

Temporary uses conducted in connection with the development of the property shall not require zoning permits from the city, but will require health and safety permits (electrical, plumbing, structural, HVAC, etc.). All temporary uses must be approved by the developer or the Architectural Review Committee. These uses may include, but are not limited to:

- Sales office
- Construction office
- Construction/storage yards
- Construction roads
- Fencing
- Water pumps and ponds
- Concrete batch plants or rock crushing operations and equipment for the processing of on-site materials provided such operations:
  - a.) Maintain a 1,000 foot separation between all operations or storage and the nearest occupied residence;
  - b.) Limit hours of operation to between 7:00 a.m. and dusk, Monday through Friday;
  - c.) Do not include the import or export of materials except as to be used on the property or for off-site improvements related to the project.
  - d.) Are enclosed by a solid fence having a minimum height of six (6) feet.

## **10. Design Guidelines**

Design guidelines will be created which will address site and building design within Meridiana. The purpose of these guidelines will be to preserve the character of Meridiana by establishing high quality design standards for development. Copies of these guidelines have been provided to the city prior to recordation with the county clerk.

## **11. Lighting**

All lighting within Meridiana will be subject to standards established in the project design guidelines. These standards will help to ensure that attractive, high quality lighting is provided throughout the community.

## **12. Site Development Standards**

The exhibits contained in this PUD satisfy the requirements of Section 74 (e) of the City of Iowa Colony Zoning Ordinance regarding a “Preliminary Site Plan”. The “Final Site Plan” required by Section 74 (f) of the City of Iowa Colony Zoning Ordinance shall be the same “Final Plan” to be submitted with the final subdivision plat as referenced below.

Development standards will be created for all residential and commercial development within Meridiana. The developer shall submit an “outline development plan” containing to the degree practical the items required by Section 27 (B) of the City of Iowa Colony Subdivision Ordinance with the preliminary plat. A “final plan” containing to the degree practical, the items required by Section 27 (G), (H) and (I) of the subdivision ordinance with each final plat.

## C. Development Standards

### 1. Single Family Residential (SFR)

*Purpose:* The Single Family Residential category is intended for the development of detached, single family dwelling units and compatible uses. This district is designed to allow a variety of housing choices in order to create a viable community while allowing for a reasonable amount of flexibility to accommodate ever-changing market demands.

*Permitted uses:*        Accessory structures

Community centers

Drill sites

Entry features & monuments

Institutional uses

Minor utilities

Open space

Parks

Recreational facilities

Religious assembly

Single family homes

Temporary uses

*Minimum Lot Area:*    5,750 square feet

*Minimum Lot width:* 50 feet at the building setback line

*Minimum Setbacks:*

Front:                    20 feet

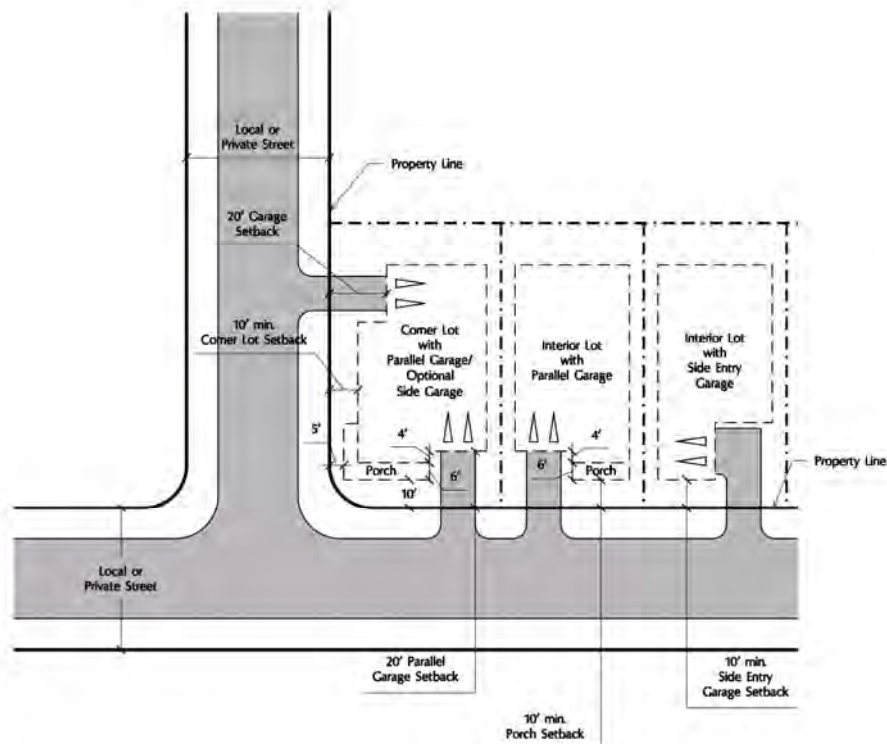
20 feet on cul-de-sacs and knuckles regardless of lot width



- 5 feet for lots that front on a common area
- Rear: 15 feet\*\*  
20 feet for lots that front on a common area
- Side: 5 feet\*\*
- Corner: 10 feet\*

\*Porches (if provided) may encroach into the front setback up to ten (10) feet provided they have a minimum depth of six (6) feet. On corner lots, porches may encroach into the side setback up to five (5) feet provided they have a minimum depth of six (6) feet. Where garages face directly onto a street with the garage door parallel to the street, the garage must meet the minimum setback requirement. Side-entry garages where the garage door is perpendicular to the street may be set back a minimum of ten (10) feet. (See lot diagram below)

### SINGLE FAMILY LOT DIAGRAM



**\*\*One Story accessory structures may be setback three (3) feet from the rear or side property lines provided that they do not encroach into any utility easement. Accessory structures greater than one story in height must comply with the minimum setback requirements.**

Architectural features may encroach into the setback area a maximum of three (3) feet and may not extend more than five (5) feet above the principal structure.

*Maximum Building Height:* Two (2) stories. Three (3) stories may be allowed with fire marshal approval.

*Parking Requirement:* Shall comply with the parking standards established in this section.

## **2. Patio Home (PH)**

*Purpose:* The Patio Home category is intended for the development of detached, single family dwelling units. Patio homes may have a zero (0) foot side setback on one of the interior lot lines or five (5) feet side setbacks on both sides at the discretion of the developer, but all homes shall be separated by a minimum of ten (10) feet.

*Permitted uses:*

- Accessory structures
- Community centers
- Entry features & monuments
- Institutional uses
- Minor utilities
- Open space
- Parks
- Patio homes
- Recreational facilities
- Religious assembly
- Single family homes

Temporary uses

*Minimum Lot Area:* 4,400 square feet

*Minimum Lot width:* 40 feet at the building setback line

*Minimum Setbacks:*

Front: 20 feet\*

5 feet for lots that front on a common area

Rear: 10 feet\*\*

20 feet for lots that front on a common area

Side: Zero (0) feet on one side provided that there is a minimum of ten (10) feet between structures. A minimum of fifteen (15) feet is required between one (1) and three (3) story structures. Five (5) feet side setbacks are also acceptable provided that there is a minimum of ten (10) feet between structures.

Corner: 10 feet\*

\*Porches (if provided) may encroach into the front setback up to ten (10) feet provided they have a minimum depth of six (6) feet. On corner lots, porches may encroach into the side setback up to five (5) feet provided they have a minimum depth of six (6) feet. Where garages face directly onto a street with the garage door parallel to the street, the garage must meet the minimum setback requirement. Side-entry garages where the garage door is perpendicular to the street may be set back a minimum of ten (10) feet. (See lot diagram)

\*\*Accessory structures may be setback three (3) feet from the rear or side property lines provided that they do not encroach into any utility easement.

Architectural features may encroach into the setback area a maximum of three (3) feet and may not extend more than five (5) feet above the principal structure.

*Maximum Building Height:* Two (2) stories. Three (3) stories may be allowed with fire marshal approval.

*Parking Requirement:* Shall comply with the parking standards established in this section.

*Additional Requirements:* Single family homes shall comply with the standards established in the Single Family Residential category. Additionally, the Home Owner’s Association (HOA) shall provide landscape maintenance for the front yards of all patio homes.

### 3. Townhome (TH)

*Purpose:* The Townhome category is intended for the development of attached single family dwelling units that are platted on individual lots and are owned fee simple.

- Permitted uses:*
- Attached single family dwelling units
  - Institutional uses
  - Entry features & monuments
  - Minor utilities
  - Open space
  - Parks
  - Patio homes
  - Recreational facilities
  - Religious assembly
  - Single family homes
  - Temporary uses

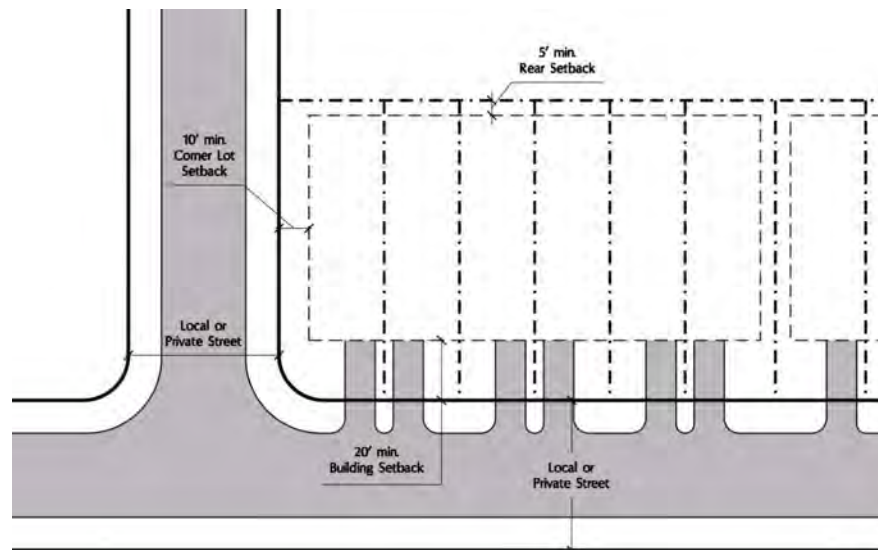
*Minimum Lot Area:* 1,800 square feet

**Minimum Lot Width:** 20 feet at the building setback line

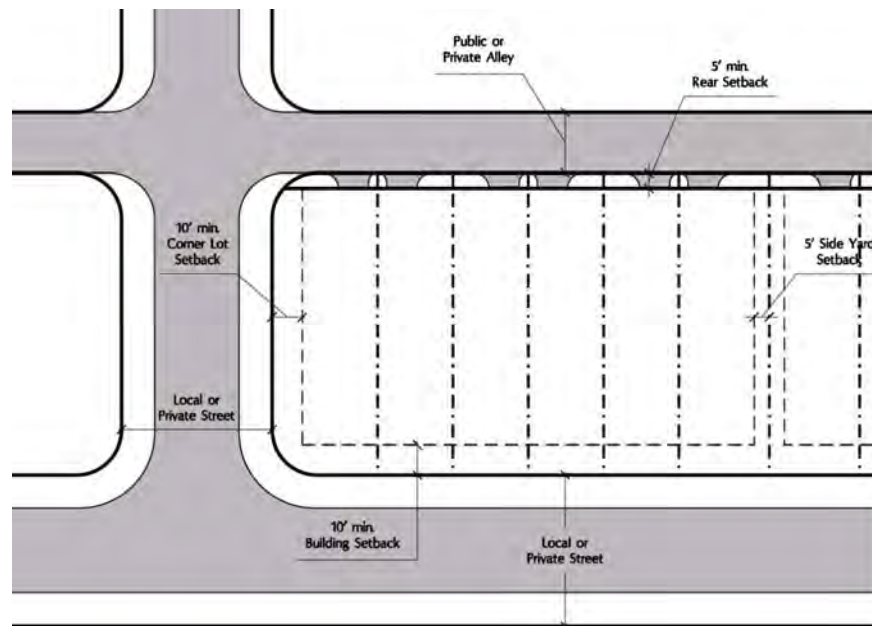
**Minimum Setbacks:**

- Front: 20 feet if front loaded (see lot diagram below)  
10 feet if rear loaded (see lot diagram below)  
5 feet for lots that front on a common area
- Rear: 5 feet  
20 feet for lots that front on a common area
- Side: Zero (0) foot side setbacks for units that are attached provided that there is a minimum of ten (10) feet between buildings. A minimum of fifteen (15) feet is required between one (1) and three (3) story structures.
- Corner: 10 feet

**TOWNHOME LOT DIAGRAM (Front Loaded)**



### TOWNHOME LOT DIAGRAM (Rear Loaded)



Architectural features may encroach into the setback area a maximum of three (3) feet and may not extend more than five (5) feet above the principal structure.

*Maximum Building Height:* Two (2) stories. Three (3) stories may be allowed with fire marshal approval.

*Parking Requirement:* Shall comply with the parking standards established in this section.

Front loaded townhomes shall provide 0.25 off-street guest parking spaces per dwelling unit. Guest spaces may not be on townhome lots or streets and should be located within 300 feet of units.

*Additional Requirements:* Buildings shall consist of a minimum of two (2) units with a maximum of eight (8) units.

Buildings shall be separated by a minimum of ten (10) feet.

Each dwelling unit shall be platted on an individual lot.

Single family and patio homes shall comply with the standards established in their respective categories.

#### 4. Courtyard Home (CH)

*Purpose:* The Courtyard Home category (CH) provides for the development of detached, single family dwelling units within the Village Center. These homes shall be platted on individual lots and shall be owned fee simple.

*Permitted uses:* Attached single family dwelling units

Courtyard homes

Institutional uses

Minor utilities

Open space

Parks

Recreational facilities

Religious assembly

Single family homes

Temporary uses

Townhomes

*Minimum Lot Area:* 2,500 square feet

*Minimum Lot width:* Zero (0) feet at the building setback line if shared driveway is provided

25 feet at the building setback line if no shared driveway is provided

*Minimum Setbacks:*

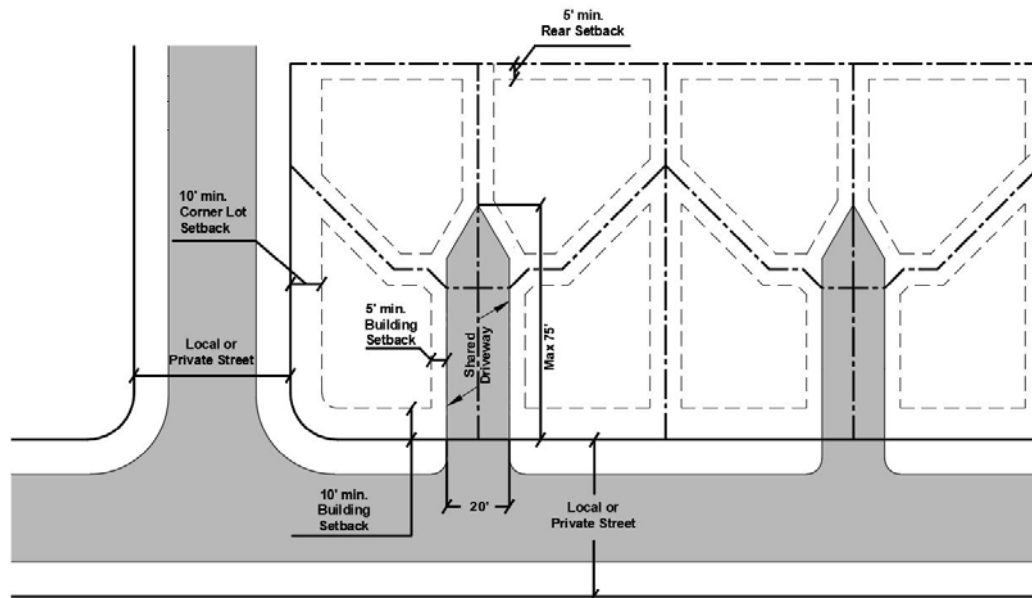
Front: 20 feet if front loaded

Zero (0) feet from public street if access is provided via shared driveway

5 feet from shared driveway

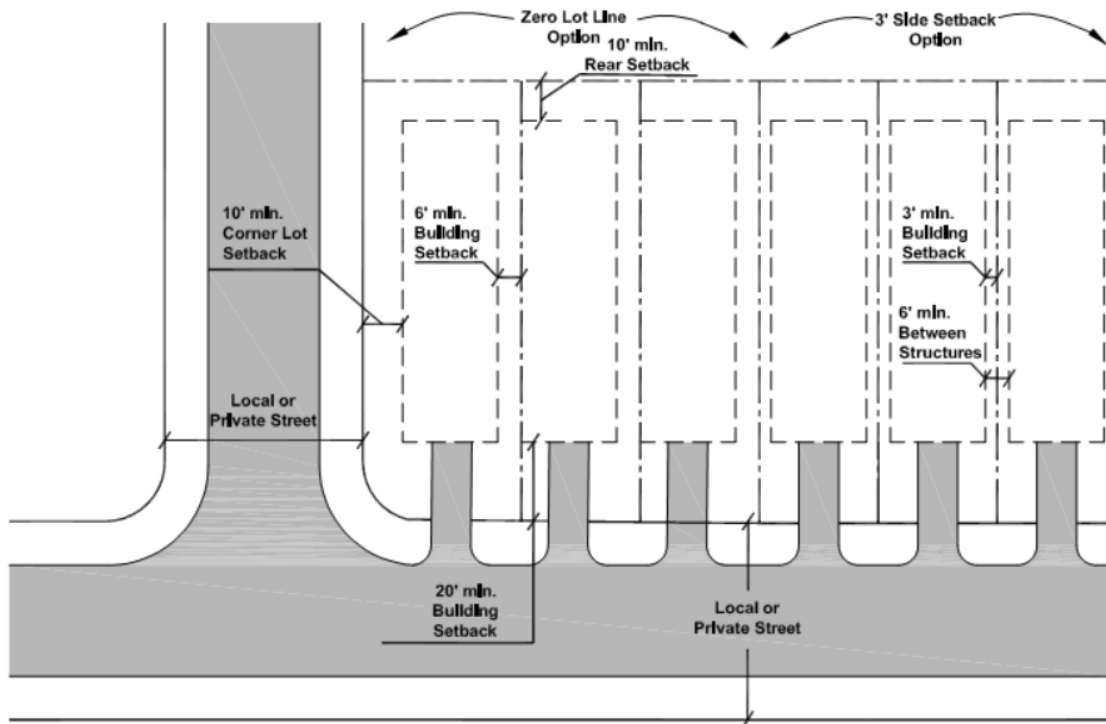
- Rear: 10 feet if rear loaded
- Rear: 5 feet
- 20 feet for lots that front on a common area
- Side: If utilizing a shared driveway – 5 feet. Structures shall be separated by a minimum of 10 feet.
- If not utilizing a shared driveway – Zero (0) feet on one side provided that there is a minimum of six (6) feet between structures. Three (3) feet side setbacks are also acceptable provided that there is a minimum of six (6) feet between structures.
- Corner: 10 feet

**COURTYARD HOME LOT DIAGRAM (Shared Driveways)**





### COURTYARD HOME LOT DIAGRAM (Non-Shared Driveway)



Architectural features may encroach into the setback area a maximum of three (3) feet and may not extend more than five (5) feet above the principal structure.

*Maximum Building Height:* Three (3) stories with a maximum height of 35 feet.

*Parking Requirement:* Shall comply with the parking standards established in this section. Parking is not permitted within any shared driveway. Front loaded courtyard homes shall provide 0.25 guest parking spaces per dwelling unit. Guest spaces may not be on lots and shall be located within 300 feet of units. Furthermore, guest spaces shall either be off-street or parallel spaces added within the right-of-way. A parking analysis will be provided on a section-by-section basis with the preliminary plat submittal.

*Additional Requirements:* A maximum of four (4) homes may take sole vehicular access from a shared driveway.

Single family and patio homes shall comply with the standards established in their respective categories.

A courtyard home that utilizes a shared driveway and has frontage on a public or private street is prohibited from having fencing that blocks the façade of the home from the street face.

Additionally, the Home Owner’s Association (HOA) shall provide landscape maintenance for the front yards of all courtyard homes.

**5. Multi-Family (MF)**

*Purpose:* The Multi-Family category is intended for the development of medium to high density multi-family dwelling units such as apartments and condominiums.

- Permitted uses:*
- Attached multi-family dwelling units
  - Attached single family dwelling units
  - Condominiums
  - Institutional uses
  - Entry features & monuments
  - Minor utilities
  - Open space
  - Parks
  - Patio homes
  - Recreational facilities
  - Religious assembly
  - Single family homes
  - Temporary uses
  - Townhomes

*Minimum Setbacks:*

- Front: 25 feet from property line
- Rear: 15 feet for habitable structures  
10 feet for accessory structures
- Side: 15 feet for habitable structure  
10 feet for accessory structures

Architectural features may encroach into the setback area a maximum of three (3) feet and may not extend more than five (5) feet above the principal structure.

*Parking Requirement:* Shall comply with the parking standards established in this section.

*Additional Requirements:* Single family homes, patio homes and townhomes shall comply with the standards established in their respective categories.

## 6. Village Center (VC)

*Purpose:* The Village Center District is intended to help establish a community core by combining civic and retail uses in a pedestrian friendly environment.

- Permitted uses:*
- Abstract or title company
  - Advertising agency
  - Antique store
  - Art gallery
  - Arts and crafts store
  - Bakery
  - Banks and financial institutions, including drive-through and outdoor ATM facilities
  - Barber or beauty shop
  - Bookstore
  - Candy store

- Catering
- Cellular phone sales and repair store
- Child care facilities
- Clothing store (no re-used clothing)
- Computer sales and repair store
- Community centers
- Condominiums
- Convenience store, with or without gasoline, liquor or beer and wine sales
- Courtyard homes
- Dance studio
- Delivery service
- Dental clinic
- Drafting service
- Drug store, with or without liquor or beer and wine sales
- Dry cleaning storefront, but not dry cleaning plant
- Electronic sales and repair store
- Entry features & monuments
- Florist shop
- Furniture store
- Gift shop
- Grocery store
- Hardware store
- Home appliance store

- House wares and linens store
- Institutional Uses
- Insurance agency
- Jewelry store
- Laundry storefront, but not laundry plant
- Locksmith
- Medical clinic
- Medical supply store
- Minor utilities
- Mixed use
- Mortgage company
- Motels and hotels
- Motion picture theater, but not drive-in theater
- Multi-family
- Musical instrument store
- Open space
- Optician or optometrist
- Parks
- Patio homes
- Personal services
- Personal storage
- Pharmacy
- Professional office

Public facilities

Public safety site

Radio sales and repair

Record and tape store

Recreational facilities

Religious assembly

Restaurants and taverns, with or without drive-through facilities

Schools (Public & Private)

Single family homes

Shoe store and repair shop

Sporting goods store

Studio (art, music or photo)

Tailor

Telecommunication towers

Temporary uses

Townhomes

Toy store

Travel agency

Tree farms

Video arcade

*Non-Permitted uses:* Auction

Auto repair

Billboards

- Cemeteries
- Feed store
- Kennel (commercial)
- Pawn shop
- Self-service car wash
- Sexually oriented businesses
- Swap meet
- Tattoo shop
- Taxidermist
- Upholstery shop

*Minimum Lot Area:* None

*Minimum Lot width:* None

*Minimum Setbacks:*

- Front: Zero (0) feet along village center local streets with on-street parking  
10 feet along major thoroughfares or local streets without on-street parking
- Rear: Zero (0) feet if adjacent to non-residential uses  
10 feet if adjacent to residential uses
- Side: Zero (0) feet if adjacent to non-residential uses  
10 feet if adjacent to residential uses

Architectural features may encroach into the setback area a maximum of three (3) feet.

Architectural features along village center local streets may encroach the public right-of-way a maximum of five (5) feet.

*Maximum Building Height:* 56 feet. All building area above three (3) stories shall be non-habitable and built with non-combustible material unless approved by the Fire Chief.

*Parking Requirement:* Shall comply with the parking standards established in this section

*Additional Requirements:* Single family homes, patio homes and townhomes shall comply with the standards established in their respective categories.

Telecommunication towers may not exceed eighty (80) feet in height and shall be set back from property lines a distance equal to or greater than the height of the tower.

*Additional Conditions:* Outdoor Display of Merchandise shall be allowed within ten (10) feet of the primary building, but shall be limited to merchandise that is customarily sold inside the establishment.

Individual sections within the Village Center may contain all residential uses provided that the overall Village Center contains commercial and civic land uses.

## **7. Commercial (C)**

*Purpose:* The Commercial District is intended for the development of service-oriented retail that meets the daily needs of the community.

*Permitted uses:*

- Abstract or title company
- Advertising agency
- Antique store
- Art gallery
- Arts and crafts store
- Automobile repair, minor, no outside work or storage
- Bakery
- Banks and financial institutions, including drive-through and outdoor ATM facilities
- Barber or beauty shop



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Bookstore

Cafeteria

Candy store

Catering

Cellular phone sales and repair store

Child care facilities

Clothing store (no re-used clothing)

Collection agency

Computer sales and repair store

Community centers

Convenience store with or without gasoline, liquor or beer and wine sales

Dance studio

Delivery service

Dental clinic

Department store

Drafting service

Drug store, with or without liquor or beer and wine sales

Dry cleaning storefront, but not dry cleaning plant

Electronic sales and repair store

Entry features & monuments

Filling station or service station, including oil change and inspection services

Florist shop

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Furniture store

Gift shop

Gun shop

Grocery store

Hardware store

Home appliance store

House wares and linens store

Ice retail distributing, but not manufacturing

Institutional uses

Insurance agency

Jewelry store

Laundry storefront, but not laundry plant

Locksmith

Medical clinic

Medical supply store

Minor utilities

Mixed use

Mortgage company

Motels and hotels

Motion picture theater, with or without food service, but not drive-in theater

Musical instrument store

Office supply and machinery store and repairs

Open space

- Optician or optometrist
- Parks
- Personal services
- Personal storage
- Pharmacy
- Professional office
- Public Facilities
- Public safety site
- Radio sales and repair
- Radio studio (excluding tower)
- Record and tape store
- Recreational Facilities
- Religious assembly
- Restaurants and taverns, with or without drive-through facilities
- Shoe store and repair shop
- Sporting goods store
- Studio (art, music or photo)
- Taxidermist
- Tailor
- Telecommunication towers
- Temporary uses
- Toy store
- Travel agency

Tree farms

Video arcade

*Non-Permitted uses:* Auction

Auto repair

Billboards

Cemeteries

Feed store

Kennel (commercial)

Massage parlors

Patio homes

Pawn shop

Self-service car wash (automated car washes are allowed as accessory uses)

Sexually oriented businesses

Single-family residential

Swap meet

Tattoo shop

Taxidermist

Upholstery shop

*Minimum Lot Area:* 6,000 square feet

*Minimum Lot width:* 60 feet

*Max. Lot coverage:* 85 percent

*Minimum Setbacks:*

Front: 25 feet

Rear: 10 feet  
Side: 10 feet  
Corner: 10 feet

Architectural features may encroach into the setback area a maximum of three (3) feet.

*Maximum Building Height:* Sixty (60) feet unless otherwise approved by City Council. All building area above two (2) stories shall be non-habitable and built with non-combustible material unless approved by the Fire Chief.

*Parking Requirement:* Shall comply with the parking standards established in this section

*Additional Requirements:* Telecommunication towers may not exceed eighty (80) feet in height and shall be set back from property lines a distance equal to or greater than the height of the tower.

*Additional Conditions:* Outdoor Display of Merchandise shall be allowed within ten (10) feet of the primary building, but shall be limited to merchandise that is customarily sold inside the establishment.

## 8. Institutional (I)

*Purpose:* The Institutional category is intended to provide for the development of public and private uses that serve the community.

*Permitted uses:*

- Major utilities
- Minor utilities
- Open space
- Parks
- Public facilities
- Public safety site
- Recreational facilities
- Religious assembly

- Schools (public & private)
- Telecommunication towers
- Temporary uses
- Tree farms

*Minimum Lot Area:* 5,000 square feet

*Minimum Lot width:* 50 feet

*Minimum Setbacks:*

- Front: 25 feet
- Rear: 10 feet
- Side: 5 feet
- Corner: 5 feet

Architectural features may encroach into the setback area a maximum of three (3) feet.

*Maximum Building Height:* 60 feet. All building area above two (2) stories shall be non-habitable and built with non-combustible material unless approved by the Fire Chief.

*Parking Requirement:* Shall comply with the parking standards established in this section

*Additional Requirements:* Telecommunication towers may not exceed eighty (80) feet in height and shall be set back from property lines a distance equal to or greater than the height of the tower.

## 9. Parks & Open Space (P-OS)

*Purpose:* The Parks & Open Space category is intended to provide for the development of recreation and open space areas within the community.

- Permitted uses:*
- Community centers
  - Drill site

Entry features & monuments

Institutional uses

Minor utilities

Open space

Parks

Public facilities, excluding major utilities

Recreational facilities

Telecommunication towers

Temporary uses

Tree farms

*Minimum Lot Area:* None

*Minimum Lot width:* None

*Minimum Lot depth:* None

*Minimum Setbacks:*

Along Major Thoroughfares: 25 feet

Along other streets: 10 feet

Rear: 10 feet

Side: 10 feet

Architectural features may encroach into the setback area a maximum of 36 inches.

*Max. Building Height:* 34 feet. Max. height may exceed 34 feet if approved by the Fire Chief.

*Parking Requirement:* Shall comply with the parking standards established in this section.

*Additional Requirements:* Telecommunication towers may not exceed eighty (80) feet in height and shall be set back from property lines a distance equal to or greater than the height of the tower.

**10. Parking**

Parking within Meridiana shall be provided according to the following schedule:

<b>TABLE 5</b>	
<b>Parking Requirements</b>	
<b>Land Use</b>	<b>Minimum Requirement</b>
Single family residential	2 enclosed spaces per unit
Patio home	2 enclosed spaces per unit
Townhome	2 enclosed spaces per unit 0.25 guest spaces per unit
Courtyard home	2 enclosed spaces per unit 0.25 guest spaces per unit
Multi-Family	1.333 spaces per 1 bedroom unit
	1.666 spaces per 2 bedroom unit
	2.0 spaces per unit with 3 or more bedrooms
Office (non-medical)	1 space per 200 square feet of gross floor area
Medical office	1 space per 300 square feet of gross floor area
Retail	1 space per 250 square feet of gross floor area Maximum 1.5 spaces per 250 square feet of gross floor area
Restaurant	2 spaces per 250 square feet of gross floor area
Tavern	2 spaces per 200 square feet of gross floor area
Hotel/Motel	0.5 spaces per room and 1 space per 200 square feet of gross floor area
Theater/Auditorium/Church/Assembly hall	0.25 spaces per seat
Stadium	1 space per 4 stadium seats



Deviations from the above requirements shall be considered by the City’s Designated Official on a case by case basis. Appeals to the Official’s interpretation may be made to City Council within thirty (30) days of the date of the determination.

The City’s Designated Official shall determine the minimum number of parking spaces required for any use not specified above. Appeals to the Official’s interpretation may be made to City Council within thirty (30) days of the date of the determination.

Shared parking should be encouraged where appropriate. Adjustment of the minimum number of parking spaces required to serve a combination of occupancies shall be determined according to the following formula:

- 1) Determine the parking requirement for each occupancy as though it were a separate use;
- 2) Multiply each amount by the corresponding percentage for each applicable time period shown in the following schedule:

<b>TABLE 6</b>					
<b>Shared Parking Table</b>					
<b>Use</b>	<b>Weekdays</b>			<b>Weekends</b>	
	<b>Night Midnight – 6 a.m.</b>	<b>Day 9 a.m. – 4 p.m.</b>	<b>Evening 6 p.m. - Midnight</b>	<b>Day 9 a.m. – 4 p.m.</b>	<b>Evening 6 p.m. - Midnight</b>
<b>Retail</b>	5%	50%	90%	100%	70%
<b>Hotel/Motel</b>	80%	80%	100%	80%	100%
<b>Office</b>	5%	100%	10%	10%	5%
<b>Restaurant / Tavern</b>	10%	50%	100%	50%	100%
<b>Entertainment / Recreation</b>	10%	40%	100%	80%	100%
<b>All Others</b>	100%	100%	100%	100%	100%

- 3) Calculate the column total for each time period.
- 4) The column with the highest value shall be the parking requirement.

#### **D. Definitions**

*Accessory structure* – any above ground structure that is (1) incidental to and customarily associated with the main structure on the site, and (2) located on the same lot as the principle building. Accessory structures may include, but are not limited to detached garages and gazebos, but does not include utility or storage sheds.

*Alley* – a public or private right-of-way that provides vehicular access to buildings or properties that front on an adjacent street.

*Architectural feature* – an ornamentation or decorative feature attached to or protruding from the exterior wall of a building. Architectural features may include, but are not limited to windows (e.g. bay windows), chimneys, columns, awnings, marquees, façade, or facia.

*Attached housing* – a building containing three or more dwelling units.

*Banking or financial institution* – a chartered financial institution that engages in deposit banking and closely related functions such as making loans, investments and other fiduciary activities. Drive-up windows and drive-thru automated teller machines (ATM) are permitted as an accessory use.

*Block length* – the distance measured along a street between two intersecting streets.

*Building* – a structure used for or supporting any use or occupancy that requires a building permit.

*Child care facility* – a commercial or non-profit facility that provides shelter, care, activity, and supervision of children for periods of less than 24 hours a day and is licensed by the state.

*Community center* – a meeting place used by the community in which community members may gather for social, educational, recreational, or cultural activities. Uses include recreation, fitness center, meeting areas, and restaurants with or without alcohol sales. Community center use may be restricted to dues paying members.

*Condominium* – A single dwelling unit in a multi-unit dwelling or structure, which is separately owned and which may be combined with an undivided interest in the common areas and facilities of the property.

*Convenience store* – Any retail establishment offering for sale gasoline and a limited line of groceries and household items intended for the convenience of the neighborhood. Automotive washing is permitted as an accessory use. The sale of alcohol is permitted as an accessory use.

*Council* – Shall mean the City Council of the City of Iowa Colony.

*Courtyard home* - A detached, single-family residence within the Village Center that may be served by a shared driveway.

*Cul-de-sac* - Any street with only one outlet that terminates in a vehicular turnaround.

*Designated Official* – The individual authorized by the City of Iowa Colony to provide direction and oversight and personally perform duties related to a comprehensive program to protect the health and safety of citizens and the quality of life by ensuring that planning activities meet appropriate codes, standards and city ordinances.

*Detached housing* – A site-built building containing only one dwelling unit.

*Drill site* – A tract of land designated for the purpose of extracting oil or gas comprising a “spacing unit “or “proration unit” as determined by the State Railroad Commission.

*Dwelling unit* - Any building or portion thereof which is designed or used exclusively for residential purposes.

*Entry features* – Primary points of vehicular entry into the property that are enhanced with landscaping, water features, architectural treatments, and lighting.

*Front loaded* – Any dwelling unit that takes vehicular access from the street on which it fronts.

*Frontage* – Frontage shall mean that portion of any lot or tract that abuts a street or approved common area. A lot or tract abutting more than one street shall have frontage on only one street which shall be deemed to be the side having the shortest dimension unless otherwise indicated on the subdivision plat.

*General development plan* – A plan illustrating all contiguous property under one ownership, legal interest, or common control that identifies the major thoroughfares

and collector streets that are necessary to demonstrate an overall circulation system for the property, any recorded easements that affect the property and proposed land use.

*Grocery store* – A retail establishment primarily selling prepackaged and perishable food as well as other convenience and household goods. The sale of alcohol is permitted as an accessory use.

*Gross acreage* – Gross acreage shall mean the total area of land inclusive of all encumbrances, including, but not limited to rights-of-way, drainage ways, pipeline and utility easements, detention facilities, parks and open space areas.

*Gross density* – A measurement of density based on the calculation of the total gross acres within a subdivided area divided by the total number of dwelling units within that area.

*Home occupation* – An occupation or activity which is clearly incidental and secondary to use of the premises as a dwelling and which is carried on wholly or in part within a main building or accessory building by a member of the family who resides on the premises. A home occupation use shall not change the residential character of the property or the neighborhood and shall meet all applicable legal requirements. A home occupation may not display signage on the property. No more than one (1) employee may reside off-premises.

*Home owner’s association (HOA)* – A non-profit corporation, established for the purpose of managing and maintaining community property and services within a subdivision. All residential property owners within the subdivision shall be a member of the HOA for that subdivision.

*Institutional use* – A use designated for public facilities including, but not limited to major and minor utilities, public safety sites, libraries, schools (both public and private) and other civic uses.

*Knuckle* – The projection toward the outside corner of a bend in the right-of-way of that allows for adequate turning movements for emergency and other vehicles.

*Landscaping* – Planting and related improvements for the purpose of beautifying and enhancing a portion of land and for the control of erosion and the reduction of glare, dust and noise. Rocks and/or gravel, by itself shall not constitute landscaping.

*Laundry services (including dry cleaning)* – A facility that launders or dry cleans articles dropped off on the premises directly by the customers or where articles are dropped off, sorted, and picked up, but where laundering is done elsewhere.

*Local street* - A public street that is not a major thoroughfare, collector, or neighborhood collector street and conforms to the criteria established in this PUD.

*Lodging facilities* – A building in which lodging is offered for compensation for a period of less than seven (7) days. This use includes hotels, motels, inns, and bed and breakfast residences, but does not include group homes and boarding houses.

*Lot* – An undivided tract of land having frontage on a public or private street which is designated as a separate and distinct tract and identified by numerical identification on a duly and properly recorded subdivision plat.

*Major arterial* – A public street designated as a Major Arterial on the City’s Thoroughfare Plan.

*Major collector* – A public street designated as a Major Collector Street on the City’s Thoroughfare Plan.

*Major utility* – Uses or structures providing utility services that have a potential major impact by virtue of appearance, noise, size, traffic generation or other operational characteristics, which include, but are not limited to, transmission substations, wastewater treatment facilities, water reservoirs and pump stations, wastewater lift stations, and power plants. This use does not include private individual water supplies or septic tanks. *See Minor Utilities.*

*Minor utility* – Small scale facilities that are necessary to support development and that involve only minor structures. Minor utilities include, but are not limited to facilities such as power lines, water and sewer lines, storm drainage facilities, transformers, hydrants, switching boxes and similar structures.

*Mixed-use* – A tract of land, building, or structure developed for two or more different uses such as, but not limited to, residential, office, retail, public, or entertainment. The mix of uses may occur either on the same tract of land, but compartmentalized into separate buildings, or located within the same building (e.g. retail on the first floor and office or residential on the floors above the retail).

*Neighborhood* – A collection of compatible subdivisions.

*Minor collector* – A public street that is not a major arterial, or major collector street and is designed to help distribute traffic within residential areas.

*Open space* – A portion of land designated as open space on the Preliminary Land Use Plan. Open space areas shall include pipeline and utility easements, drainage ways, and wet and dry detention areas.

*Overall project* - The approximately 2,914.1 acres of land that constitutes the entire Meridiana project.

*Patio home* - A detached, single-family residence which has a zero (0) foot side setback on one of the side lot lines.

*Personal services* – Establishments providing non-medical related services generally related to personal needs, including beauty and barber shops, day spas, garment and shoe repair shops, laundry services (including dry cleaning), photographic studios, dance studios, and health clubs. These uses may include the accessory retail sales of products related to the services provided.

*Personal storage* – An area used or intended for the storage of materials, vehicles or equipment not in service.

*Private* – Elements of the development that are not intended for public use and are operated and maintained by a private entity.

*Private street* - A street that is privately owned and maintained. Private streets may be gated.

*Private utilities* – Utilities other than water and wastewater. Other utilities may be public and/or private in nature and may include, but are not limited to electrical power, gas, telephone, wireless communication, internet and cable television.

*Professional office*- A room or group of rooms used for conducting the affairs of a business, medical, professional, or service industry.

*Project* – The approximately 1,170.1 acres of land which is the subject of this PUD, the legal description of which is contained in the appendix of this document.

*Property owner's association (POA)* – A non-profit corporation, established for the purpose of managing and maintaining community property and services within a commercial development.

*Public facilities* – Any non-commercial land use (whether publicly or privately owned) which is to be used and/or allocated for the general good of the public. These uses include, but are not limited to governmental offices, libraries, parks, and major and minor utilities.

*Public safety site* – A tract of land containing a building or structure that is designated for police, fire, or emergency services.

*Public utilities* – Any utilities that are provided by the city, county, or municipal utility district which may include, but are not limited to water and wastewater.

*Recreational facilities* – Any structure or building intended for active recreational use. Recreational uses shall include, but are not limited to clubhouses, tennis courts, basketball courts, sports fields, pools, playground equipment, bleachers, etc.

*Religious assembly* – A building or group of buildings used or proposed to be used for conducting organized religious services and accessory uses directly associated with the use.

*Restaurant (including carry-out and drive-thru)* – A commercial establishment where food and beverages are prepared for consumption either on or off the premises. The sale of alcohol is permitted.

*Retail* – Retail sales of any article, substance, or commodity within a building or structure.

*School (public or private)* – An institution for the teaching of children or adults including primary and secondary schools, colleges, professional schools, art schools, trade schools, and similar facilities.

*Shared Driveway* – Shared driveways are 20 foot wide private driveways permitted within the Village Center for residential use only. A non-exclusive joint-use driveway access easement will be established for the owners of the lots that take access from each respective shared driveway.

*Shared parking* – The use of the same off-street parking stall or stalls to satisfy the off-street parking requirements for two or more individual land uses without significant conflict or encroachment.

*Subdivision* – The division of a lot, tract, or parcel of land into two or more lots, plats, sites or other divisions of land for the purpose of residential, industrial, office and business development or other uses.

*Telecommunication tower* – A structure on which there are electronic facilities for receiving or transmitting communication signals.

*Temporary use* – Any use allowed for a specific period of time. A use that is not of a permanent nature.

*Theater* – An outdoor or indoor area or building used for dramatic, operatic, motion pictures, or other performances.

*Townhome* - One (1), of a group of attached single family residences separated by a fire rated wall. Each dwelling unit shall be platted on an individual lot.

*Wastewater treatment facilities* – Any facility used for the treatment of commercial and residential wastewater for sewer systems and for the reduction and handling of solids and gasses removed from such wastes.

*Water plant facilities* – Any facility used for the collection, treatment, testing, storage, pumping, or distribution of water for a public water system.



## **IV. GENERAL ADMINISTRATION & AMENDMENTS**

### **A. Purpose**

This section establishes guidelines regarding the administration and future amendments to the PUD.

### **B. Changes to the Zoning Ordinance**

The Development Regulations section of the PUD addresses only those areas that differ from the City of Iowa Colony Zoning Ordinance. In the event that an issue, condition or situation arises that is not specifically addressed in the PUD, the City of Iowa Colony Zoning Ordinance in place at the time of the adoption of this document shall be used by the City's Designated Official as the basis to resolve the issue.

### **C. Variances from the Subdivision Ordinance**

The criteria established in this PUD require variances from the City of Iowa Colony Subdivision Ordinance. These variances are necessary to achieve the community vision established for Meridiana. Table 7 describes the requested variances and their corresponding section of the subdivision ordinance. These variances shall apply to all property within the PUD.

### **D. Variances from the Design Manual**

The criteria established in this PUD require variances from the City of Iowa Colony Design Manual. These variances are necessary to achieve the community vision established for . Table 8 describes the requested variances and their corresponding section of the design manual. These variances shall apply to all property within the PUD.

**TABLE 7  
Meridiana Subdivision Ordinance Variances**

Ordinance Reference	Requirement	Proposed	Difference	Justification
<b>Sec. 20 Master Preliminary Plat Procedure for a Large Tract (A)</b>	Where the proposed subdivision constitutes a unit of a larger tract of land which is intended to be subsequently subdivided as additional units of the same subdivision, the subdivision plat shall be accompanied by a master preliminary plat showing the tentative proposed layout of the streets, blocks and drainage of the entire area. The over-all layout, if approved by the council, shall be attached to and filed with a copy of the approved subdivision plat in the permanent files of the City. Thereafter, fractional final plats of subsequent units of each subdivision may be submitted without additional preliminary plat approval, provided no significant changes are made to the master preliminary plat. Any request to change the over-all layout must be submitted according to the procedures prescribed in Section 19, Preliminary Plat Process.	A general development plan illustrating all contiguous property under one ownership shall be submitted for approval of the Planning Commission prior to or simultaneously with the application for the first preliminary subdivision plat. The General Development Plan shall show the alignment of any major thoroughfares and collector streets in accordance with the City's Land Use and Thoroughfare Plan, all recorded easements, other proposed streets that are necessary to demonstrate an overall circulation system for the development and proposed land uses and public facilities. This approval shall eliminate the requirement of a master preliminary plat set forth in Section 20 of the City of Iowa Colony Subdivision Ordinance. Preliminary plats shall be required for each section of development with the exception of minor plats as defined by state law. Preliminary plats should generally conform to the General Development Plan. Any significant change shall require the submittal of a revised general development plan.	Rather than submit one "master" preliminary plat, a general development plan will be submitted which will establish the general framework for the development. Preliminary plats will be submitted for each section of development.	It is not feasible to provide the level of detail necessary to submit a preliminary plat for tract of land of this size. The proposed General Development Plan meets the intent and general purpose of the requirement and by submitting preliminary plats for each section of the development, the city will be provided with the same level of detail with less chance for error.
<b>Sec. 22 Final Plat Procedure (31)</b>	In the event the tract of land being subdivided fronts on a street or road that does not meet the city's design specifications, the subdivider shall be required to improve the street or road to meet those specifications from a street or road that does meet the city's requirements, to the farthestmost boundary of the subdivision.	The developer would dedicate any additional right-of-way required for adjacent streets or roads, but shall not be required to make any paving, drainage, or utility improvements along said roads.	Additional right-of-way will be dedicated for these facilities, but no improvements will be made at this time.	The cost to bring these roads up the city's specifications would not be proportionate to the impact that this development will have on these facilities. In addition, it is not practical to only improve a small segment of a road. The necessary right-of-way will be dedicated so that these facilities may be improved at the appropriate time.
<b>Sec. 27 Planned Unit Developments (D)</b>	The minimum size of a PUD shall be 20 acres and not less than 5 percent of the total area shall be set aside as common landscaped areas. Utility easements, drainage easements and detention basins shall not be included in calculating the 5 percent requirement.	Open space areas shall include pipeline and utility easements, drainage ways and wet and dry detention areas.	Open space areas shall include pipeline and utility easements, drainage ways and wet and dry detention areas.	Open space is a central theme of Meridiana. Drainage ways, detention areas and easements will be utilized as greenbelts that connect the entire community and therefore, should be considered as an amenity.
<b>Sec. 27 Planned Unit Developments (E)</b>	The minimum lot width of all residential lots to be located within a PUD shall be 60 feet.	The minimum lot width for single family lots shall be 50 feet.  The minimum lot width for patio home lots shall be 40 feet.  The minimum lot width for townhome lots shall be 20 feet.	10 foot reduction in width  20 foot reduction in width  40 foot reduction in width	Allowing reductions in minimum lot width and area is necessary in order to achieve a variety of housing products which is an essential component of healthy and sustainable communities.

<p><b>Sec. 27 Planned Unit Developments (F) (Clarification)</b></p>	<p>The developer shall be required to enter into a development agreement detailing the terms and conditions upon which a PUD is approved by the City. The development agreement, restrictive covenants and all required documentation forming the PUD shall be provided to the City of Iowa Colony who will permanently maintain a copy of said documentation.</p>	<p>The TIRZ development agreement for Meridiana shall be considered to be the "development agreement" for the purposes of this section.</p>	<p>The timing of the execution of the agreement.</p>	<p>The TIRZ plan is the implementation tool for the PUD plan. For this reason, it desirable for these agreements to be one in the same.</p>
<p><b>Sec. 33 Streets (Clarification)</b></p>	<p>The minimum right-of-way for collector streets shall be 80 feet.</p>	<p>In addition to collector streets, Meridiana will feature Neighborhood Collectors that are designed to help distribute traffic through residential areas. Neighborhood collectors shall have a minimum right-of-way of 60 feet.</p>	<p>Clarification that Neighborhood Collectors shall not be considered collectors as defined by the subdivision ordinance.</p>	<p>N/A</p>
<p><b>Sec. 33 Streets, Minimum right-of-way</b></p>	<p>The minimum right-of-way for residential streets shall be 60 feet.</p>	<p>Residential streets providing access to lots less than 70 feet in width may have a right-of-way width of 50 feet.</p>	<p>10 foot reduction in right-of-way width. 10 foot utility easements will be provided where necessary for utility purposes. Paving section shall remain 28 feet</p>	<p>The street paving section shall remain 28 feet and thus will have no affect on traffic circulation. 10 foot utility easements will be provided where necessary for utility maintenance. Reduction in right-of-way width allows for the preservation of more open space.</p>
<p><b>Sec. 33 Streets, Minimum right-of-way</b></p>	<p>The minimum right-of-way for residential streets shall be 60 feet.</p>	<p>Type 1 Private Streets shall have a right-of-way of 50 feet</p>	<p>10 foot reduction in right-of-way width. 10 foot utility easements will be provided where necessary for utility purposes. Paving section shall remain 28 feet</p>	<p>The street paving section shall remain 28 feet. Type 1 Private Streets will be privately maintained and may be gated. The right-of-way for Type 1 Private Streets shall be identified as a Public Utility Easement in order to allow for public utility service.</p>
<p><b>Sec. 33 Streets, Minimum right-of-way</b></p>	<p>The minimum right-of-way for residential streets shall be 60 feet.</p>	<p>Type 2 Private Streets shall have a right-of-way of 28 feet</p>	<p>22 foot reduction in right-of-way width. Paving section shall remain 28 feet.</p>	<p>The street paving section shall remain 28 feet. Type 2 Private Streets are more appropriate and may be used in certain circumstances to provide access to more dense product types.</p>
<p><b>Sec. 33 Multiple Access Points (E) (clarification)</b></p>	<p>All subdivisions, except those with single dead-end streets, shall have a minimum of two access points to existing (or future) public streets. A boulevard shall be acceptable where a second access is not available.</p>	<p>All subdivisions shall provide a minimum of two points of access. A divided or boulevard entry shall be considered two points of access for these purposes provided that the divided paving section extends to the first intersecting street.</p>	<p>Clarification that a boulevard entry shall be considered two points of access in all cases.</p>	<p>N/A</p>
<p><b>Sec. 33 Right-of-way widths (K)</b></p>	<p>All street rights-of-way widths shall be not less than 60 feet.</p>	<p>50 foot local streets providing access to lots less than 70 feet in width 50 foot private streets 28 foot private streets</p>	<p>10 feet R.O.W. reduction, no reduction in paving 10 feet R.O.W. reduction, no reduction in paving 10 feet R.O.W. reduction, no reduction in paving</p>	<p>Meridiana will feature a variety of street types that are designed to serve the variety of land uses and product types within the Project.</p>

<b>Sec. 33 Dead End Streets (M)</b>	Dead-end streets, designated to be so permanently, shall not be longer than 1200 feet and shall be provided at the closed end with a turnaround having an outside roadway diameter of at least eighty (80) feet and a street property line diameter of at least one hundred (100) feet.	Type 2 private streets may extend up to 150 feet without a turnaround. Dead end Type 2 private streets that exceed 150 feet in length shall provide an adequate turnaround.	N/A	This requirement conforms with fire code regulations and is appropriate given the nature of the street type.
<b>Sec. 33 Street Design (N)</b>	The details of all street designs shall conform to the city's engineering standards and standard details	The PUD has established certain street criteria that will apply to streets within Meridiana in addition to the city's standards.	Clarification that streets within Meridiana shall be designed to meet both sets of criteria.	N/A
<b>Sec. 34 Alleys (B)</b>	The width of alleys within commercial and industrial districts shall be at least 20 feet. The width of alleys within residential districts shall be at least 20 feet where possible; however, a minimum width of 16 feet may be allowed.	In addition to public alleys, Meridiana may contain private alleys. Private alleys shall have a minimum right-of-way width of 20 feet with a 14 foot paving section.	Any public alleys shall meet the minimum standard.	Private alleys shall be privately maintained.
<b>Sec. 34 Alleys (D) (clarification)</b>	Dead-end alleys shall be avoided where possible but when unavoidable, adequate turnaround facilities at such dead end shall be provided.	Dead-end alleys will be avoided, but may be necessary or more desirable in certain circumstances. Dead-end alleys greater than 150 feet in length shall provide an adequate turnaround.	Clarification that a dead-end alley may be avoidable, but undesirable and therefore permitted provided that the dead-end does not exceed 150 feet in length.	The fire code allows for dead-end access without a turnaround up to 150 feet in length.
<b>Sec. 36 Blocks (D)</b>	No block shall exceed 1,200 feet in length in residential or commercial developments.	The maximum block length for major thoroughfares shall be 2,600 feet except where the thoroughfare runs parallel to a drainage feature having a minimum width of 50 feet which may have a maximum block length of 4,000 feet. The maximum block length for collectors and neighborhood collectors shall be 1,800 feet and the maximum block length for local streets shall be 1,200 feet. Crossings of bayous or canals shall only be required by streets that are identified as major corridors on the City's Thoroughfare Plan. The maximum block length along pipeline easements and drainage features having a minimum width of 50 feet shall be 2,000 feet.	1,400 feet on major thoroughfares.  2,800 feet for major thoroughfares that run parallel to drainage features with a minimum width of 50 feet.  600 feet for collectors and neighborhood collectors.  800 feet along pipelines and drainage features	Generally, intersections along major thoroughfares and collectors should be spaced farther apart than along local streets. This allows for more efficient traffic flow and limits pedestrian/auto conflicts. Pipelines and drainage features represent physical encumbrances that warrant additional spacing standards.
<b>Sec. 37 Lots (B) Lots Smaller Than One Acre #1</b>	Minimum front setback lines shall be at least twenty-five (25) feet. Each corner lot shall have at least the minimum front residential setback line on both streets.	The minimum front setback for all single family lots and all cul-de-sacs and knuckles shall be 20 feet. Corner lots shall have a minimum side setback of 10 feet. Porches may encroach into the front setback up to 10 feet provided they have a minimum depth of 6 feet. On corner lots, porches may encroach into the side setback up to 5 feet provided they have a minimum depth of 6 feet. Where garages face directly onto a street, the garage must be setback a minimum of 20 feet. Side-entry garages must be set back a minimum of 10 feet.	5 foot reduction for front setbacks for lots  10 foot reduction for porches having a minimum depth of 6 feet  15 foot reduction for side-entry garages  15 foot reduction for side setbacks on corner lots	Reduced setbacks foster a pedestrian friendly environment and encourage neighbor interaction. Porches and varying building lines create interest along the street and help to achieve a more attractive street scene.

<p><b>Sec. 37 (B) Lots Smaller Than One Acre #2</b></p>	<p>Lot Dimensions. Regardless of any other provisions of this Ordinance, lot dimensions shall be a minimum of 60 (60) feet in width at the building setback line and of a depth so as to provide an area of not less than six thousand three hundred (6,300) square feet.</p>	<p>The minimum lot width for single family lots shall be 50 feet with a minimum area of 5,750 s.f.</p> <p>The minimum lot width for patio home lots shall be 40 feet with a minimum area of 4,400 s.f.</p> <p>The minimum lot width for townhome lots shall be 20 feet with a minimum area of 1,800 s.f.</p>	<p>10 foot reduction in width and 550 s.f. reduction in area</p> <p>20 foot reduction in width and 1,900 s.f. reduction in area</p> <p>40 foot reduction in width and 4,500 s.f. reduction in area</p>	<p>Allowing reductions in minimum lot width and area is necessary in order to achieve a variety of housing products which is an essential component of healthy and sustainable communities.</p>
<p><b>Sec. 37 (B) Lots Smaller Than One Acre #5</b></p>	<p>Access to public streets. The subdividing of the land shall be such as to provide each lot with satisfactory access to a public street.</p>	<p>Each single family lot shall have frontage on a neighborhood collector, local street, private street, or common area. When lots front on a common area, vehicular access must be provided by a neighborhood collector, local street or private street.</p>	<p>Lots will have satisfactory access by one of multiple means.</p>	<p>All lots shall have adequate access. Allowing for a variety of street "scenes" will enhance the overall "look and feel" of the community. The proposed means of access allow for safe and efficient vehicular and emergency access.</p>
<p><b>Sec. 40 Additional Street Requirements (B)</b></p>	<p>The developer shall be responsible for construction of all roadways within the development according to minor street standards. Where the major Thoroughfare Plan requires street widths over and above the local street requirements, the developer shall dedicate the right-of-way required for the larger street and construct up to a thirty eight (38) foot wide pavement. If the City requires a pavement wider than the thirty eight (38) feet, the City shall provide funding for the increased width subject to the availability of funds and within legal limitations.</p>	<p>The developer shall bear the cost of all streets within Meridiana. The entire cost of thoroughfares, collectors and neighborhood collectors shall be eligible for reimbursement by the MUD or TIRZ.</p>	<p>The developer will build all necessary streets within Meridiana and the city will not have to fund any street improvements.</p>	<p>The TIRZ allows for the construction of infrastructure that will benefit areas outside of Meridiana without any out-of-pocket expense by the city.</p>
<p><b>Sec. 40 Additional Street Requirements (C)</b></p>	<p>The developer shall be responsible for construction of necessary improvements on all perimeter streets to bring the pavement and curbing up to minor street standards for the street abutting the development.</p>	<p>The developer would dedicate any additional right-of-way required for adjacent streets or roads, but shall not be required to make any paving, drainage, or utility improvements along said roads.</p>	<p>Additional right-of-way will be dedicated for these facilities, but no improvements will be made at this time.</p>	<p>The cost to bring these roads up the city's specifications would not be proportionate to the impact that this development will have on these facilities. In addition, it is not practical to only improve a small segment of a road. The necessary right-of-way will be dedicated so that these facilities may be improved at the appropriate time.</p>
<p><b>Sec. 42 Sidewalks</b></p>	<p>In large subdivisions, four (4) foot wide sidewalks shall be required and shall be constructed in accordance with the city's design criteria. If not constructed prior to issuance of a building permit, any sidewalks required by this article must be constructed as part of the issuance of a building permit for each tract.</p>	<p>Sidewalks adjacent to reserves or open space areas shall be constructed prior to the release of the construction maintenance bond for the appropriate section.</p>	<p>Sidewalks will be constructed prior to acceptance by the city rather than the issuance of building permits.</p>	<p>Sidewalks are frequently damaged during the home construction process. Allowing sidewalks to be put in after permitting is more efficient, avoids unnecessary damage and achieves the desired result.</p>

**TABLE 8  
Meridiana Design Manual Variances**

Design Manual reference	Requirement	Proposed	Difference	Justification
<b>General Statement</b>	References throughout the document refer to approval by "the city".	Conditions which require specific approval or deviations from the standards in the criteria manual are approved by the City Engineer. Appeals of City Engineer rulings are made to the City Council.	Specifies the specific individual responsible for technical decisions related to administration of the Criteria Manual.	Technical decisions should be made by a person with expertise in that area. This procedure relieves the City Council of a routine task and provides more certainty as to the individual within the city organization responsible for ruling on these items.
<b>Section 1 - Graphic Requirements 1.04 K.3</b>	Scales of Paragraph No. 2 above are minimum; larger scales may be used to show details of construction.	Scales of above are minimum; larger scales may be used to show details of construction.	Allows larger scales to be used for Major Thoroughfare plans.	Paragraph 3 of Section K as written applies only to Paragraph No. 2. The change allows Paragraph 3 to also apply to Paragraph 1; which will allow larger scales on Thoroughfare plans if necessary in order to show detail.
<b>Section 2 - Wastewater 1.02 A</b>	Texas Commission on Environmental Quality (TCEQ)-"Design Criteria for Sewerage Systems" Texas Administrative Code-Chapter 317 (current revision)	Change Chapter 317 to Chapter 217	Chapter reference has been updated.	The requirement has been recodified by the State.
<b>Section 2 - Wastewater 1.04 D.1</b>	Sanitary sewer layouts for residential subdivisions should use a horizontal scale of 1 inch = 40 feet and a vertical scale of 1 inch = 4 feet.	Sanitary sewer layouts for residential subdivisions should use a horizontal scale of 1 inch = 40 feet and a vertical scale of 1 inch = 4 feet, or as allowed per Section 1, Paragraph 1.04 K.	Allows larger scales to be used.	Larger scales may sometimes be beneficial to show adequate detail.
<b>Section 2 - Wastewater 1.04 F.12</b>	The final determination as to that portion of a street, alley, or easement to be occupied by a proposed sewer rests within the City. The City Engineer will take into consideration existing, planned and proposed facilities such as manholes, pavement, pipe/conduits, along with existing trees, shrubs, or other unique surface conditions when arriving at a decision.	Public sanitary sewers shall be located within a public right-of-way (ROW) or easement.	Restriction is more general and eliminates detail not necessary within Meridianabecause these design issues are addressed in the PUD.	The Meridiana PUD document includes street sections which show the locations for sanitary sewers.
<b>Section 2 - Wastewater 1.04 K.18</b>	Provide a board fence (either CCA cedar or heart redwood) with steel posts in concrete around all lift stations. Fence shall be at least 6 feet high.	Provide a board fence (either masonry, CCA cedar, or heart redwood) with steel posts in concrete around all lift stations. Fence shall be at least 6 feet high.	Added masonry as an acceptable fencing material.	This is an upgrade over basic requirement.
<b>Section 3 - Water 1.04 B.4</b>	Except for side lot easements, waterline easements shall be contiguous to a paved access.	When possible, easements should be contiguous with public rights-of-way.	Allows water line easements to be located in areas away from paved access.	Certain water lines and trunk mains may need to be away from a paved access in order to connect to water plants or wells and to provided adequate and efficient system connectivity.
<b>Section 3 - Water 1.04 G.2.a.3</b>	Use a separate elevated supporting structure for 16 inches and larger water lines unless otherwise approved by the City. Locate structure a minimum of 10 feet from any existing or proposed structure	Delete section and refer to 1.04 G2.a.4	Allow water lines 16 inches and greater to be attached to vehicular bridges.	Vehicular bridges within Meridianacan be designed to accommodate the weight of the water line. Eliminating a separate pipe bridge is more economical and more esthetically pleasing.

<b>Section 3 - Water 1.04 G.2.a.4</b>	Support waterlines on existing or proposed bridges meeting the following criteria may be used for 12 inches and smaller lines when approved in advance by the city. A) Have adequate structural capacity; b)Have sufficient clearance above the bent cap elevation for installation under bridge.	Support waterlines on existing or proposed bridges meeting the following criteria: A) Have adequate structural capacity; b)Have sufficient clearance above the bent cap elevation for installation under bridge.	Allow water lines of all sizes to be attached to vehicular bridges.	Vehicular bridges within Meridianacan be designed to accommodate the weight of the water line. Eliminating a separate pipe bridge is more economical and more esthetically pleasing.
<b>Section 3 - Water 1.04 O</b>	New Section - Criteria Manual is silent on topic of reclaimed water	Any reclaimed water shall comply with TECQ requirements.	Additional option for use of reclaimed water for irrigation purposes.	Use of reclaimed water conserves natural resources.
<b>Section 3 - Water 1.07 C.1</b>	All mains shall be valved within the street right-of-way. Valves shall not be placed under or within 2 feet of ultimate pavement, except as specifically approved by the City Engineer.	All mains shall be valved within the street right-of-way or within a dedicated water line easement. Valves shall not be placed under or within 2 feet of ultimate pavement, except as specifically approved by the City Engineer.	Allows valves within water line easements.	Easements have public access and are suitable locations for valves.
<b>Section 4 - Paving 1.04 B.2</b>	Minimum width requirements for a right-of-way: Local or minor streets: 60 feet	Minimum width requirements for a right-of-way: Local or minor streets: 50 feet with a 10-foot utility easement on each side.	A reduction of 10 feet of ROW width, but an overall increase in area available for the street and utilities from 60 feet to 70 feet.	The pavement width would remain unchanged at 28 feet, so there is no impact on vehicular accessibility. The ROW reduction allows additional property to be on the tax rolls rather than in non-taxable ROW.
<b>Section 4 - Paving 1.04 B.5</b>	Minimum width requirements for a right-of-way: Major Thoroughfare: 120 feet	Minimum width requirements for a right-of-way: MeridianaParkway and CR 786: 120 feet, except 80 feet within Village Center area.	40' reduction within Village Center area only.	The traffic model prepared by Wilbur Smith Associates that analyzes the transportation system through year 2035 indicates that the proposed ROW and paving sections are more than adequate. The reduced ROW section in the Village Center promotes a pedestrian-friendly environment that provides improved walkability and accommodation of other non-motorized forms of transportation.
<b>Section 4 - Paving 1.04 C.4</b>	Minimum width requirements and paving: Pavement of major arterial thoroughfares: Two divided traffic lanes, each way, of 25 feet B/B four (4) lane divided roadways or 34 feet B/B of curb for six (6) lane divided roadways.	Minimum width requirements and paving: Pavement of major arterial thoroughfares (MeridianaParkway, CR 786, CR 48/65) : Two divided traffic lanes, each way, of 25 feet B/B four (4) lane divided roadways.	Clarifies that the named roadways are four lane boulevards.	The traffic model prepared by Wilbur Smith Associates that analyzes the transportation system through year 2035 indicates that the proposed ROW and paving sections are more than adequate.

<p><b>Section 4 - Paving 1.04 H.9</b></p>	<p>When the curb grades are not established below the natural ground, fill lines shall be shown on the drawings and shall be of sufficient height to insure a minimum of 4 inch per foot transverse slope toward the curb from the property line between a point 2 feet outside of the right-of-way and the top of the curb. If this type of fill is required and the pavement is adjacent to a nonparticipating property owner, fill easements from this property owner shall be obtained and filed, and a copy of the easements shall accompany the final drawings. Construction of this nature will require back-slope drainage design to prevent trapping storm runoff.</p>	<p>Fill lines shall be shown on the drawings. If this type of fill is required and the pavement is adjacent to a nonparticipating property owner, fill easements from this property owner shall be obtained and filed, and a copy of the easements shall accompany the final drawings. Construction of this nature will require back-slope drainage design to prevent trapping storm runoff.</p>	<p>Overlay detailed and confusing requirements are removed.</p>	<p>The essential protections are retained: Fill lines are shown on the plans so that the city engineer can evaluate the impacts; potentially impacted third parties must grant an easement; backslope drainage is required to prevent ponding.</p>
<p><b>Section 4 - Paving 1.04 H.11</b></p>	<p>New Requirement</p>	<p>Maximum travel distance of water in the street to a curb inlet shall be 300 feet on a major thoroughfare and in a commercial area. The maximum travel distance of water in the street in a single-family residential area shall be 500 feet.</p>	<p>NA</p>	<p>Institutes a common practice not currently defined in the criteria manual.</p>
<p><b>Section 4 - Paving 1.04 H.12</b></p>	<p>New Requirement</p>	<p>The minimum paving radius for a cul-de-sac shall be 40 feet in a 50-foot right-of-way. Islands within cul-de-sacs are allowed provided minimum fire apparatus turning radius requirements are provided.</p>	<p>NA</p>	<p>Institutes a common practice not currently defined in the criteria manual.</p>
<p><b>Section 4 - Paving 1.04 I</b></p>	<p>All sidewalks are to be 4 feet in width and are to be constructed in accordance with the City of Iowa Colony details.</p>	<p>All sidewalks are to be a minimum 4 feet in width in conformance with the PUD sidewalk and trail requirements and are to be constructed in accordance with the City of Iowa Colony details.</p>	<p>Adds "minimum"</p>	<p>Allows sidewalks to be greater than 4 feet in width in conformance with the plans in the PUD.</p>
<p><b>Section 5 - Drainage 1.04 B.6.i</b></p>	<p>New Requirement</p>	<p>On-grade inlets are allowed.</p>	<p>NA</p>	<p>With large grade changes as are planned on MeridianaParkway, interim "on-grade" inlets will be required instead of inlets at the low point of the road only.</p>
<p><b>Section 5 - Drainage 1.04 F 2.a</b></p>	<p>For developments located within drainage areas of more than 100 acres, a detailed hydrologic analysis utilizing the HEC-1 Flood Hydrograph method will be required following the procedure on the Brazoria County Drainage Criteria Manual for areas served by the C&amp;R District No. 3 or the DD No. 5 Criteria Manual for their service area.</p>	<p>For developments located within drainage areas of more than 100 acres, a detailed hydrologic analysis utilizing the HEC-HMS and HEC-RAS Flood Hydrograph method will be required following the procedure on the Brazoria County Drainage Criteria Manual for areas served by the C&amp;R District No. 3 or the DD No. 5 Criteria Manual for their service area.</p>	<p>Substitutes HEC-HMS and HEC-RAS for HEC-1</p>	<p>HEC-HMS and HEC-RAS are updated methods more commonly in use.</p>



<p><b>Section 5 - Drainage 1.04 F.3.b</b></p>	<p>Detention ponds shall have a concrete pilot channel to aid in drainage.</p>	<p>Dry detention ponds with lengths over 50 feet shall have a concrete pilot channel. The created "bayou drainage system" is intended to be a wet system and is thus exempt from this provision.</p>	<p>Creates 50-foot minimum for pilot channels and clarifies that the bayou system is a wet system.</p>	<p>The bayou system is intended to replicate a natural water course. It will be designed to hold water with a wet bottom. Maintaining this natural look is an important aspect of the development plan so it is important to clarify that the created bayous are exempt from the concrete pilot channel requirement.</p>
<p><b>Section 5 - Drainage 1.04 F.3.f</b></p>	<p>New Requirement</p>	<p>Wet detention ponds may be connected by a submerged pipe. Storm sewers discharging into wet detention ponds may be submerged from the last manhole to the outfall.</p>	<p>NA</p>	<p>The submerged outfall is more esthetic. By limiting the submerged portion to the last run of pipe and connections between two wet ponds, maintenance access problems are minimized.</p>
<p><b>Section 5 - Drainage 1.04 F.3.g</b></p>	<p>New Requirement</p>	<p>The maintenance berm shall be 30 feet in width at a slope not to exceed a 10:1 (10%) slope. No back slope swales are required for areas of the detention basin where there are 5:1 or flatter side slopes and no more than 1/2 of the adjacent lot depth (or a maximum of 50 feet in nonresidential areas) draining over the side slope. Areas with side slopes steeper than 5:1, or areas draining more than 1/2 of the adjacent lot (or more than 50 feet in nonresidential) must have back slope swales.</p>	<p>NA</p>	<p>This criteria preserves the maintenance berm requirements, but creates a more esthetic look consistent with the concept plans for the created "bayou drainage system". In areas where the side slopes are very flat (as proposed in the standard) erosion is not an issue, so the backslope drains can be eliminated. Maintenance bonds will be in place to ensure maintenance does occur if problems develop.</p>
<p><b>Section 5 - Drainage 1.04 F.3.h</b></p>	<p>New Requirement</p>	<p>Pumped detention basins shall be allowed; construction plans must be submitted for review and approval by the City and appropriate drainage district. The following criteria shall be the basis for approval: (1) The drainage area served by the basin may not exceed 300 acres; (2) The percentage of pumped volume may not exceed 50% of the total volume of the basin; (3) The total time to empty the pumped volume may not exceed 72 hours after the gravity portion has emptied; (4) A means of back up power supply must be provided.</p>	<p>NA</p>	<p>Pumped detention is appropriate in certain circumstances as described by the limitations in the proposed criteria. Pumped detention allows for more efficient use of land and increased tax base. Pumping systems will be obligated for maintenance to a municipal utility district, a public tax-supported entity.</p>
<p><b>Section 5 - Drainage 1.05 D</b></p>	<p>New Section</p>	<p>C. Conceptual drainage plans, master drainage plans, storm water and drainage routing models shall be submitted for review and approval by the appropriate drainage district; courtesy copies will be provided to the city. Submittals to FEMA related to CLOMR's, LOMR's, LOMR-F's, or similar documents requiring approval of the flood plain administrator shall be submitted to the city's flood plain administrator; courtesy copies will be provided to the appropriate drainage district.</p>	<p>Clarification of jurisdiction and responsibility.</p>	<p>The proposed process eliminates duplicate plan reviews and review fees from multiple jurisdictions and clarifies the respective responsibilities of each entity.</p>

### **E. Interpretation**

The City's Designated Official shall be responsible for interpreting the provisions of the PUD. Appeals to the Designated Official's interpretation may be made to City Council within thirty (30) days of the date of the interpretation.

### **F. Administrative Approval**

Certain changes to the provisions may be made administratively by the City of Iowa Colony Designated Official, provided such changes are consistent with the intent and general purpose of the PUD and do not result in the reduction of open space by more than ten (10) percent within the project or exceed the maximum number of dwelling units permitted.

Decisions by the Designated Official regarding administrative changes shall be subject to appeal by the City Council. The following categories shall be considered administrative changes, but are not limited to:

- The addition of new information to the PUD, including maps or text that does not change or affect any of the regulations or guidelines contained therein.
- Changes to the community infrastructure phasing and alignment, such as roads, drainage, water and sewer systems, excluding water and sewer plant locations.
- Changes in land use plan boundaries within the PUD, division of areas or combinations of areas provided there is not a net loss of open space and no net increase in the total of units allowed.
- Changes or modifications in lot sizes and/or configuration, provided that the lots meet the minimum requirements established in the development standards for their respective land use.
- Changes to development regulations that are in the interest of the community and do not affect health or safety issues.
- Placement and/or construction of community identity or character features such as entry monuments, neighborhood signage, community art, mailboxes, etc.
- Relocation or modification of school or park sites.

- The creation of gated neighborhoods, private residential streets, or other modifications in common area assets to be maintained by a group of residential homeowners, provided the overall circulation of the project is maintained.
- The determination that a use may be allowed which is not specifically listed as a permitted use, but may be determined to be analogous and/or accessory to a permitted use as determined by the City's Designated Official.

The City's Designated Official shall have the authority to make a determination whether an administrative approval is appropriate regarding any situations or circumstances that are not specifically listed here.

#### **G. Substantial Change**

The PUD may be substantially amended by the procedure outlined in Article VIII of the City of Iowa Colony Zoning Ordinance.

#### **H. Fees**

All fees associated with the entitlement process shall be assessed as indicated by the City's adopted fee schedule that is in place at the time of Council approval. All fees shall be fair and reasonable.

# APPENDIX

Seven Oaks  
Rezoning Ordinance

ORDINANCE NO. 2007-10

AN ORDINANCE OF THE CITY OF IOWA COLONY, TEXAS, CONTAINING FINDINGS OF FACT AND CONCLUSIONS OF LAW; AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF SAID CITY TO REZONE CERTAIN PROPERTY FROM SINGLE FAMILY RESIDENTIAL TO PLANNED UNIT DEVELOPMENT; APPROVING A SITE PLAN, WITH LIMITATIONS AND RESTRICTIONS; PROHIBITING DEVELOPMENT OR CONSTRUCTION IN THE REZONED AREA WITHOUT PRIOR APPROVAL FROM THE CITY IN THE SAME MANNER AS PLAT APPROVAL, EVEN IF A SUBDIVISION IS NOT BEING CREATED; PRESERVING ALL DISCRETION AND AUTHORITY OF THE CITY; RATIFYING AND CONFIRMING ALL ACTIONS PREVIOUSLY TAKEN BY THE MAYOR, MAYOR PRO-TEM, CITY SECRETARY, OR CITY ATTORNEY WITH RESPECT THERETO; PROVIDING FOR AMENDMENT OF THE ZONING MAP; AND CONTAINING A SEVERANCE CLAUSE, SAVINGS CLAUSE, AND EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS, DULY ASSEMBLED:

**Section 1. Findings.**

The City Council of the City of Iowa Colony, Texas, makes the following findings of fact and conclusions of law:

a. The Owner of the premises hereby rezoned, or the Owner's duly authorized agent, has timely filed with the City Secretary a request for this action, containing all necessary information.

b. The public hearing required by the Zoning Enabling Act of the State of Texas, codified as Section 211.001, et seq., Texas Local Government Code, and the Zoning Ordinance, has been conducted in the manner and at the time required.

c. More than fifteen (15) days prior to the date of such hearing, public notice of such hearing was published once in the Alvin Sun, a newspaper of general circulation in and the official newspaper of said City, stating the date, time and place of such hearing.

d. More than ten (10) days before the date of such hearing, and more than thirty (30) days prior to the passage of this ordinance, written notice of said application was sent to the owners of the hereinbelow described property for which the rezoning is proposed and to all owners of property located within two hundred (200') feet of such property.

e. After giving due regard to the nature and consideration of all adjacent uses and structures and of the nature and condition of said City as a whole, the City Council of said City is of the opinion that such proposed rezoning conforms to the requirements and intent of said City and the Comprehensive Plan of said City, and that such rezoning will not constitute a nuisance or be detrimental to the public health, safety, morals, or welfare of the community.

f. The health, safety, morals and general welfare of the people of the City of Iowa Colony, will best be served by the adoption of this ordinance and the granting of the rezoning hereinafter mentioned.

g. All requirements of law have been satisfied.

## Section 2. Rezoning.

a. The Comprehensive Zoning Ordinance of said City is hereby amended, and the following described real property (herein called "the premises") located within the corporate limits of said City is hereby rezoned from Single Family Residence to Planned Unit Development:

509.598 acres situated in the H.T.& B.R.R. Co. Survey, Abstract 286, Section 55; H.T.&B.R.R. Co. Survey, Abstract 287, Section 53; W. H. Dennis Survey, Abstract 513, Section 52; and W. H. Dennis Survey, Abstract 515, Section 56; City of Iowa Colony, Brazoria County, Texas, more fully described on Exhibit "A" attached hereto and incorporated herein in full.

b. Subject to the restrictions and limitations herein, the City hereby approves the Site Plan attached hereto as Exhibit "B" and incorporated herein; provided, however, that this approval of the Site Plan does not apply to the locations of any lot lines, streets, or other improvements.

c. However, as a strict condition of this ordinance and of all zoning amendments herein, no person shall cause or perform any development or construction on the premises, without first obtaining approval from the City for all matters that the City would have the right to approve or disapprove in considering a subdivision plat. Even if no subdivision is being created so as to invoke the subdivision ordinance or to require plat approval, this rezoning ordinance shall nevertheless require the City's approval to be obtained concerning the same subjects that the City would have the right to regulate or approve if plat approval were required. Thus, this ordinance is not sufficient to authorize any development or construction without further approval by the City.

d. Nothing in any portion of this ordinance shall restrict or impair the City's authority or discretion to approve or disapprove any development, construction, subdivision, or any other matter.

### **Section 3. Ratification of Actions of Officers.**

The City Council of the City of Iowa Colony hereby ratifies and confirms any and all actions taken by the Mayor, Mayor Pro-Tem, City Secretary, or City Attorney thereof,

in connection with the granting of the rezoning evidenced by this ordinance, in giving of the public notice of such hearing, in the giving of written notice of such hearing to the owner of the premises and to the adjoining property owners, and in the conducting of the public hearing required by said Act and said Ordinance.

**Section 4. Zoning Map.**

The City Secretary shall amend the zoning map of the City of Iowa Colony to reflect this rezoning of the premises.

**Section 5. Other Ordinances.**

This ordinance is cumulative of and in addition to all other ordinances of the City of Iowa Colony on the same subject and all such other ordinances are hereby expressly saved from repeal. In the event any provisions of any such other ordinance conflict with or overlap the provisions of this ordinance, whichever imposes the more stringent regulation shall control, except as may be specifically stated otherwise herein. The Zoning Ordinance shall remain in full force and effect, subject to the changes herein specified.

**Section 6. Severance Clause.**

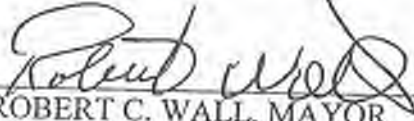
In the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

**Section 7. Effective Date.**

This ordinance shall take effect and be in force from and after its passage and adoption.



READ, PASSED AND ADOPTED this 11 day of July, 2007.

  
ROBERT C. WALL, MAYOR  
CITY OF IOWA COLONY, TEXAS

ATTEST:

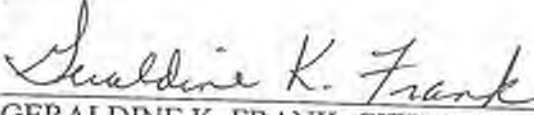
  
GERALDINE K. FRANK, CITY SECRETARY  
CITY OF IOWA COLONY, TEXAS

EXHIBIT "A"

Iowa Colony Annexation  
509.598 Acres

February 13, 2007

DESCRIPTION OF 509.598 ACRES  
SITUATED IN THE  
H.T. & B.R.R. CO. SURVEY, ABSTRACT 288, SECTION 55  
H.T. & B.R.R. CO. SURVEY, ABSTRACT 287, SECTION 53  
W.H. DENNIS SURVEY, ABSTRACT 513, SECTION 52  
W.H. DENNIS SURVEY, ABSTRACT 515, SECTION 56  
CITY OF IOWA COLONY, BRAZORIA COUNTY, TEXAS

Said 509.598 acre tract is more particularly described by metes and bounds in four (4) tracts as follows:

Tract 1:

METES AND BOUNDS DESCRIPTION of a 195.909 acre tract in the H.T. & B.R.R. Co. Survey, Abstract No. 287, Section 53, Brazoria County, Texas. Said 195.909 acre tract is more particularly described as follows:

BEGINNING at the intersection of the east line of said Section 53 with the south line of the City of Alvin City Limit, said line being 100-feet south of and parallel to the north line of said Section 53, having coordinates of X = 3,116,252.78 and Y = 13,726,785.01, said point also being in the centerline of County Road 786 (based on a width of 40-feet);

THENCE, South 02°50'00" East, along the east line of said Section 53 for a distance of 2,540.82 feet to a point for the southwest corner of a 320.41 acre tract described in a deed to Beauford S. King as recorded in Clerk's File Number 02 049268 of the Brazoria County Official Records;

THENCE, South 87°16'49" West, along the south line of said 320.41 acre tract for a distance of 2,657.61 feet to a point for angle;

THENCE, South 87°23'00" West, continuing along the south line of said 320.41 acre tract for a distance of 23.49 feet to a point for the southeast corner of Lot 1 of Lulling Brook, Section One, an unrecorded subdivision;

THENCE, North 02°46'29" West, along the west line of said 320.41 acre tract, same being the east line of said Lulling Brook, Section One, for a distance of 1,760.30 feet to the southeast corner of Lot 7 of said Lulling Brook, Section One;

THENCE, South 87°22'54" West, along the south line of said Lot 7 for a distance of 2,204.62 to a point in east line of Iowa Colony City Limits, said line being 400-feet east of and parallel to the centerline of County Road 65 (based on a width of 80-feet);

THENCE, North 02°46'29" West, along said east line for a distance of 780.08 feet to a point in the aforementioned south line of the City of Alvin City Limit Line;

THENCE, North 87°19'17" East, along said south line for a distance of 4,883.12 feet to the POINT OF BEGINNING, containing a computed area of 195.909 acres (8,533,779 square feet) within this description of Tract 1.

TRACT 2:

METES AND BOUNDS DESCRIPTION of a 157.629 acre tract in the W.H. Dennis Survey, Section 52, Abstract 513 and the W.H. Dennis Survey, Section 56, Abstract 515 in Brazoria County, Texas. Said 157.629 acre tract is more particularly described as follows:

BEGINNING at the southwest corner of a 39.9737 acre tract described in a deed to H and O Investments as recorded in Clerk's File Number 91889 779 of the Brazoria County Official Records, having coordinates of X = 3,108,636.05 and Y = 13,726,538.43;

THENCE, North 02°44'11" West, along the west line of said 39.9737 acre tract for a distance of 1,319.73 feet to a point for the northwest corner of said 39.9737 acre tract;

THENCE, North 87°22'43" East, along the north line of said 39.9737 acre tract for a distance of 659.11 feet to a point in the west line of the Iowa Colony City Limit, said line being 660-feet west of and parallel to the centerline of County Road 48 (based on a width of 40-feet);

THENCE, South 02°45'39" East, along said west line for a distance of 1,719.69 feet to a point for angle, said line being 400-feet south of and parallel to the centerline of County Road 56 (based on a width of 40-feet);

THENCE, North 87°22'29" East, continuing along said west line for a distance of 657.59 feet to a point for angle;

THENCE, North 87°47'43" East, continuing along said west line for a distance of 619.50 feet to a point for angle, said point being in the a line 400-feet west of and parallel to County Road 65 (based on a width of 60-feet);

THENCE, South 02°46'29" East, continuing along said west line for a distance of 915.58 feet to a point for corner;

THENCE, South 87°14'01" West, for a distance of 4,543.34 feet to a point in the east line of State Highway 288;

THENCE, North 01°43'01" East, along the east line said State Highway 288 for a distance of 45.63 to the point of curvature of a curve to the right;

THENCE, continuing along said east line and with said curve to the right, having a radius of 1,041.74 feet, a central angle of 46°30'00" (chord bears North 24°58'00" East, 822.44 feet), for an arc distance of 845.45 feet to the point of tangency;

THENCE, North 48°13'01" East, continuing along the east line of said State Highway 288 for a distance of 221.06 feet to the point of curvature of a curve to the left;

THENCE, continuing along said east line and with said curve to the left, having a radius of 458.37 feet, a central angle of 44°15'00" (chord bears North 26°05'32" East, 345.27 feet), for an arc distance of 354.00 feet to the point of tangency;

THENCE, North 46°35'01" East, continuing along the east line of said State Highway 288 for a distance of 69.83 feet to a point in the southerly line of County Road 56;

- THENCE, North 87°55'01" East, along the south line of said County Road 56 for a distance of 150.00 feet to a point for corner;
- THENCE, North 01°31'59" West, for a distance of 69.91 feet to a point for corner in the common survey line between the aforementioned Section 52 and Section 56, said line also being the centerline of County Road 56 (based on a width of 40-feet);
- THENCE, South 87°21'25" West, along the common line between said Section 52 and Section 56 for a distance of 1.57 feet to a point for corner;
- THENCE, North 01°38'22" West, for a distance of 49.50 feet to a point in the east line of the aforementioned State Highway 288;
- THENCE, South 87°49'51" West, along the east line of said State Highway 288 for a distance of 149.72 to a point for angle;
- THENCE, North 49°23'29" West, continuing along the east line of said State Highway 288 for a distance of 72.42 to a point of curvature of a curve to the left;
- THENCE, continuing along said east line and with said curve to the left, having a radius of 458.37 feet, a central angle of 22°00'08" (chord bears North 20°14'36" West, 174.94 feet), for an arc distance of 176.02 feet to a point of reverse curvature of a curve to the right;
- THENCE, continuing along said east line and with said curve to the right, having a radius of 200.00 feet, a central angle of 28°21'39" (chord bears North 16°36'16" West, 97.99 feet), for an arc distance of 99.00 feet to a point for angle;
- THENCE, South 87°21'25" West, continuing along said east line of State Highway 288 for a distance of 40.00 feet to a point for angle;
- THENCE, South 02°54'50" East, continuing along said east line for a distance of 257.03 feet to a point for angle;
- THENCE, North 45°00'11" West, continuing along said east line of State Highway 288 for a distance of 81.91 feet to a point of curvature of a curve to the left;
- THENCE, continuing along said east line and with said curve to the left, having a radius of 446.46 feet, a central angle of 37°41'18" (chord bears North 34°04'55" West, 288.41 feet), for an arc distance of 293.68 feet to the point of tangency;
- THENCE, North 50°59'49" West, continuing along said east line of State Highway 288 for a distance of 54.10 feet to a point of curvature of a curve to the right;
- THENCE, continuing along said east line and with said curve to the right, having a radius of 996.45 feet, a central angle of 16°56'23" (chord bears North 41°48'57" West, 293.53 feet), for an arc distance of 294.61 feet to a point for corner;
- THENCE, North 87°23'00" East for a distance of 433.11 feet to a point for the southwest corner of Tract 656 in Section 56 of the Emigration Land Company Subdivision as Recorded in Volume 2, Page 113 of the Brazoria County Plat Records;

THENCE, North 02°44'00" West, along the west line of said Tract 656 for a distance of 660.00 feet to a point for the northwest corner of the herein described tract;

THENCE, North 87°23'00" East, along the north line of said Tract 656, for a distance of 659.81 feet to a point for the northeast corner of said Tract 656;

THENCE, South 02°44'58" East, along the east line of said Tract 656, at a distance of 660.00 feet pass the southeast corner of said Tract 656, and continue for a total distance of 1,319.70 feet to a point in the aforementioned common line between said Section 52 and Section 56;

THENCE, North 87°22'29" East, along the common line between said Section 52 and Section 56, same being the centerline of said County Road 56, for a distance of 1,319.51 feet to the POINT OF BEGINNING, containing a computed area of 157,629 acres (6,866,321 square feet) within this description of Tract 2.

**TRACT 3:**

METES AND BOUNDS DESCRIPTION of a 59.506 acre tract in the W.H. Dennis Survey, Section 56, Abstract 515 in Brazoria County, Texas. Said 59.506 acre tract is more particularly described as follows:

BEGINNING at the southwest corner of Lot 662 of the Emigration Land Co. Subdivision as recorded in Volume 2, Page 113 of the Brazoria County Plat Records, having coordinates of X = 3,108,509.75 and Y = 13,729,169.68, said point being in the center line of an unopened road, based on a width of 40-feet;

THENCE, South 87°07'41" West, along the centerline of said unopened road for a distance of 1,320.00 feet to a point for the southwest corner of a 78.4250 acre tract described in a deed to Prospera L. Panes, Leovigildo O. Panes, Erlinda F. Panis and Primo O. Panis as recorded in Clerk's File Number 01 055890 of the Brazoria County Official Record;

THENCE, North 02°42'21" West, along the west line of said 78.4250 acre tract for a distance of 2,462.71 feet to a point in the easterly line of State Highway 288 (variable width right-of-way at this point);

THENCE, North 72°42'23" East, along said east line of State Highway 288 for a distance of 160.82 feet to a point for the most northerly northeast corner of the herein described tract;

THENCE, South 02°42'21" East, along a line 155.63 feet east of and parallel to the west line of said 78.4250 acre tract for a distance of 509.02 feet to a point for corner in the north top bank of the West Fork of Chocolate Bayou;

THENCE, along the north top bank of the West Fork of Chocolate Bayou the following courses and distances:

South 41°40'16" East, for a distance of 207.73 feet to a point for corner,

South 63°54'16" East, for a distance of 102.26 feet to a point for corner,

South 36°59'37" East, for a distance of 105.68 feet to a point for corner,

South 44°06'09" East, for a distance of 49.14 feet to a point for corner,  
 South 73°14'34" East, for a distance of 74.57 feet to a point for corner,  
 North 88°03'21" East, for a distance of 75.75 feet to a point for corner,  
 North 78°57'33" East, for a distance of 191.04 feet to a point for corner,  
 South 66°29'55" East, for a distance of 54.40 feet to a point for corner,  
 North 52°07'45" East, for a distance of 20.87 feet to a point for corner,  
 North 83°37'01" East, for a distance of 19.60 feet to a point for corner,  
 South 50°43'56" East, for a distance of 33.49 feet to a point for corner,  
 South 08°49'00" West, for a distance of 24.04 feet to a point for corner,  
 South 19°51'31" East, for a distance of 94.19 feet to a point for corner,  
 South 22°19'19" East, for a distance of 140.87 feet to a point for corner,  
 South 04°50'08" East, for a distance of 85.70 feet to a point for corner,  
 South 09°22'57" West, for a distance of 80.30 feet to a point for corner,  
 South 16°10'40" East, for a distance of 34.60 feet to a point for corner,  
 South 38°37'36" East, for a distance of 32.58 feet to a point for corner,  
 South 73°48'46" East, for a distance of 191.26 feet to a point for corner,

THENCE, South 65°56'04" East, continuing along the north top bank of the West Fork of  
 Chocolate Bayou for a distance of 158.20 feet to a point for the most easterly northeast  
 corner of the herein described 49.505 acre tract, said point being in the east line of the  
 aforementioned 78.4250 acre tract and the west line of Lot 661 of the Emigration Land Co.  
 Subdivision as recorded in Volume 2, Page 113 of the Brazoria County Plat Records;

THENCE, North 02°44'49" West, along the west line of said Lot 661 for a distance of 308.73  
 feet to point for the northwest corner of said Lot 661;

THENCE, North 87°07'41" East, along the north line of said Lot 661 for a distance of 660.00  
 feet to a point in the west line of the Iowa Colony City Limit, said line being 660-feet west of  
 and parallel to the centerline of said County Road 48;

THENCE, South 02°44'49" East, along said west line for a distance of 660.00 feet to a point  
 the south line said Lot 661;

THENCE, South 87°07'41" West, along the south line of said Lot 661 for a distance of 660.00 feet to a point for the southwest corner of said Lot 661, said point being in the east line of the aforementioned 78.4250 acre tract;

THENCE, South 02°44'49" East, along the east line of said 78.4250 acre tract for a distance of 659.65 feet to the POINT OF BEGINNING, containing a computed area of 59.506 acres (2,592,089 square feet) within this description of Tract 3.

**TRACT 4:**

METES AND BOUNDS DESCRIPTION of a 96.554 acre tract in the H.T. & B.R.R. Co. Survey, Abstract No. 286, Section 55, Brazoria County, Texas. Said tract is more particularly described as follows:

BEGINNING at a point for the intersection of the west line of Colony West (an unrecorded subdivision) with the south line of said Section 55, having coordinates of X = 3,112,583.82 and Y = 13,726,713.47;

THENCE, South 87°19'38" West, along the south line of said Section 55 for a distance of 1,615.00 feet to a point for angle;

THENCE, South 87°46'08" West, continuing along said south line for a distance of 356.97 feet to a point in the east line of Iowa Colony City Limits, said line being 660-feet west of and parallel to the centerline of County Road 48 (based on a width of 40-feet);

THENCE, North 02°45'39" West, along said east line for a distance of 1,325.08 feet to a point in the north line of a 40 acre tract described in a deed to Dan Schovajas as recorded in Volume 698, Page 54 of the Brazoria County Deed Records;

THENCE, North 87°19'25" East, along the north line of said 40 acre tract for a distance of 661.28 feet to a point for the southwest corner of a 40 acre tract described in a deed to Daniel Schovajas as recorded in Volume 904, Page 621 of the Brazoria County Deed Records;

THENCE, North 02°28'47" West, along the west line of said 40 acre tract for a distance of 1,219.27 feet to a point for the northwest corner of said 40 acre tract and the southwest corner of a 6.06 acre tract described as "Second Tract" in a deed to The South Texas Water Company as recorded in Volume 261, Page 461 of the Brazoria County Deed Records;

THENCE, North 87°21'35" East, along the north line of said 40 acre tract for a distance of 1,289.95 feet to the northeast corner of said 40 acre tract, said point is in the west line of Colony West, Section Three, an unrecorded subdivision;

THENCE, South 02°52'03" East, along the west line of said Colony West for a distance of 2,546.42 feet to the POINT OF BEGINNING, containing a computed area of 96.554 acres (4,205,884 square feet) within this description of Tract 4; aggregating a total of 509.698 acres (22,198,073 square feet) in Tracts 1, 2, 3 and 4.

**NOTE:**

1. All bearings and distances shown hereon are based on the Texas State Plane Coordinate System, South Central Zone, NAD83 (CORS 96). All distances and



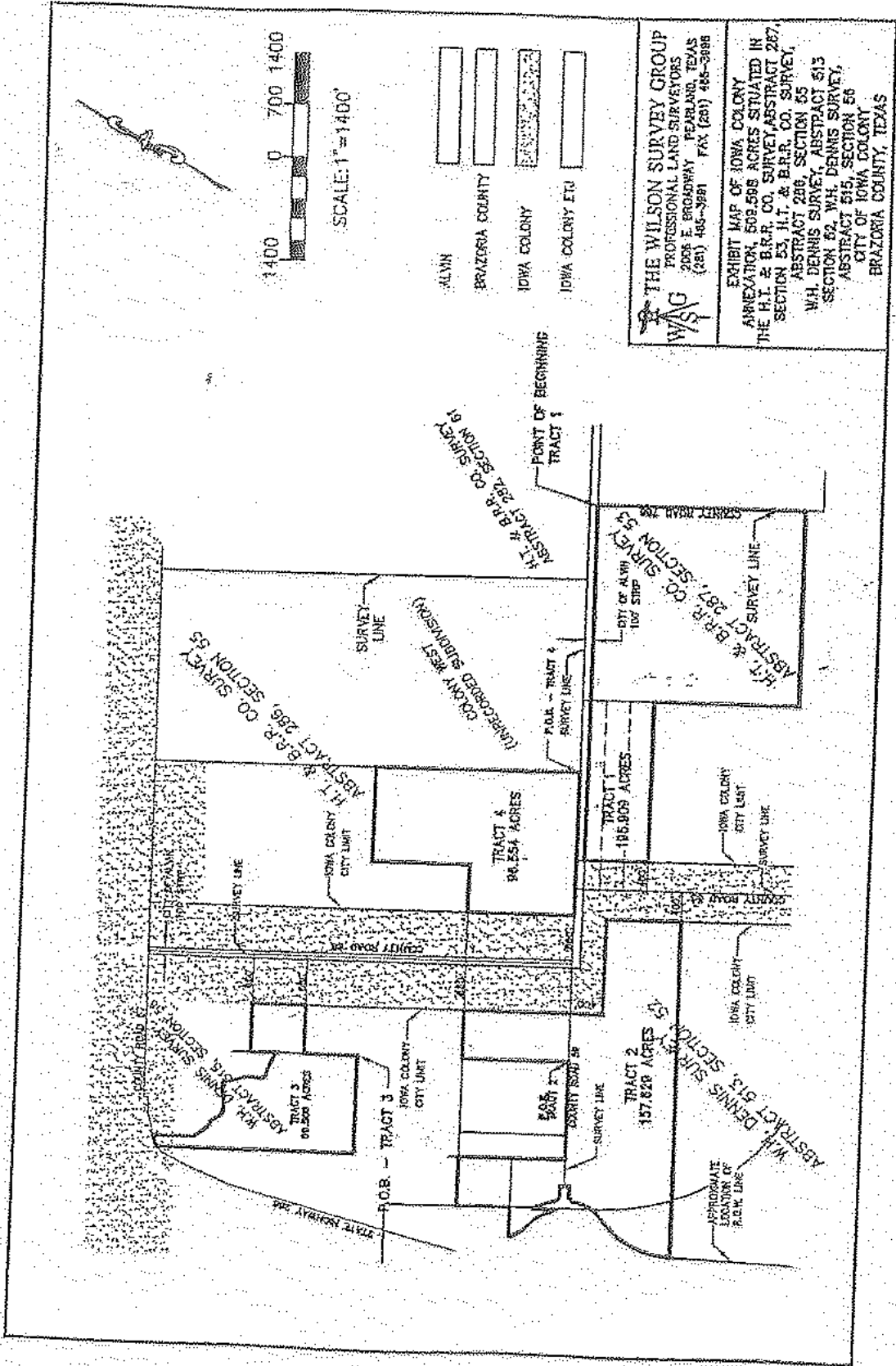
coordinates shown are surface and may be converted to grid by multiplying a combined adjustment factor of 0.99986742185

2. This document was prepared under 22 Texas Annotated Code #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.
3. The Exhibit Map of the tracts described herein is being issued under separated cover of even date.

The Wilson Survey Group, Inc.  
2006 East Broadway, Suite 105  
Pearland, Texas 77581  
(281) 485-3991  
Job No. 05-202

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Michael D. Wilson, R.P.L.S.  
Registration No. 4821



SCALE: 1" = 1400'

- ALVIN
- BRAZORIA COUNTY
- IOWA COLONY
- IOWA COLONY ETC

**THE WILSON SURVEY GROUP**  
 PROFESSIONAL LAND SURVEYORS  
 2008 E. BROADWAY PEARLAND, TEXAS  
 (281) 465-3981 FAX (281) 466-8888

EXHIBIT MAP OF IOWA COLONY  
 ANNEXATION, 509,586 ACRES SITUATED IN  
 THE H.T. & B.R.R. CO. SURVEY, ABSTRACT 287,  
 SECTION 53, H.T. & B.R.R. CO. SURVEY,  
 ABSTRACT 286, SECTION 55  
 W.H. DENNIS SURVEY, ABSTRACT 513  
 SECTION 52, W.H. DENNIS SURVEY,  
 ABSTRACT 515, SECTION 56  
 CITY OF IOWA COLONY  
 BRAZORIA COUNTY, TEXAS

Seven Oaks  
Amended Rezoning Ordinance

ORDINANCE NO. 2009-4

AN ORDINANCE OF THE CITY OF IOWA COLONY, TEXAS, CONTAINING FINDINGS OF FACT AND CONCLUSIONS OF LAW; AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ORDINANCE NO. 2007-10 OF SAID CITY TO REZONE CERTAIN PROPERTY FROM SINGLE FAMILY RESIDENTIAL TO PLANNED UNIT DEVELOPMENT; APPROVING A SITE PLAN, WITH LIMITATIONS AND RESTRICTIONS; PROHIBITING DEVELOPMENT OR CONSTRUCTION IN THE REZONED AREA WITHOUT PRIOR APPROVAL FROM THE CITY IN THE SAME MANNER AS PLAT APPROVAL, EVEN IF A SUBDIVISION IS NOT BEING CREATED; PRESERVING ALL DISCRETION AND AUTHORITY OF THE CITY; RATIFYING AND CONFIRMING ALL ACTIONS PREVIOUSLY TAKEN BY THE MAYOR, MAYOR PRO-TEM, CITY SECRETARY, OR CITY ATTORNEY WITH RESPECT THERETO; PROVIDING FOR AMENDMENT OF THE ZONING MAP; AND CONTAINING A SEVERANCE CLAUSE, SAVINGS CLAUSE, AND EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS:

Section 1. Findings.

The City Council of the City of Iowa Colony, Texas, makes the following findings of fact and conclusions of law:

a. The Owner of the premises hereby rezoned, or the Owner's duly authorized agent, has timely filed with the City Secretary a request for this action, containing all necessary information.

b. The public hearing required by the Zoning Enabling Act of the State of Texas, codified as Section 211.001, et seq., Texas Local Government Code, and the Zoning Ordinance, has been conducted in the manner and at the time required.

c. More than fifteen (15) days prior to the date of such hearing, public notice of such hearing was published once in the Manvel Reporter News, a newspaper of general circulation in and the official newspaper of said City, stating the date, time and place of such hearing.

d. More than ten (10) days before the date of such hearing, and more than thirty (30) days prior to the passage of this ordinance, written notice of said application was sent to the owners of the hereinbelow described property for which the rezoning is proposed and to all owners of property located within two hundred (200') feet of such property.

e. After giving due regard to the nature and consideration of all adjacent uses and structures and of the nature and condition of said City as a whole, the City Council of said City is of the opinion that such proposed rezoning conforms to the requirements and intent of said City and the Comprehensive Plan of said City, and that such rezoning will not constitute a nuisance or be detrimental to the public health, safety, morals, or welfare of the community.

f. The health, safety, morals and general welfare of the people of the City of Iowa Colony, will best be served by the adoption of this ordinance and the granting of the rezoning hereinafter mentioned.

g. All requirements of law have been satisfied.

**Section 2. Rezoning.**

a. This ordinance amends and supersedes Ordinance No. 2007-10. The Comprehensive Zoning Ordinance of said City is hereby amended, and the following described real property (herein called "the premises") located within the corporate limits

of said City is hereby rezoned from Single Family Residence to Planned Unit Development:

- Tract 1: A 69.25 acre tract of land in the H.T.&B.R.R. Co. Survey, Abstract 515, Section 56, Brazoria County, Texas, said 69.25 acre tract being more particularly described by metes and bounds on Exhibit "A" attached hereto and incorporated herein in full.
- Tract 2: A 613.21 acre tract of land in the H.T.&B.R.R. Co. Survey, Abstract 515, Section 56, H.T.&B.R.R. Co. Survey, Abstract 286, Section 55, H.T.&B.R.R. Co. Survey, Abstract 287, Section 53, and the W. H. Dennis Survey, Abstract 514, Brazoria County, Texas, said 613.21 acre tract being more particularly described by metes and bounds on Exhibit "A" attached hereto and incorporated herein in full.
- Tract 3: A 263.81 acre tract of land in the H.T.&B.R.R. Co. Survey, Abstract 513, Section 52, Brazoria County, Texas, said 263.81 acre tract being more particularly described by metes and bounds on Exhibit "A" and attached hereto and incorporated herein in full.

b. Subject to the restrictions and limitations herein, the City hereby approves the Site Plan attached hereto as Exhibit "B" and incorporated herein; provided, however, that this approval of the Site Plan does not apply to the locations of any lot lines, streets, or other improvements.

c. However, as a strict condition of this ordinance and of all zoning amendments herein, no person shall cause or perform any development or construction on the premises, without first obtaining approval from the City for all matters that the City would have the right to approve or disapprove in considering a subdivision plat. Even if no subdivision is being created so as to invoke the subdivision ordinance or to require plat approval, this rezoning ordinance shall nevertheless require the City's approval to be obtained concerning the same subjects that the City would have the right to regulate or approve if plat approval were required. Thus, this ordinance is not

sufficient to authorize any development or construction without further approval by the City.

d. Nothing in any portion of this ordinance shall restrict or impair the City's authority or discretion to approve or disapprove any development, construction, subdivision, or any other matter.

**Section 3. Ratification of Actions of Officers.**

The City Council of the City of Iowa Colony hereby ratifies and confirms any and all actions taken by the Mayor, Mayor Pro-Tem, City Secretary, or City Attorney thereof, in connection with the granting of the rezoning evidenced by this ordinance, in giving of the public notice of such hearing, in the giving of written notice of such hearing to the owner of the premises and to the adjoining property owners, and in the conducting of the public hearing required by said Act and said Ordinance.

**Section 4. Zoning Map.**

The City Secretary shall amend the zoning map of the City of Iowa Colony to reflect this rezoning of the premises.

**Section 5. Other Ordinances.**

This ordinance is cumulative of and in addition to all other ordinances of the City of Iowa Colony on the same subject and all such other ordinances are hereby expressly saved from repeal. In the event any provisions of any such other ordinance conflict with or overlap the provisions of this ordinance, whichever imposes the more stringent regulation shall control, except as may be specifically stated otherwise herein. The Zoning Ordinance shall remain in full force and effect, subject to the changes herein specified.

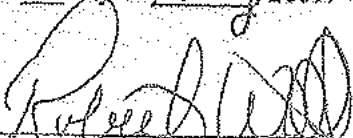
Section 6. Severance Clause.

In the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

Section 7. Effective Date.

This ordinance shall take effect and be in force from and after its passage and adoption.

READ, PASSED AND ADOPTED this 16 day of February, 2009.

  
ROBERT C. WALL, MAYOR  
CITY OF IOWA COLONY, TEXAS

ATTEST:

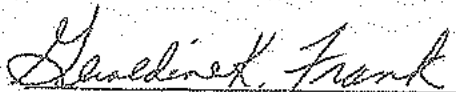
  
GERALDINE K. FRANK, CITY SECRETARY  
CITY OF IOWA COLONY, TEXAS

EXHIBIT "A"



METES AND BOUNDS DESCRIPTION  
IOWA COLONY P.U.D. - TRACT 1  
BEING 69.25 ACRES, SITUATED IN THE  
H.T.&B.R.R. CO. SURVEY, ABSTRACT 515, SECTION 56  
BRAZORIA COUNTY, TEXAS

A DESCRIPTION OF A 69.25 ACRE TRACT OF LAND IN THE H.T.&B.R.R. CO. SURVEY, ABSTRACT 515, SECTION 56, BRAZORIA COUNTY, TEXAS, SAID 69.25 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM OF 1983 SOUTH CENTRAL ZONE AS DETERMINED BY GPS MEASUREMENTS):

BEGINNING at a concrete monument along the easterly right-of-way line of State Highway 288 (SH-288 right of way varies);

- (1) THENCE, North 72°42'23" East, along the easterly right-of-way line of SH-288, a distance of 160.82 feet to a point;
- (2) THENCE, South 02°42'21" East, a distance of 509.02 feet to a point in the centerline of the West Fork of Chocolate Bayou;
- (3) THENCE, along the meanders of the centerline of the West Fork of Chocolate Bayou the following courses and distances;
  - South 49°13'37" East, a distance of 16.87 feet to an angle point;
  - South 39°03'29" East, a distance of 85.35 feet to an angle point;
  - South 42°34'39" East, a distance of 105.75 feet to an angle point;
  - South 63°54'16" East, a distance of 102.26 feet to an angle point;
  - South 36°59'37" East, a distance of 105.68 feet to an angle point;
  - South 44°06'09" East, a distance of 49.14 feet to an angle point;
  - South 73°14'34" East, a distance of 74.57 feet to an angle point;
  - North 88°03'21" East, a distance of 75.75 feet to an angle point;
  - North 78°57'33" East, a distance of 191.04 feet to an angle point;
  - South 66°29'55" East, a distance of 54.40 feet to an angle point;
  - North 52°07'45" East, a distance of 20.87 feet to an angle point;
  - North 83°37'01" East, a distance of 19.60 feet to an angle point;
  - South 50°43'56" East, a distance of 33.49 feet to an angle point;
  - South 06°49'00" West, a distance of 24.04 feet to an angle point;
  - South 19°51'31" East, a distance of 94.19 feet to an angle point;

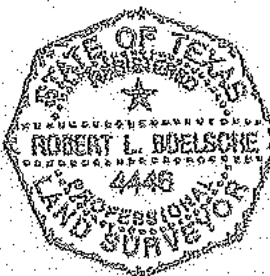
69.25 Acres

- South 22°19'19" East, a distance of 140.87 feet to an angle point;
- South 04°50'08" East, a distance of 85.70 feet to an angle point;
- South 09°22'57" West, a distance of 90.30 feet to an angle point;
- South 18°10'40" East, a distance of 34.60 feet to an angle point;
- South 38°37'36" East, a distance of 32.58 feet to an angle point;
- South 73°48'46" East, a distance of 191.26 feet to an angle point;
- South 65°58'04" East, a distance of 158.20 feet to an angle point;
- (4) THENCE, North 02°44'49" West, a distance of 308.73 feet to a point;
- (5) THENCE, North 87°07'41" East, a distance of 1319.81 feet to a point generally being in the centerline of County Road 48 and in the common line of the H.T. & B.R.R. Co. Survey, Abstract 515, Section 56 and the H.T. & B.R.R. Co. Survey, Abstract 286, Section 55;
- (6) THENCE, South 02°44'45" East, along the common survey line, a distance of 660.00 feet to a point;
- (7) THENCE, South 87°07'41" West, a distance of 1319.80 feet to a point;
- (8) THENCE, South 02°44'49" East, a distance of 654.39 feet to a point;
- (9) THENCE, South 87°22'50" West, a distance of 1320.00 feet to a point;
- (10) THENCE, North 02°42'21" West, a distance of 2451.63 feet to the POINT OF BEGINNING and containing 69.25 acres of land.

EDMINSTER, HINSHAW, RUSS AND ASSOCIATES, INC.

*Robert L. Boelsche*

Robert L. Boelsche, R.P.L.S.  
Texas Registration No. 4446  
10555 Westoffice Drive  
Houston, Texas 77042  
713-784-4500



Date: December 17, 2006, 10:01  
Job No: 001-011-00  
File No: RA21089100101100V-10WALCOLONYHLD TRACT-1-69.25AC.dwg

METES AND BOUNDS DESCRIPTION  
 IOWA COLONY P.U.D. - TRACT 2  
 BEING 613.21 ACRES, SITUATED IN THE  
 H.T.&B.R.R. CO. SURVEY, ABSTRACT 515, SECTION 56,  
 H.T.&B.R.R. CO. SURVEY, ABSTRACT 286, SECTION 55,  
 H.T.&B.R.R. CO. SURVEY, ABSTRACT 287, SECTION 53,  
 W.H. DENNIS SURVEY, ABSTRACT 514,  
 BRAZORIA COUNTY, TEXAS

DESCRIPTION OF A 613.21 ACRE TRACT OF LAND IN THE H.T.&B.R.R. CO. SURVEY, ABSTRACT 515, SECTION 56, H.T.&B.R.R. CO. SURVEY, ABSTRACT 286, SECTION 55, H.T.&B.R.R. CO. SURVEY, ABSTRACT 287, SECTION 53, AND THE W.H. DENNIS SURVEY, ABSTRACT 514, BRAZORIA COUNTY, TEXAS, SAID 613.21 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM OF 1983 SOUTH CENTRAL ZONE AS DETERMINED BY GPS MEASUREMENTS):

BEGINNING at the intersection of the easterly right-of-way line a of State Highway 288 (SH-288, right of way width varies) and the southerly line of the H.T. & B.R.R. Co. Survey, Sec. 56, Abstract 515;

- (1) THENCE, North  $02^{\circ}17'10''$  West, a distance of 49.82 feet to a point in the northerly right-of-way line of C.R. 56 (120 feet wide);
- (2) THENCE, South  $07^{\circ}51'56''$  West, along the northerly right-of-way line of C.R. 56, a distance of 150.02 feet to the southeast end of a cutback corner at the northeast corner of the intersection of SH-288 and C.R. 56;
- (3) THENCE, North  $49^{\circ}02'06''$  West, along said cutback corner, a distance of 72.98 feet to the northwest end of said cutback corner in the arc of a non-tangent curve to the left in the easterly right-of-way line of SH-288;
- (4) THENCE, in a northwesterly direction along the easterly right-of-way line of S.H.-288 and with the arc of said curve to the left having a radius of 458.37 feet, an arc length of 176.42 feet, a delta of  $22^{\circ}03'08''$ , and a chord bearing of North  $20^{\circ}03'35''$  West, 175.33 feet to a point of reverse curvature with a tangent curve to the right;
- (5) THENCE, in a northwesterly direction along the easterly right-of-way line of S.H.-288 and with the arc of said curve to the right a radius of 290.00 feet, an arc length of 98.37 feet, a delta of  $28^{\circ}10'51''$ , and a chord bearing of North  $16^{\circ}59'44''$  West, 97.38 feet to a point in the easterly right-of-way line of a called 40-foot road;
- (6) THENCE, South  $87^{\circ}05'43''$  West, a distance of 40.00 feet to a point in the westerly right-of-way line of a called 40-foot road;
- (7) THENCE, South  $02^{\circ}54'17''$  East, along said westerly right-of-way line, a distance of 257.03 feet to a point in the easterly right-of-way line of SH-288;
- (8) THENCE, North  $44^{\circ}42'48''$  West, along the easterly right-of-way line of SH-288, a distance of 62.38 feet to a point in an arc of a non-tangent curve to the left;
- (9) THENCE, in a northwesterly direction along the easterly right-of-way line of SH-288 and with the arc of said curve to the left a radius of 445.46 feet, an arc length of 293.51 feet, a delta of  $37^{\circ}40'02''$ , and a chord bearing of North  $33^{\circ}55'29''$  West, 288.25 feet to a point of tangency;

613.21 Acres

- (10) THENCE, North  $52^{\circ}45'30''$  West, continuing along the easterly right-of-way line of SH-288, a distance of 12.10 feet to a point of curvature with the arc of a tangent curve to the right;
- (11) THENCE, in a northwesterly direction along the easterly right-of-way line of SH-288 and with the arc of said curve to the right a radius of 996.45 feet, an arc length of 335.91 feet, a delta of  $19^{\circ}18'53''$ , and a chord bearing of North  $43^{\circ}06'04''$  West, 334.32 feet to a point;
- (12) THENCE, North  $87^{\circ}24'04''$  East, a distance of 433.21 feet to a point;
- (13) THENCE, North  $02^{\circ}42'56''$  West, a distance of 660.26 feet to a point;
- (14) THENCE, North  $87^{\circ}24'04''$  East, a distance of 659.81 feet to a point;
- (15) THENCE, North  $02^{\circ}47'00''$  West, a distance of 1219.44 feet to a point in the south line of the South Texas Water Company 100-foot wide canal;
- (16) THENCE, North  $87^{\circ}22'50''$  East, along the south line of the South Texas Water Company 100-foot wide canal, a distance of 1925.38 feet to a point;
- (17) THENCE, South  $02^{\circ}44'45''$  East, a distance of 1219.44 feet to a point;
- (18) THENCE, North  $87^{\circ}22'50''$  East, a distance of 714.43 feet to a point;
- (19) THENCE, North  $87^{\circ}20'15''$  East, a distance of 1320.97 feet to a point;
- (20) THENCE, North  $02^{\circ}30'07''$  West, a distance of 1219.27 feet to a point;
- (21) THENCE, North  $87^{\circ}21'35''$  East, a distance of 1300.42 feet to a point;
- (22) THENCE, South  $02^{\circ}52'23''$  East, a distance of 2546.42 feet to a point in the common line of the H.T. & B.R.R. Co. Survey Section 53, Abstract 286 and the H.T. & B.R.R. Co. Survey Section 53, Abstract 287;
- (23) THENCE, North  $87^{\circ}19'17''$  East, along the common line of said surveys, a distance of 5415.09 feet to the easterly common corner of the H.T. & B.R.R. Co. Survey, Section 51, Abstract 282 and the W.H. Dennis Survey, Abstract 514 and being in the westerly line of the Oliver Hall Survey, Abstract 203;
- (24) THENCE, South  $29^{\circ}57'08''$  East, along the common line of the W.H. Dennis Survey, Abstract 514 and the Oliver Hall Survey, Abstract 203 for a distance of 1342.93 feet to the northeasterly corner of Lulling Stone Section 2 as recorded under Volume 23, Page 77-78 B.C.P.R.;
- (25) THENCE, South  $36^{\circ}36'16''$  West, along the northerly line of said Lulling Stone Section 2, a distance of 2161.35 feet to an angle point;
- (26) THENCE, South  $87^{\circ}10'00''$  West, continuing along the northerly line of said Lulling Stone Section 2, a distance of 987.23 feet to a point in the common line of the W.H. Dennis Survey Abstract 514 and the H.T. & B.R.R. Co. Survey, Section 53, Abstract 287;
- (27) THENCE, North  $02^{\circ}50'17''$  West, along the said common survey line, a distance of 228.43 feet to a point;
- (28) THENCE, South  $87^{\circ}16'49''$  West, a distance of 2656.85 feet to an angle point;

613.21 Acres

- (29) THENCE, South  $87^{\circ}23'00''$  West, a distance of 23.49 feet to a point marking the southeast corner of Lot 1 of Lulling Brook Section 1 as recorded under 2007037473 B.C.P.R.;
- (30) THENCE, North  $02^{\circ}46'29''$  West, along the east line of Lot 1, a distance of 293.42 feet to the easterly common corner of Lot 1 and Lot 2;
- (31) THENCE, South  $87^{\circ}22'46''$  West, along the common line of Lot 1 and Lot 2, a distance of 711.67 feet to a point in the centerline of the West Fork of Chocolate Bayou;
- (32) THENCE, along the meanders of the centerline of the West Fork of Chocolate Bayou the following courses and distances:
- North  $04^{\circ}38'32''$  East, a distance of 134.88 feet to an angle point;
  - North  $02^{\circ}32'08''$  East, a distance of 160.19 feet to an angle point;
  - North  $02^{\circ}30'19''$  East, a distance of 42.34 feet to an angle point;
  - North  $14^{\circ}44'13''$  West, a distance of 54.92 feet to an angle point;
  - North  $38^{\circ}31'58''$  West, a distance of 75.34 feet to an angle point;
  - North  $42^{\circ}17'29''$  West, a distance of 72.15 feet to an angle point;
  - North  $38^{\circ}54'30''$  West, a distance of 100.39 feet to a point in the common line of Lot 3 and Lot 4;
- (33) THENCE, North  $87^{\circ}22'46''$  East, along the common line of Lot 3 and Lot 4, a distance of 836.05 feet to a point;
- (34) THENCE, North  $87^{\circ}23'00''$  East, a distance of 49.15 feet to a point;
- (35) THENCE, North  $33^{\circ}26'10''$  East, a distance of 362.83 feet to a point;
- (36) THENCE, South  $87^{\circ}23'00''$  West, a distance of 263.76 feet to the common corner of Lot 4 and Lot 5;
- (37) THENCE, North  $02^{\circ}46'53''$  West, along the east line of Lot 5, a distance of 293.16 feet to the common corner of Lot 5 and Lot 6;
- (38) THENCE, South  $87^{\circ}22'54''$  West, along the common line of Lot 5 and Lot 6, a distance of 1202.26 feet to a point in the centerline of the West Fork of Chocolate Bayou;
- (39) THENCE, along the meanders of the centerline of the West Fork of Chocolate Bayou the following courses and distances:
- North  $71^{\circ}46'08''$  East, a distance of 17.86 feet to an angle point;
  - North  $42^{\circ}56'33''$  East, a distance of 40.06 feet to an angle point;
  - North  $39^{\circ}19'40''$  East, a distance of 44.51 feet to an angle point;
  - North  $03^{\circ}14'04''$  East, a distance of 220.70 feet to a point in the common line of Lot 6 and 7;

613.21 Acres

- (40) THENCE, South 87°22'54" West, along the common line of Lot 6 and 7, a distance of 1448.15 feet to a point in the easterly right-of-way line of County Road 65 (60 right of way);
- (41) THENCE, North 02°46'53" West, along the easterly right-of-way line of said County Road 65, a distance of 879.70 feet to the intersection with the southerly line of the H.T. & B.R.R. Co. Survey, Sec. 55, Abstract 286;
- (42) THENCE, South 87°46'36" West, along the southerly line of said survey, a distance of 1006.56 feet to the intersection with the easterly right-of-way line of County Road 48;
- (43) THENCE, South 87°23'26" West, continuing along the southerly line of said survey and the southerly line of the H.T. & B.R.R. Co. Survey, Sec. 56, Abstract 515, a distance of 1369.68 feet to an angle point;
- (44) THENCE, South 87°22'29" West, continuing along the southerly line of said survey, a distance of 989.58 feet to a point;
- (45) THENCE, North 02°44'11" West, a distance of 1320.20 feet to a point;
- (46) THENCE, South 87°22'50" West, a distance of 330.02 feet to a point;
- (47) THENCE, South 02°43'51" East, a distance of 1320.23 feet to a point in the southerly line of the H.T. & B.R.R. Co. Survey, Sec. 56, Abstract 515;
- (48) THENCE, South 87°22'29" West, along the southerly line of said survey, a distance of 358.52 feet to the POINT OF BEGINNING and containing 613.39 acres of land, SAVE and EXCEPT the following 0.18 acre tract of land being more particularly described as follows:
- (49) BEGINNING at the southwesterly corner of Felder Estates based on the plat recorded in Vol. 24, Pg. 57, B.C.R.R.;
- (50) THENCE, North 02°44'05" West, a distance of 199.89 feet to a point;
- (51) THENCE, North 86°45'19" East, a distance of 40.00 feet to a point;
- (52) THENCE, South 02°44'45" East, a distance of 199.86 feet to a point;
- (53) THENCE, South 86°43'10" West, a distance of 40.00 feet to the POINT OF BEGINNING of the SAVE and EXCEPT Tract resulting in Tract 2 containing 613.21 acres of land.

EDMINSTER, HINSHAW, RUSS AND ASSOCIATES, INC.



Robert L. Basleche, R.P.L.S.  
Texas Registration No. 4446  
10555 Westoffice Drive  
Houston, Texas 77042  
713-784-4500

Date: December 18, 2008, 1:49

Job No: 021-011-01

File No: BA2008\101201100VACCOLLH6FUD TRACT-2-613.21AC.dwg



METES AND BOUNDS DESCRIPTION  
 IOWA COLONY P.L.D. - TRACT 3  
 BEING 263.81 ACRES, SITUATED IN THE  
 H.T.&B.R.R. CO. SURVEY, ABSTRACT 513, SECTION 52,  
 BRAZORIA COUNTY, TEXAS

DESCRIPTION OF A 263.81 ACRE TRACT OF LAND IN THE H.T.&B.R.R. CO. SURVEY, ABSTRACT 513, SECTION 52, BRAZORIA COUNTY, TEXAS, SAID 263.81 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM OF 1983 SOUTH CENTRAL ZONE AS DETERMINED BY GPS MEASUREMENTS):

BEGINNING at a point in the southwesterly end of a cutback corner at the southeast corner of the intersection of State Highway 288 (SH-288, right of way width varies) and County Road 56 (C.R. 56 based on a width of 120 feet);

- (1) THENCE, North  $46^{\circ}44'31''$  East, along said cutback corner, a distance of 69.03 feet to the northeast end of said cutback corner in the southerly right-of-way line of C.R. 56;
- (2) THENCE, North  $87^{\circ}51'56''$  East, along the southerly right-of-way line of C.R. 56, a distance of 150.00 feet to a point;
- (3) THENCE, North  $02^{\circ}12'10''$  West, a distance of 40.00 feet to a point in the southerly right-of-way line of C.R. 56 as monumented;
- (4) THENCE, North  $87^{\circ}12'04''$  East, along the monumented southerly right-of-way line of C.R. 56, a distance of 2956.96 feet to the intersection of the westerly right-of-way line of County Road 48;
- (5) THENCE, South  $02^{\circ}46'56''$  East, along the westerly right-of-way line of County Road 48, a distance of 19.30 feet to the monumented southerly right-of-way line of C.R. 56;
- (6) THENCE, North  $87^{\circ}13'04''$  East, along the monumented southerly right-of-way line of C.R. 56, a distance of 1017.72 feet to the intersection of the westerly right-of-way line of County Road 65 (called 80-foot wide);
- (7) THENCE, South  $02^{\circ}46'53''$  East, along the westerly right-of-way line of said County Road 65, a distance of 3933.72 feet to a point;
- (8) THENCE, South  $87^{\circ}18'23''$  West, a distance of 1278.36 feet to a point;
- (9) THENCE, North  $02^{\circ}48'24''$  West, a distance of 1320.33 feet to a point;
- (10) THENCE, South  $87^{\circ}18'52''$  West, a distance of 962.89 feet to a point in the centerline of a 150-foot wide drainage easement;
- (11) THENCE, North  $47^{\circ}38'22''$  West, along the centerline of said 150-foot wide drainage easement, a distance of 1875.25 feet to a point;
- (12) THENCE, South  $87^{\circ}17'53''$  West, a distance of 1331.40 feet to a point in the easterly right-of-way line of SH-288;
- (13) THENCE, North  $01^{\circ}44'05''$  East, along the easterly right-of-way line of SH-288, a distance of 52.81 feet to a point of curvature of a non-tangent curve to the right;

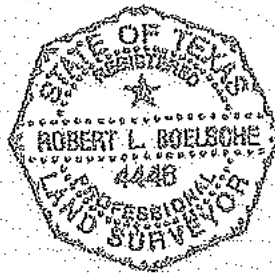
263.81 Acres

- (14) THENCE, in a northeasterly direction along the easterly right-of-way line of SH-288 and with the arc of said curve to the right having a radius of 1041.74 feet, an arc length of 845.45 feet, a delta of 46°30'00", and a chord bearing North 24°57'50" East, 622.44 feet to a point of tangency;
- (15) THENCE, North 48°12'50" East, along the easterly right-of-way line of SH-288, a distance of 221.06 feet to a point of curvature of a tangent curve to the left;
- (16) THENCE, in a northeasterly direction along the easterly right-of-way line of SH-288 and with the arc of said curve to the left having a radius of 458.37 feet, an arc length of 354.00 feet, a delta of 44°14'59", and a chord bearing North 26°05'20" East, 345.27 feet to the POINT OF BEGINNING and containing 263.81 acres of land.

EDMINSTER, HINSHAW, RUSS AND ASSOCIATES, INC.

*Robert L. Boelsche*

Robert L. Boelsche, R.P.L.S.  
 Texas Registration No. 4446  
 10555 Westoffice Drive  
 Houston, Texas 77042  
 713-784-4500



Date: December 17, 2008, tbt  
 Job No: 081-011-08  
 File No: RA20081018110PVJ0WACOLORYPUD TRACT-263.81AC.dwg



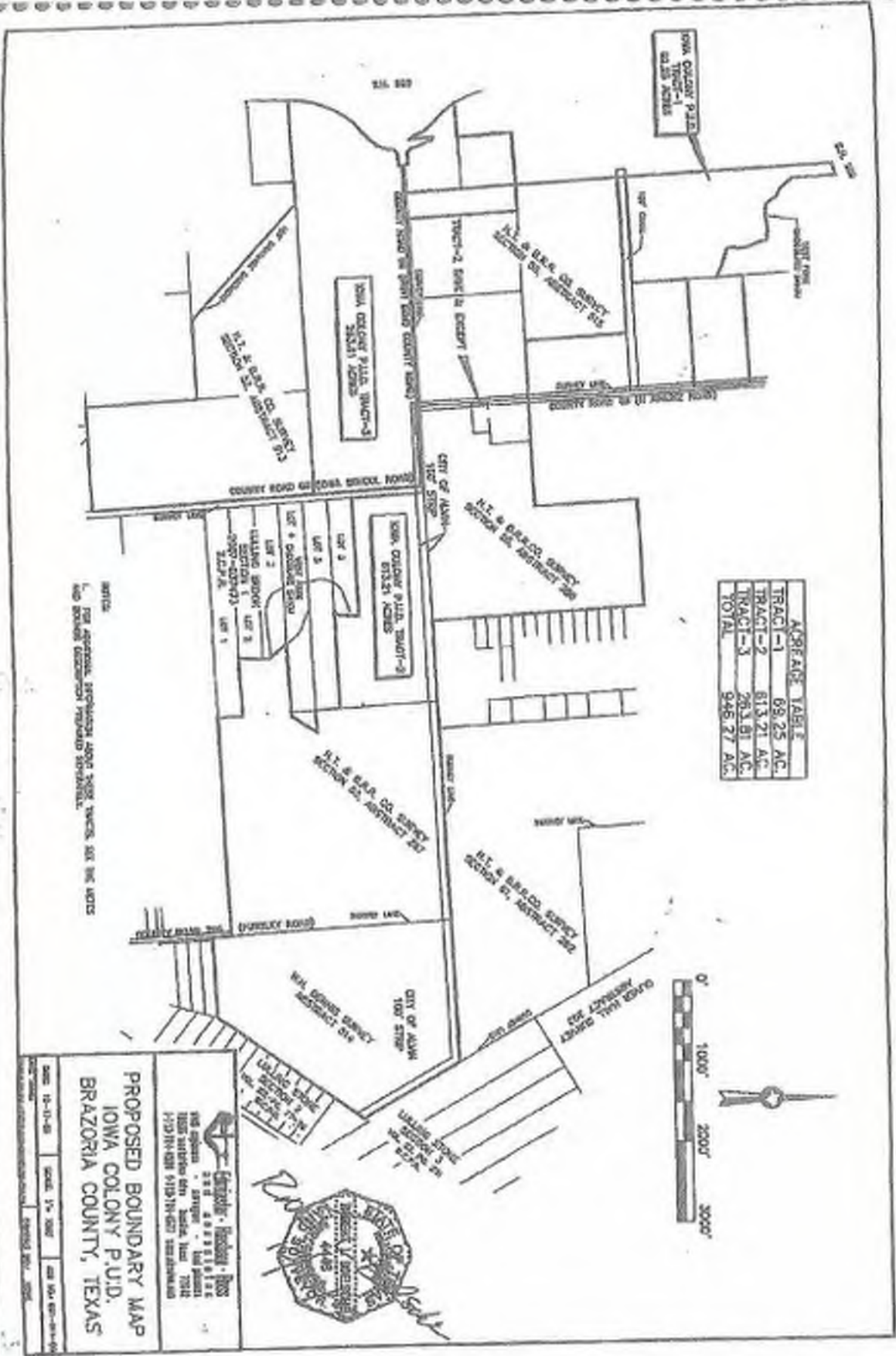


EXHIBIT "B"

Meridiana; PUD Amendment No. 4;  
Courtyard Homes and Land Use Areas

ORDINANCE NO. 2022- 04

AN ORDINANCE OF THE CITY OF IOWA COLONY, TEXAS,  
CONTAINING FINDINGS OF FACT AND CONCLUSIONS OF LAW;  
AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY  
AMENDING THE MERIDIANA PLANNED UNIT DEVELOPMENT,  
WITH RELATED PROVISIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY,  
TEXAS:

**Section 1. Findings.**

The City Council of the City of Iowa Colony, Texas (“the City”), makes the following findings of fact and conclusions of law:

a. The Owner of the premises subject to this ordinance, or the Owner's duly authorized agent, timely filed with the City Secretary a request for this action, containing all necessary information.

b. The Planning and Zoning Commission held a public hearing in the manner and at the time required by the Zoning Enabling Act of the State of Texas, codified as Section 211.001, et seq., Texas Local Government Code, the Zoning Ordinance, and all applicable law.

c. More than ten (10) days prior to the date of that hearing by the Planning and Zoning Commission, written notice of the application for this ordinance was sent to the owners of the property subject to this zoning action and to all owners of property located within two hundred (200') feet of that property.

d. The Planning and Zoning Commission made a final report to the City Council before the Council held its public hearing on this matter.

e. More than fifteen (15) days prior to the date of that hearing by the City Council, public notice of that hearing was published once in the Alvin Sun, a newspaper of general circulation in and the official newspaper of the City, stating the date, time, place, and subject of that hearing.

f. The City Council then held a public hearing in the manner and at the time required by the Zoning Enabling Act of the State of Texas, codified as Section 211.001, et seq., Texas Local Government Code, the Zoning Ordinance, and all applicable law.

g. After giving due regard to the nature and consideration of all adjacent uses and structures and of the nature and condition of the City as a whole, the City Council of the City is of the opinion that the zoning action herein conforms to the requirements and intent of the City and the Comprehensive Plan of the City, and that such zoning action will not constitute a nuisance or be detrimental to the public health, safety, morals, or welfare of the community.

h. The health, safety, morals, and general welfare of the people of the City of Iowa Colony will best be served by the adoption of this ordinance.

i. All requirements of law have been satisfied concerning the passage of this ordinance.

**Section 2. Property or Premises.**

The property or premises subject to this ordinance is the Meridiana Planned Unit Development (“PUD”), formerly the Seven Oaks PUD, as described in Ordinance 2017-02 of the City, as previously amended.

**Section 3. Amendment of PUD**

a. The attached application to amend the Meridiana Planned Unit Development is hereby granted, but only to the extent, on the terms, and with the conditions stated in the attached memorandum of recommendation by the City Engineer.

b. This ordinance amends the Zoning Ordinance, the Meridiana PUD, Ordinance No. 2017-02, and all other ordinances enacting or amending the Meridiana PUD, all of which shall remain in full force and effect, subject to this amendment, except as may be specifically provided otherwise herein or in those ordinances.

c. As a strict condition of this ordinance and of all zoning amendments herein, no person shall cause or perform any development or construction on the premises, without first obtaining approval from the City for all matters that the City would have the right to approve or disapprove in considering a subdivision plat. Even if no subdivision is being created so as to invoke the subdivision ordinance or to require plat approval, this ordinance shall nevertheless require the City's approval to be obtained concerning the same subjects that the City would have the right to regulate or approve if plat approval were required. Thus, this ordinance is not sufficient to authorize any development or construction without further approval by the City.

d. Nothing in any portion of this ordinance shall restrict or impair the City's authority or discretion to approve or disapprove any development, construction, subdivision, or any other matter.

**Section 4. Ratification of Actions of Officers.**

The City Council hereby ratifies and confirms any and all actions taken by its personnel in connection with the zoning action evidenced by this ordinance, in publishing

notice of the public hearing required by the Zoning Enabling Act and the Zoning Ordinance, in giving notice of such hearing to the owner of the premises and to the owners of all property within 200 feet thereof, and in conducting that public hearing.

**Section 5. Zoning Map.**

The City Secretary shall amend the zoning map of the City of Iowa Colony to the extent, if any, necessary to reflect any changed district boundaries or classifications enacted by this ordinance.

**Section 6. Other Ordinances.**

This ordinance is cumulative of and in addition to all other ordinances of the City of Iowa Colony on the same subject, and all such other ordinances are hereby expressly saved from repeal. In the event any provision of any such other ordinance conflicts with or overlaps the provisions of this ordinance, then whichever provision imposes the more stringent regulation shall control, except as may be specifically stated otherwise herein.

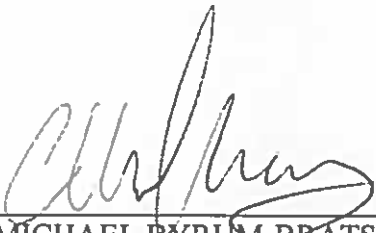
**Section 7. Severance Clause.**

In the event any section or provision of this ordinance of whatever size is found to be unconstitutional, void, or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance, and such remaining sections and provisions shall remain in full force and effect.


**Section 8. Effective Date.**

This ordinance shall take effect as of its passage and adoption on the first reading, as public hearings on this matter were required by law and were held.

READ, PASSED AND ADOPTED on March 21, 2022.

  
MAYOR PRO-TEM  
MICHAEL BYRUM-BRATSEN, MAYOR  
CITY OF IOWA COLONY, TEXAS

ATTEST:

  
KAYLEN ROSSER, CITY SECRETARY  
CITY OF IOWA COLONY, TEXAS

Iowa/Ordinance/Meridiana/Meridiana PUD Amendment No. 4 Courtyard Homes and Land Use Areas (3-21-22)

