

**ORDINANCE NO. 2022-11**

**AN ORDINANCE AMENDING ZONING ORDINANCE NUMBER 2021-25 OF THE CITY OF BRIDGEPORT, TEXAS, BY AMENDING THE CONCEPT PLAN IN THE DEVELOPMENT STANDARDS, INCLUDING THE CONCEPT PLAN, EXHIBIT "B" OF PLANNED DEVELOPMENT DISTRICT FIVE (PD5) ON AN APPROXIMATE 35.492 ACRE TRACT OF LAND, BEING A PORTION OF THE LAND KNOWN AS "DRY CREEK RANCH"; PROVIDING THAT THE REMAINDER OF ORDINANCE 2021-25 REMAIN IN EFFECT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Bridgeport is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the City Council of the City of Bridgeport heretofore adopted the comprehensive zoning ordinance of the City which regulates and restricts the location and use of buildings, structures and land for commercial, industrial, residential and other purposes, and provides for the establishment of zoning districts as may be best suited to carry out these regulations; and

**WHEREAS**, the City Council previously adopted its comprehensive future land use plan, as the primary document on which to base all zoning, platting, and other land use decisions, providing guidance for future development; and

**WHEREAS**, on October 25, 2021, the City Council approved Ordinance No. 2021-25 rezoning an approximate 35.492 acre tract of land known as "Dry Creek Ranch" from Single-Family Residential "R-1" to Planned Development District Five (PD5); and

**WHEREAS**, an application for a proposed amendment to the Concept Plan in the Development Standards, Exhibit "B" for Dry Creek Ranch has been initiated by the prospective buyer, TA DFW Development LLC, and authorized by the current property owner, Dry Creek Partnership, LLC, of the existing Planned Development District Five; and

**WHEREAS**, the Planning and Zoning Commission of the City of Bridgeport, Texas, held a public hearing on August 8, 2022, and the City Council of the City of Bridgeport, Texas, held a public hearing on August 8, 2022, with respect to the zoning changes described herein; and

**WHEREAS**, the City Council has determined that the requested rezoning of the property is in the best interest of the citizens of the City; and

**WHEREAS**, the City has complied with all requirements of Chapter 211 of the Local Government Code and all other laws dealing with notice, publication and procedural requirements for the rezoning of the Property.

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

### **SECTION 1**

Ordinance 2021-25, which established Planned Development District Five (PD5) zoning classification on the property more particularly described in Exhibit "A" to Ordinance 2021-25, is hereby amended by amending and replacing the Development Standards, including the Concept Plan, Exhibit "B" for Dry Creek Ranch Development, with the attached Exhibit "B".

### **SECTION 2**

The property described on the attached Exhibit "A" shall be used only in the manner and for the purposes provided for in the Planned Development District Five Development Standards attached hereto as Exhibit "B" and incorporated herein by reference.

### **SECTION 3**

The Planned Development District established by Ordinance 2021-25, and the amendments herein, have been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the community.

### **SECTION 4**

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Bridgeport, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

### **SECTION 5**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs,

sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

### SECTION 6

All rights and remedies of the City of Bridgeport are expressly saved as to any and all violations of the provisions of any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

### SECTION 7

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense involving fire safety, zoning or public health and sanitation, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

### SECTION 8

The City Secretary of the City of Bridgeport is hereby directed to publish a descriptive caption, penalty clause, and the effective date clause in the official City newspaper one time as authorized by Section 3.11 of the City Charter and Section 52.013 of the Texas Local Government Code.

### SECTION 9


This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS, BY A VOTE OF 4 TO 0, ON THIS 8<sup>th</sup> DAY OF August, 2022.



*Randy Singleton*  
Randy Singleton, Mayor

ATTEST:

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Jean Dwinnell, City Secretary

**EXHIBIT "A"**

## EXHIBIT "A"

BEING a 35.492 acre tract of land situated in the Margaret Swift Survey, Abstract Number 739, in the city of Bridgeport, Wise County, Texas and being a portion of a called 61.818 acre tract of land described by deed to Dry Creek Partnership, L.P. as recorded in 1845, Page 126 of the Official Public Records of Wise County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "HARP 2002" found for the northwest corner of said 61.818 acre tract, same being the southwest corner of a tract of land described by deed to Bobby E. Carpenter Family Limited Partnership as recorded in Volume 2405, Page 162 of the Official Public Records of Wise County, Texas, also lying on the east line of 10<sup>th</sup> Street (60' R.O.W.);

THENCE South 88 degrees 21 minutes 17 seconds East, along the common line of said 61.818 acre tract and said Carpenter tract, generally with a barbed wire fence, a distance of 2394.91 feet to a Nail found in the near center of County Road 1308 for the northeast corner of said 61.818 acre tract;

THENCE South 00 degrees 31 minutes 44 seconds East, along the near center of said County Road 1308, same being the east line of said 61.818 acre tract a distance of 510.71 feet to a point for corner;

THENCE West, a distance of 187.21 feet to a point for corner;

THENCE North 88 degrees 10 minutes 38 seconds West, a distance of 166.02 feet to a point for corner;

THENCE South, a distance of 214.42 feet to a point for corner lying on the north line of MLM Parkway, (56' R.O.W.) as recorded in Cabinet C, Slide 543 of the Plat Records of Wise County, Texas;

THENCE along the north right-of-way of said MLM Parkway the following courses and distances:

North 87 degrees 39 minutes 08 seconds West, a distance of 498.09 feet to a 1/2 inch iron rod with cap stamped "HARP 2002" found for corner at the beginning of a curve to the left;

with said curve to the left having a radius of 457.99 feet, a central angle of 03 degrees 01 minutes 54 seconds, an arc length of 24.23 feet, a chord bearing of North 89 degrees 10 minutes 05 seconds West, a distance of 24.23 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

South 89 degrees 18 minutes 58 seconds West, a distance of 717.52 feet to a 1/2 inch iron rod with cap stamped "HARP 2002" found for corner at the beginning of a curve to the right;

## EXHIBIT "A"

with said curve to the right having a radius of 244.00 feet, a central angle of 38 degrees 06 minutes 18 seconds, an arc length of 162.27 feet, a chord bearing of North 71 degrees 37 minutes 51 seconds West, a distance of 159.30 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

North 52 degrees 34 minutes 40 seconds West, a distance of 346.55 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner at the beginning of a curve to the left;

with said curve to the left having a radius of 256.00 feet, a central angle of 36 degrees 22 minutes 48 seconds, an arc length of 162.55 feet, a chord bearing of North 70 degrees 46 minutes 04 seconds West, a distance of 159.83 feet to a 1/2 inch iron rod with cap stamped "HARP 2002" found for corner;

North 88 degrees 57 minutes 28 seconds West, a distance of 237.14 feet to a 1/2 inch iron rod with cap stamped "HARP 2002" found for the northwest corner of said MLM Parkway, also lying on the east line of the aforementioned 10<sup>th</sup> Street, also lying on the west line of said 61.818 acre tract;

THENCE North 01 degrees 02 minutes 12 seconds East, along the west line of said 61.818 acre tract, same being the west line of said 10<sup>th</sup> Street, a distance of 458.71 feet to the POINT OF BEGINNING containing 1,546,030 square feet, or 35.492 acres of land.



# EXHIBIT "A"

PRIVATE ROAD 1310

10TH ST

COUNTY ROAD 1308

MLM PKWY

US HIGHWAY 380

US HIGHWAY 380

LAWDWIN AVE

MC LURE AVE

DAVIES AVE

10TH ST

16TH ST

15TH ST

NAME NEEDED





**EXHIBIT "B"**

**Dry Creek Ranch Development Standards Plan**

# EXHIBIT "B"

## Dry Creek Development Standards

The Dry Creek development primary marketing focus is on quality single family homes within the full service community of Bridgeport with good schools. All homes will be front and side garage access from the street with a 4' sidewalk and street trees between the sidewalks and streets. Lots with side or rear lot lines directly adjacent to common open space areas shall have open fencing as provided in the regulations.

A permanent Homeowner's Association shall be established and the HOA management company will contract for the maintenance of entryway monuments and open space areas.



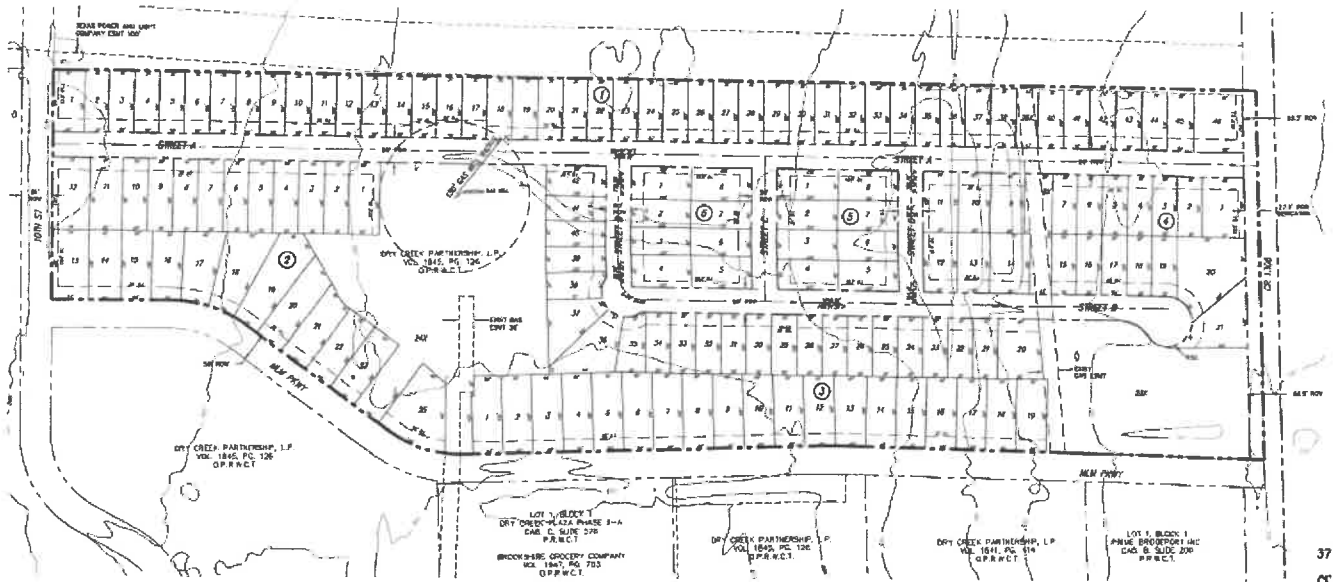
### Development Standards

The Dry Creek development shall adhere to all the conditions of the Bridgeport City Code of Ordinances and adopt a base district of R-1 Single Family Residential for detached housing units. The following regulations shall be specific to this R-1 District.

STANDARD	R1 Current Requirements	Planned Development Standards
Minimum Lot Area	6,000 square feet	6,000 square feet
Minimum Dwelling unit size	1,300 square feet	1,400 square feet
Minimum Lot Width	50 feet	50 feet
Minimum front yard	25 feet	25 feet
Minimum side yard	10% of lot width	5 feet
Minimum rear yard	20% of lot depth	15 feet
Height	35 feet	35 feet
Parking requirements	2 off street parking	2 off street parking

# EXHIBIT "B"

## Dry Creek concept plan



### Dry Creek development standards:

1. All entryway features and common open space areas shall be owned and maintained by the homeowner's association. A permanent Homeowner's Association shall be established and the HOA management company will contract for the maintenance of entryway features and common areas.
2. Development entry signs shall be installed at major entrances.
3. No gardening or dumping grass or debris is allowed in the open space areas adjacent to private lots.
4. All private lots are required to have a minimum of 1 – 3" caliper front yard tree following the approved tree list.

### APPROVED TREE LIST

#### FRONT YARD TREES

Ailee Lacebark Elm  
Bald Cypress  
Caddo Maple  
Chinkapin Oak  
Cedar Elm  
Southern Live Oak  
Shumard Red Oak

#### ORNAMENTAL TREE LIST

Chinese Pistache  
Shoal Creek Vitax  
Wax Myrtle  
Desert Willow  
Possumhaw Holly  
Little Gem Magnolia  
Oklahoma Redbud

5. All private fencing shall be as follows:
  - a. Stained wooden fences a maximum of 6' in height with metal posts shall be allowed to enclose private yards and only be allowed behind the building line and adjacent to other private lots.
  - b. For all lots directly adjacent to any common or public open spaces shall be required to construct open fencing including either ornamental tubular steel fencing or vinyl coated chain link fencing a maximum of 6' in height. Appropriate gates to open spaces and landscape screening may be allowed inside open fencing for privacy screening.

## EXHIBIT "B"



Appropriate wooden fence to enclose private yards placed behind building line



Appropriate iron fence and gate access to open space trails



Appropriate coated chain link fence and gate access to open space trails

6. A four-foot wide sidewalk shall be constructed adjacent to all internal streets. A soft walking trail shall be provided within the common areas.
7. The development shall include a cluster mailbox. The location and design shall be approved by the US Postal Service.
8. Outdoor street lighting on the site shall be installed along all internal streets.

# EXHIBIT "B"

*Building design standards.* Building design and appearance shall comply with the standards described below.

9. The exterior wall materials shall consist of the following masonry materials.
  - a. Each building façade (excluding doors and windows) visible from any public right of way shall be finished in one or more of the following materials:
    1. Masonry (brick, stone; man-made stone) Masonry materials shall be installed in a craftsman like manner that are a minimum of one inch thick and imbedded in a cementitious reinforced substrate.
    2. Stucco and Cementitious siding in a smooth paintable finish and of traditional dimensions.
    3. Decorative accents made of wood, fiberglass, metal, ceramic-faced block or reinforced Exterior Insulating Finish System (EFIS) may not exceed 20% of the front façade.
10. Each Residence must have a minimum for two-car garage accessed by the driveway. All garage doors must be decorative Raised Panel or Carriage Style, Aluminum construction.
11. Roofs shall have a minimum roof pitch of 6:12. Porch roofs and shed roofs shall have a minimum 3:12 pitch. Roof materials shall be constructed of at least 30-year shingles. Three-tab shingles are prohibited. Modern homes will allow for lower roof pitches with approval from the City Manager.
12. Each building shall include at least two of the following architectural elements.
  - a. At least two distinct masonry materials. (stone, brick, painted brick, stucco and cementitious siding)
  - b. Divided light or border light windows on street facing elevations, including front elevations and side elevations on corner lots.
  - c. Enhanced brick details, such as herringbone, rowlocks, etc.
  - d. Metal seam roof accents.
  - e. Cedar shutter accents.
  - f. Cast stone accents.
  - g. Decorative coach lighting.
  - h. Front Porches.
  - i. Cedar Columns.
  - j. Dormers.
  - k. Balconies.
  - l. 8-foot Entry Doors.