

CITY OF NEWARK

ORDINANCE NO. A-575

AN ORDINANCE OF THE CITY OF NEWARK, TEXAS, AMENDING CHAPTER 14, EXHIBIT 14A OF THE CODE OF ORDINANCES OF THE CITY, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY, BY ESTABLISHING THE ZONING CLASSIFICATION ON AN APPROXIMATELY 18.62 ACRE TRACT OF LAND LEGALLY DESCRIBED AS BEING IN THE C.R. HUFF SURVEY, ABSTRACT NO. 448, ALSO DESCRIBED AS WISE COUNTY APPRAISAL DISTRICT PROPERTY ID NOS. 780040 AND 740208, AND GENERALLY LOCATED IMMEDIATELY SOUTH OF 802 ROGERS ROAD, NEWARK, TEXAS, AND MORE PARTICULARLY DESCRIBED AND DEPICTED IN EXHIBIT "A", OF PLANNED DEVELOPMENT (PD) WITH A BASE ZONING OF SINGLE-FAMILY RESIDENTIAL DISTRICT (SF-2); PROVIDING DEVELOPMENT STANDARDS, ATTACHED HERETO AS EXHIBIT "B"; PROVIDING THAT SUCH TRACT OF LAND SHALL BE USED IN ACCORDANCE WITH THE REQUIREMENTS OF THE COMPREHENSIVE ZONING ORDINANCE AND ALL OTHER APPLICABLE ORDINANCES OF THE CITY; PROVIDING THAT THE ZONING MAP SHALL REFLECT THE PLANNED DEVELOPMENT (PD) DISTRICT FOR THE PROPERTY; PROVIDING A PENALTY OF UP TO \$2,000 PER VIOLATION; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS ADOPTED WAS LAWFULLY HELD IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING NO VESTED INTEREST/REPEAL, UNLAWFUL USE OF PROPERTY, REPEALING, SEVERABILITY, AND SAVINGS CLAUSES; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Newark, Texas (hereinafter referred to as "City") is a Type A General Law municipality located in Wise County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Council of the City (the "City Council") adopted Chapter 14, and Exhibit 14A of its Code of Ordinances, the same being the Comprehensive Zoning Ordinance of the City, which governs the use and development of land in the City (the "Zoning Ordinance"); and

WHEREAS, ODT Holdings, LLC (the "Owner") owns approximately 18.62 acres of land legally described as being in the C.R. Huff Survey, Abstract No. 448, also described as Wise County Appraisal District Property ID Nos. 780040 and 740208, and generally located immediately south of 802 Rogers Road, Newark, Texas, and as more particularly described and depicted in Exhibit "A," attached and incorporated as if fully set forth herein (the "Property"), and has made an application under the provisions of the Zoning Ordinance to establish a zoning

designation on the Property of Planned Development (PD) with a base zoning of Single-Family Residential District (SF-2); and

**WHEREAS**, Owner has designated Ron Ramirez of Evolving TX, LP, to act in the capacity of Owner as agent for submittal, processing, representation, and/or presentation of the application, and as the principal contact person for responding to all requests for information; and

**WHEREAS**, after complying with all legal notices, requirements, and conditions, a public hearing was held before the City Council at which the City Council considered the initial zoning designation, and among other things, the character of the land and its suitability for particular uses, and compatibility with surrounding uses, with a view of encouraging the most appropriate use of land in the City, and the City Council does hereby find that the zoning approved hereby accomplishes such objectives; and

**WHEREAS**, the Zoning Ordinance incorporates design standards and building materials standards that are differentially applicable to residential structures and non-residential buildings; and

**WHEREAS**, such standards substantially further the preservation of property values and the promotion of economic development within the City; and

**WHEREAS**, such standards also establish the character of community development and embody architecturally and, in some contexts, culturally significant features of continuing duration; and

**WHEREAS**, the Zoning Ordinance also provides for planned development districts, which enable departures from traditional zoning district standards in recognition of the unique character of a development project; and

**WHEREAS**, the City's policy in creating or amending a planned development district is to incorporate and enhance to the fullest extent feasible the design and building materials standards that are integral to the City's zoning regulations in all planned development districts; and

**WHEREAS**, the City Council finds and determines that the incorporation of such standards lends long-term viability to the planned development project; and

**WHEREAS**, the owner and/or developer of the Property has consented in writing to the enforcement of the City's design and building materials standards within the planned development district and waived the statutory provisions in Chapter 3000, Texas Government Code.

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

**SECTION 1. Findings Incorporated.** The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein, are found to be true, and are adopted as legislative findings of the City Council.



Thousand and No/100 Dollars (\$2,000.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

**SECTION 9. Publication and Effective Date.** This Ordinance shall become effective immediately upon its adoption and its publication as required by law.

**SECTION 10. Open Meeting.** That it is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given, all as required by Section 551.041, Texas Government Code.

**PASSED AND APPROVED BY THE CITY COUNCIL ON THE 16<sup>th</sup> DAY OF OCTOBER 2025.**



---

Crystal Cardwell, Mayor

ATTEST:



---

Jenni Moore, City Secretary



**EXHIBIT "A"**  
**LEGAL DESCRIPTION AND DEPICTION**

BEING all that certain tract or parcel of land situated in in the C. R. HUFF SURVEY, Abstract No. 448, Wise County, Texas, as evidenced by the deed to Dora Cairns (Deceased) by deed recorded in Volume 417, Page 285 and Volume 402, Page 149 of the Deed Records of Wise County, Texas, save and except that certain tract conveyed to Edward R. Dubay as recorded in Clerk's File No. 201508914 of said Deed Records and being more particularly described as follows:

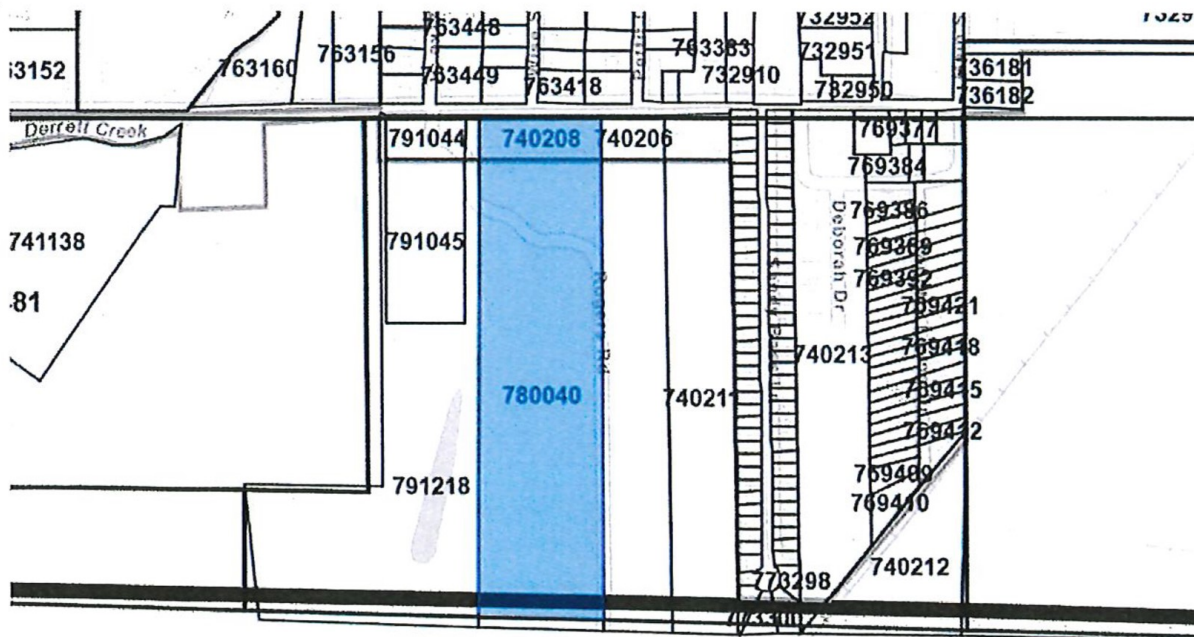
BEGINNING at the northeast corner of said Cairns tract, same being the northwest corner of the Newark MHP II, LLC tract as recorded in Clerk's Document No. 2019-0107 of said Deed Records and on the south line of Rogers Road, a 5/8 inch iron rod found for corner;

THENCE S 01°36'56" E, along the common line of said Cairns and Newark tracts, a distance of 1842.05 feet to the southwest corner of said Newark tract, on the north line of the International Word of Faith tract as recorded Volume 7130, Page 1101 of the Deed Records of Tarrant County, Texas and on the Wise and Tarrant County Line, a ½ inch iron rod found for corner;

THENCE N 89°31'09" W, along the common line of said Cairns and Word of Faith tracts, a distance of 442.03 feet to the southeast corner of Edward Dubay tract, as recorded in Clerk's Document No. 2015-8914 of said Deed Records, a ½ inch iron rod found for corner;

THENCE N 01°37'42" W, along the common line of said Cairns and Dubay tracts, a distance of 1828.23 feet to the northeast corner of said Dubay tract and on said south line of Rogers Road, a ½ inch iron rod found for corner;

THENCE N 88°41'17" E, along said south line, a distance of 442.15 feet to the POINT OF BEGINNING and containing 811,015 square feet or 18.6183 acres of land within these metes and bounds as recited.



**EXHIBIT B**  
**DEVELOPMENT STANDARDS**

Except as expressly altered by the Planned Development development standards set forth below, the regulations, ordinances, codes and standards adopted by the City apply to the Property.

PURPOSE. The purpose of the PD- Newark Meadows SF2 District (PD) is to strengthen the City's economy, provide a quality single family use development, and create an affordable, attractive and desirable subdivision for residents and future residents of Newark, Texas. The proposed development utilizes land previously zoned as AG, and for Manufactured home use. The PD will create new residences which will increase sales tax base, encourage appropriate and organized development, provide quality architectural design, improve the community's quality of life, and create a sense of community and place.

Permitted uses: Uses permitted within the PD-SF2 district shall be permitted in accordance with the underlying zoning of SF2. Further, the uses shall be permitted in accordance with the following use chart.

Table 1: PD-SF2 Land Use Table

Type of Use	Permitted by Ordinance	Permitted by PD-SF2
<b>Accessory and Incidental Uses</b>		
Accessory building to main use	Y	Y
Boat; boat trailer	Y++	Y++ In rear yard only of designated lots
Carport	Y	
Construction yard (temporary) (1)	Y	
Customary home occupation	Y	
Field or sales office, (temporary) (1)	Y	
Garage, private	Y	Y
Motor home	Y++	
Trailer, travel trailer, cattle trailer, etc.	Y++	Y++ In rear yard only of designated lots

Type of Use	Permitted by Ordinance	Permitted by PD
<b>Residential Uses</b>		
Boarding or rooming house		

Dormitory		
Duplex (see Two-family dwelling)		
Garden (patio home) (1)	Y	
Guest house	S	
Manufactured housing, HUD-Code		
Manufactured home park		
Manufactured home subdivision		
Mobile home		
Motel, motor hotel, or motor lodge		
Multiple-family residence (2)	S	S
Residence hotel (3)		
Retirement housing		
Servant's, caretaker's or guard's residence	S	S
Single-family dwelling, attached	S	S
Single-family dwelling, detached	Y	Y
Townhouse or row dwelling		
Travel trailer park		
Two-family dwelling		
Zero lot line house	S	

Type of Use	Permitted by Ordinance	Permitted by PD
<b>Educational, Institutional, and Special Uses</b>		
Athletic field (See Stadium or playfield, public)		
Cemetery or mausoleum	S	
Child care center (1)	S	
Church, rectory, place of worship	S	
Civic center		
College or university	S	

Community center, public	S	
Community center, private	S	
Continuing care facility		
Country club (private)	S	
Exhibition area		
Fairgrounds		
Family home (2)	Y	
Farm, ranch, or orchard	S	
Feedlot, livestock		
Fraternal organization, lodge or civic club		
Golf course	S	
Golf driving range		
Greenhouse, commercial		
Greenhouse or plant nursery, noncommercial	Y	Y
Health club; gymnasium		
Hospital (chronic care); long- term health care fac.		
Hospital (acute care)		
Household care facility		
Household care institution		
Kennel (no outside pens)		
Kennel (outside pens)		
Library	S	
Museum or art gallery		
Nursery school, kindergarten	S	
Park, playg'd, or rec center (public)	Y	
Park, playg'd, or rec center (private)	S	S
Personal care home (custodial care)	S	
Prison, jail, place of incarceration		
Racetrack		
Registered family home	S	S

Rehabilitation care facility		
Rehabilitation care institution		
Rest home or nursing home	S	S
Rodeo arena and grounds		
School, private (prim. And/or second.)	S	
School, trade or commercial		
Shooting range, target range		
Stable, commercial		
Stable, private		
Stadium or playfield, public	S	S
Swimming pool, commercial (1)	S	
Swimming pool, private	Y	Y

Type of Use	Permitted by Ordinance	Permitted by PD
<b>Transportation, Utility, and Communication Uses</b>		
Airport, landing field		
Electric power generating plant		
Electrical substation	S	
Electrical transmission line	Y	Y
Gas metering station	S	S
Gas transmission line	Y	Y
Heliport and helistop		
Landfill		
Liquefied petroleum gas, storage & sales (no bulk plants)		
Local utility distribution lines	Y	Y
Public or private franchised utility (1)	S	S
Radio, TV, or microwave oper, amateur (2)	S	S
Radion, TV, or microwave oper, commer. (2)		
Railroad station		

Railroad team track & right-of-way		
Railroad track and right-of-way	Y	
Service yards of government agency	S	
Sewage pumping station	Y	Y
Sewage treatment plant		
Shops, office and/or storage area of public or private utility		
Solid waste transfer station		
Telephone exchange		
Telephone line	Y	Y
Transit station or turnaround	Y	Y
Water pumping station or well	Y	Y
Water storage, elevated	S	S
Water storage, ground	S	S
Water treatment plant	S	S

**Parking Regulations:** A minimum of ~~one (1)~~ **two (2)** covered, enclosed parking space spaces shall be provided per unit behind the front yard line. Other off-street parking space regulations are set forth in Section 26.

	SF-2
Maximum height (feet)	35
Side yard width (feet)	<del>C</del> <b>Six (6) feet</b>
Rear yard (feet)	20
Front yard (feet)	25
Lot area (square feet)	7,500
Minimum lot width (feet)	60
Minimum lot depth (feet)	100
Maximum lot coverage	<del>40%</del> <b>45%</b>

~~C. Ten Percent (10%) of lot width or ten [feet] (10') whichever is greater; provided however, not required to exceed a maximum of twenty five feet (25'). Notwithstanding the foregoing, minimum side yard setbacks in the Old Town Plat shall be seven feet (7') for single family residential uses.~~

Roadway Cross Section – The Roadway is a proposed asphaltic roadway with mountable concrete curb and gutters, and will measure 30' back of curb to back of curb. The roadway will have a Lime Treated sub base that is a minimum of 8" thick, or as designed by a Geotechnical Engineer for soil types present on site.

Front Yard – The Front yard shall be as designated in the attached land plan.

Privacy Fences – Each lot shall have a wooden privacy fence no taller than 6' and will be wooden and be placed on the common lot line of the side yard. No fencing will be allowed in the front yard or at the right of way line at the front yard.

Gated Subdivision – The proposed subdivision shall be developed as a gated community with controlled access points for residents and authorized visitors. Notwithstanding the gated design, all internal roadways within the subdivision shall be constructed to standards described within this PD and maintained by the City as part of the public road system. The subdivision shall provide and maintain all necessary devices to ensure unimpeded access for emergency vehicles at all times, including the installation of approved emergency access systems at gates, subject to review and approval by the City's Fire and Public Works Departments.

Block Depths – The PD will allow for a single row of homes between roadways.

Block Lengths – The PD will allow for a block length with a looped street that exceeds 1000'.

Street Lights – Street lights shall be established by the developer at locations approved by the City. The Lights shall be LED.

Signage – Stop signs shall be of the type and size specified in adopted City Standards. Speed limit signs shall be of the type and size specified in adopted City Standards, and shall state a maximum vehicle speed of 25 mph.