



## ORDINANCE NO. 3429

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED, BY AMENDING AND RESTATING THE DEVELOPMENT AND USE REGULATIONS OF PLANNED DEVELOPMENT ZONING DISTRICT NUMBER 99 (PD-99) AS SET FORTH IN EXHIBIT “C” OF ORDINANCE NO. 3359; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

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

**SECTION 1.** The Comprehensive Zoning Ordinance and Zoning Map of the City of Farmers Branch, Texas, be, and the same are hereby amended by amending and restating in their entirety the use and development regulations of Planned Development District No. 99 (“PD 99”) as originally adopted in Exhibit “C” of Ordinance No. 3359 with respect to the real property described and depicted in Exhibits “A” and “B,” respectively, attached hereto and incorporated herein by reference (“the Property”), said real property being the same as described and depicted in Exhibits “A” and “B” to Ordinance No. 3359.

**SECTION 2.** The Property shall be only used and developed in accordance with the applicable provisions of the City of Farmers Branch Comprehensive Zoning Ordinance, as amended (“CZO”) except to the extent modified by the development regulations set forth in Exhibit C, attached hereto and incorporated herein by reference.

**SECTION 3.** In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Farmers Branch and the provisions of this Ordinance as applicable to the use and development of the Property, including the provisions of the CZO, this Ordinance shall be controlling; however, in the absence of a relevant standard regulating the use or development of the Property in Exhibit “C,” then the provisions of the CZO, as amended, shall apply.

**SECTION 4.** Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** In addition to and accumulative of all other remedies or penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

**SECTION 7.** This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THIS THE 7<sup>TH</sup> DAY OF MARCH, 2017.**

ATTEST:

APPROVED:

\_\_\_\_\_  
Amy Piukana, City Secretary

\_\_\_\_\_  
Bob Phelps, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Peter G. Smith, City Attorney  
(kbl:2/23/17:84080)

**Ordinance No. 3429**  
**Exhibit "A" – Boundary Description of the Property**

**TRACT ONE 247.36 ACRES:** Being a tract of land out of the J. F. Chenoeth Survey, Abstract No. 267, the F. Miller Survey, Abstract No. 926, the W. Shannon Survey, Abstract No. 1337 and the H. C. Marsh Survey, Abstract No. 916 and situated in the City of Farmers Branch, Dallas County, Texas, and being more particularly described by metes and bounds as follows (based on records and not an on-the-ground survey):

Beginning in the southerly right-of-way line of Valley View Lane at the northwest corner of Block A, Westside Addition Section 1, an addition to the City of Farmers Branch according to the plat recorded as Document No. 200600172708 in the Official Public Records of Dallas County;

Thence North 46 degrees 37 minutes 54 seconds East with said right-of-way line a distance of 445.85 feet;

Thence North 65 degrees 44 minutes 36 seconds East continuing with said right-of-way line a distance of 296.40 feet to the beginning of a curve to the right with a radius of 1585.95 feet and whose chord bears North 85 degrees 57 minutes 37 seconds East at 363.94 feet;

Thence easterly continuing with said right-of-way line and with said curve along an arc length of 364.74;

Thence South 88 degrees 36 minutes 17 seconds East continuing with said right-of-way line a distance of 1109.32 feet to the northwest corner of the same tract of land described in the deed to Thompson I Graham Mortgage Corporation recorded as Document No. 201100087228 in the Official Public Records of Dallas County, Texas;

Thence South 01 degrees 49 minutes 17 seconds East with the westerly boundary line of said Thomas tract a distance of 524.72 feet to the southwest corner thereof;

Thence North 88 degrees 50 minutes 25 seconds East a distance of 460.17 feet to the easterly right-of-way line of Luna Road;

Thence North 02 degrees 42 minutes 47 seconds West with said easterly right-of-way line a distance of 485.72 feet to the southwest end of a corner clip for said easterly right-of-way line and said southerly right-of-way line;

Thence North 42 degrees 29 minutes 34 seconds East with said corner clip a distance of 38.72 feet to the beginning of a curve to the left with a radius of 1975.08 feet and whose chord bears North 69 degrees 28 minutes 39 seconds East at 1085.28 feet;

Thence easterly with said southerly right-of-way line and with said curve along an arc length of 1099.42 feet to the northeast corner of Lot 1, Block A, Mercer School Addition, an addition to the City of Farmers Branch according to the plat recorded as Document No. 201400169982 in said plat records;

Thence South 02 degrees 23 minutes 57 seconds East with the easterly boundary line of said Lot 1 a distance of 613.05 feet;

Thence North 60 degrees 36 minutes 58 seconds East continuing with said easterly boundary line a distance of 169.79 feet;

Thence South 29 degrees 25 minutes 10 seconds East a distance of 504.54 feet to the southerly right-of-way line Wittington Place;

Thence North 60 degrees 37 minutes 23 seconds East with said southerly right-of-way line a distance of 513.71 feet to the beginning of a curve to the right with a radius of 947.93 feet and whose chord bears North 74 degrees 30 minutes 11 seconds East at 454.80 feet;

Thence northerly continuing with said southerly right-of-way line and with said curve along an arc length of 459.28 feet to the end of said curve;

Thence South 01 degrees 11 minutes 26 seconds East a distance of 1137.01 feet;

Thence WEST a distance of 48.23 feet to the beginning of a curve to the right with a radius of 2453.01 feet and whose chord bears South 05 degrees 04 minutes 42 seconds West at 388.76 feet;

Thence southerly with said curve along an arc length of 389.17 feet to the end of said curve;

Thence South 09 degrees 37 minutes 24 seconds West a distance of 359.71 feet to the northerly right-of-way line of Mercer Parkway;

Thence South 24 degrees 10 minutes 31 seconds West a distance of 100.00 feet to the southerly right-of-way line of Mercer Parkway being in a curve to the left with a radius of 2050.00 feet and whose chord bears South 80 degrees 27 minutes 30 seconds East at 993.90 feet;

Thence easterly with said southerly right-of-way line and with said curve along an arc length of 1003.90 feet to the end of said curve;

Thence South 00 degrees 31 minutes 28 seconds East a distance of 875.17 feet to the northerly right-of-way line of LBJ Freeway;

Thence South 81 degrees 14 minutes 51 seconds West with said northerly right-of-way line a distance of 142.92 feet;

Thence South 87 degrees 58 minutes 25 seconds West continuing with said northerly right-of-way line a distance of 353.54 feet to the southeast corner of said Block E;

Thence North 00 degrees 32 minutes 43 seconds West with the westerly boundary line of said Block E a distance of 489.36 feet to an inner corner thereof;

Thence South 89 degrees 04 minutes 07 seconds West with the southerly boundary line of said Block E a distance of 1936.36 feet to the easterly right-of-way line of Luna Road;

Thence North 32 degrees 27 minutes 13 seconds West with said easterly right-of-way line a distance of 842.56 feet to the beginning of a curve to the right with a radius of 1460.00 feet and whose chord bears North 31 degrees 23 minutes 58 seconds West at 53.72 feet;

Thence northerly continuing with said easterly right-of-way line and with said curve along an arc length of 53.73 feet to the end of said curve;

Thence North 22 degrees 45 minutes 01 seconds West continuing with said easterly right-of-way line a distance of 82.39 feet;

Thence South 60 degrees 51 minutes 06 seconds West, crossing said Luna road and continuing a total distance of 363.42 feet;

Thence South 14 degrees 15 minutes 54 seconds East a distance of 288.06 feet to the southerly boundary line of said Block E;

Thence South 89 degrees 43 minutes 14 seconds West with said southerly boundary line a distance of 1224.36 feet to the southwest corner of said Block E;

Thence North 01 degrees 08 minutes 40 seconds East with the westerly boundary line of said Block E a distance of 22.65 feet to the beginning of a curve to the left with a radius of 654.67 feet and whose chord bears North 17 degrees 15 minutes 53 seconds West at 426.05 feet;

Thence northerly continuing with said westerly boundary line and with said curve along an arc length of 433.95 feet to the end of said curve;

Thence North 36 degrees 12 minutes 51 seconds West continuing with said westerly boundary line a distance of 1952.80 feet to the point of beginning and containing **247.36 acres** of land, more or less.

**TRACT TWO 19.51 ACRES:** Being a tract of land out of the H. C. Marsh Survey, Abstract No. 916 and situated in the City of Farmers Branch, Dallas County, Texas, and being more particularly described by metes and bounds as follows (based on records and not an on-the-ground survey):

Beginning in the southerly right-of-way line of LBJ Freeway and the easterly boundary line of the same tract of land described in the deed to 2M Holdings, LP recorded as Document No. 201100225464 in the Official Public Records of Dallas County, Texas;

Thence South 08 degrees 37 minutes 58 seconds West with said easterly boundary line a distance of 163.72 feet;

Thence North 81 degrees 22 minutes 02 seconds West a distance of 23.44 feet;

Thence South 43 degrees 21 minutes 29 seconds West a distance of 28.27 feet;

Thence South 57 degrees 30 minutes 35 seconds West a distance of 335.55 feet;

Thence South 59 degrees 56 minutes 34 seconds West a distance of 53.53 feet;

Thence South 44 degrees 06 minutes 28 seconds West a distance of 28.07 feet;

Thence South 40 degrees 07 minutes 44 seconds West a distance of 188.06 feet;

Thence South 60 degrees 18 minutes 47 seconds West a distance of 112.39 feet;

Thence South 81 degrees 31 minutes 25 seconds West a distance of 165.26 feet;

Thence North 84 degrees 15 minutes 23 seconds West a distance of 117.80 feet;

Thence North 76 degrees 30 minutes 38 seconds West a distance of 31.33 feet;

Thence North 60 degrees 43 minutes 54 seconds West a distance of 124.96 feet;

Thence North 51 degrees 23 minutes 21 seconds West a distance of 30.47 feet;

Thence North 39 degrees 56 minutes 07 seconds West a distance of 180.19 feet;

Thence North 64 degrees 13 minutes 09 seconds West a distance of 29.69 feet;

Thence South 87 degrees 28 minutes 20 seconds West a distance of 520.79 feet;

Thence North 84 degrees 43 minutes 59 seconds West a distance of 200.96 feet;

Thence North 82 degrees 26 minutes 33 seconds West a distance of 138.67 feet to the westerly boundary line of said 2M tract;

Thence North 00 degrees 33 minutes 53 seconds West with said westerly boundary line a distance of 315.07 feet to said southerly right-of-way line;

Thence North 89 degrees 44 minutes 04 seconds East with said southerly right-of-way line a distance of 514.53 feet;

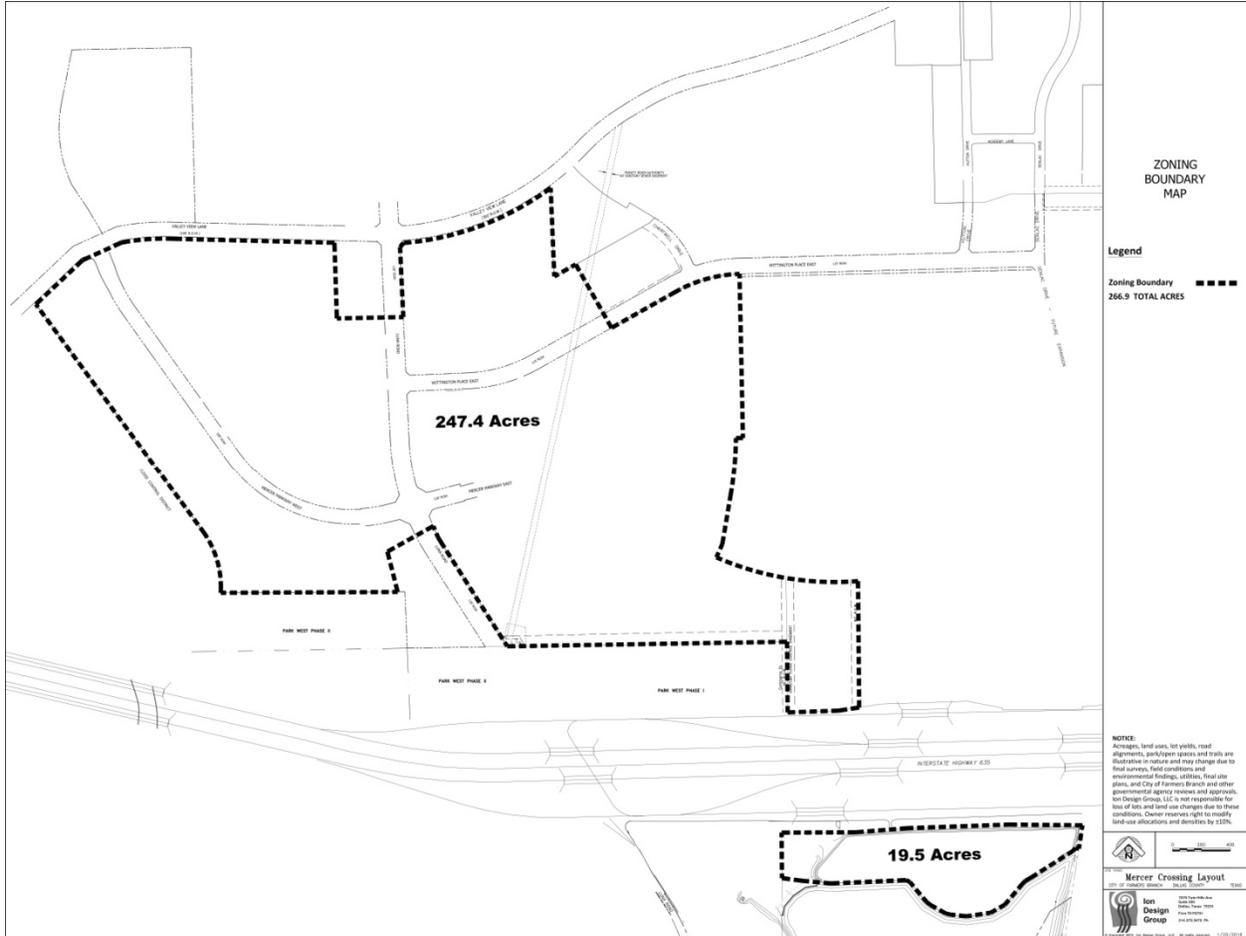
Thence North 85 degrees 23 minutes 28 seconds East continuing with said southerly right-of-way line a distance of 357.12 feet;

Thence North 87 degrees 59 minutes 30 seconds East continuing with said southerly right-of-way line a distance of 707.23 feet;

Thence South 89 degrees 25 minutes 45 seconds East continuing with said southerly right-of-way line a distance of 503.97 feet to the point of beginning and containing 19.51 acres of land, more or less.

# Ordinance No. 3429

## Exhibit "B" – Zoning Boundary Map



**ORDINANCE NO. 3429**  
**EXHIBIT “C” -PD 99 DEVELOPMENT REGULATIONS**

**Planned Development District No. 99 (PD-99 Mercer Crossing/West)**

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## I. Components of Development Regulations for PD 99 “Mercer Crossing/West PD”

### A. Introduction

The use and development regulations set forth in this Exhibit C for Planned Development District No. 99 (sometimes referred to hereafter as the “Mercer Crossing/West Planned Development District” or the “Mercer Crossing/West PD”) are intended to provide for and encourage development that contains a compatible mix of RESIDENTIAL and COMMERCE uses in close proximity to one another. These regulations are further intended to provide for a balanced and sustainable mix of land uses, siting and character of the improvements and structures that support increased interaction within the community and enjoyment of OPEN SPACES. Mercer Crossing/West fosters economic growth and diverse urban neighborhoods having DETACHED and ATTACHED SINGLE-FAMILY RESIDENTIAL, HIGH DENSITY MULTI-FAMILY RESIDENTIAL and vibrant COMMERCE centers linked together through a network of PEDESTRIAN PATHWAYS and TRAIL system.

The Mercer Crossing/West PD addresses the physical relationship between development and adjacent properties, public streets, neighborhoods, and the natural environment through,

- Ensuring buildings relate appropriately to surrounding developments and streets to create cohesive visual identity and attractive street scenes;
- Ensuring site design promotes efficient pedestrian and vehicle circulation patterns;
- Ensuring creation of high quality street and sidewalk environments that are supportive of pedestrian mobility and appropriate to roadway context; and,
- Ensuring large sites are developed in a manner scaled to the context of the community.

Words as phrase shown in all CAPITAL LETTERS are defined in Section IX. Definitions.

### B. Key Elements

The following constitutes a summary of the key elements of this Ordinance regarding the regulation of uses, building envelopes, public spaces, architecture, streetscape, and definitions of words and phrases used within this Ordinance.

#### 1. Development Districts and Subareas

Mercer Crossing/West DEVELOPMENT DISTRICTS consist of the URBAN COMMERCE DISTRICT and the URBAN RESIDENTIAL DISTRICT, each of which are comprised of SUBAREAS that delineate different land uses and specific RESIDENTIAL development within the DISTRICTS. **(See Appendix A – Development District Map; Appendix B – Development Subarea Map)**

##### a. URBAN COMMERCE DISTRICT

The 94.4± acres of land designated as URBAN COMMERCE DISTRICT is designated for the development of small, single lot, one story, single-purpose COMMERCE uses and larger RETAIL power centers, shopping centers, MIXED USE BUILDINGS, corporate OFFICES, and HIGH-DENSITY MULTI-FAMILY RESIDENTIAL. SUBAREAS include COMMERCE and MULTI-FAMILY RESIDENTIAL.

##### b. URBAN RESIDENTIAL DISTRICT

The 172.5± acres of land designated as URBAN RESIDENTIAL DISTRICT is designated for the development of a mix of DETACHED and ATTACHED RESIDENTIAL. SUBAREAS include SINGLE-FAMILY DETACHED (SFD) RESIDENTIAL with 40-, 50- and 60-foot lot widths and SINGLE-FAMILY ATTACHED (SFA) RESIDENTIAL developed as TOWNHOMES.

**2. Land Use**

The LAND USE MAP is a depiction of the land uses authorized to be developed within the URBAN COMMERCE and URBAN RESIDENTIAL DISTRICTS showing a mix of COMMERCE, DETACHED, ATTACHED and MULTI-FAMILY RESIDENTIAL uses and designated PARK/OPEN SPACES. (See Appendix C – Land Use Map). The table below illustrates acreages by use and zoning districts.

**Land Use and Development District Table**

Land Uses	Acres	%	
<b>Commerce / Hotel / Senior Living</b>	<b>42.8</b>	<b>16.0</b>	
<b>Multi-Family (tract 1 north of 635 including OS)</b>	<b>31.8</b>	<b>15.7</b>	Not to exceed 1250 units
<b>Multi-Family (tract 2 south of 635 including OS)</b>	<b>10.0</b>		Not to exceed 500 units
<b>Single Family</b>	<b>130.3</b>	<b>48.8</b>	
Attached	7.0		Not to exceed 116 lots
Detached	123.3		
60 ft wide lots	22.4		Not to exceed 77 lots
50 ft wide lots	77.8		Not to exceed 351 lots
40 ft wide lots	23.1		Not to exceed 102 lots
<b>Parks / Open Space (OS)</b>	<b>31.3</b>	<b>11.7</b>	
<b>Major Street ROW and Miscellaneous</b>	<b>20.7</b>	<b>7.8</b>	
<b>TOTAL</b>	<b>266.9</b>	<b>100%</b>	

Development Districts	Acres	%
Urban Commerce	94.4	35.4
Urban Residential	172.5	64.6
<b>TOTAL</b>	<b>266.9</b>	<b>100%</b>

**3. II. General Development Standards**

The GENERAL DEVELOPMENT STANDARDS section addresses standards that apply across DEVELOPMENT DISTRICTS, including STREET, block and ALLEY standards, rules for defining BUILDING HEIGHT and STORIES, lot setbacks, and permitted yard encroachments.

**4. III. Use and Building Envelope Standards**

The USE and BUILDING ENVELOPE STANDARDS section establishes basic parameters for permitted and prohibited uses, building siting, lot widths, height, stories, overall densities and required PARK/OPEN SPACE.

**5. IV. Architectural Standards**

The ARCHITECTURAL STANDARDS section governs both COMMERCE and RESIDENTIAL building architectural elements and appurtenances related to the FAÇADE materials, FENESTRATION, windows, ENTRYWAYS, roofing, solar, service areas and related standards.

**6. V. Lighting, Parking and Signage Standards**

The LIGHTING, PARKING and SIGNAGE STANDARDS section establishes the standards for public/private space lighting, provision of adequate parking, and compatible signage.

**7. VI. Landscaping and Park/Open Space and Other Recreation Standards**

The LANDSCAPING and PARK/OPEN SPACE and OTHER RECREATION STANDARDS section addresses required landscaping for COMMERCE and RESIDENTIAL uses and the planned PARK/OPEN SPACES, TRAILS and other recreation amenities.

**8. VII. Street Standards**

The STREET STANDARDS section summarizes the Mercer Crossing/West classification of STREETS and the planned STREET cross sections.

**9. VIII. Administration**

The ADMINISTRATION section addresses processes for CITY review and approvals for development within Mercer Crossing/West.

**10. IX. Definitions**

The DEFINITIONS section sets out how words used in the Mercer Crossing/West PD are defined. Words not defined within this section are defined in the CITY’S Comprehensive Zoning Ordinance, but if not defined within either source words shall have the same meaning as defined within Merriam-Webster Dictionary.

**11. X. Appendix**

The APPENDIX contains all of the ORDINANCE’S referenced maps and illustrations as well as the legal description for the Planned Development.

## II. General Development Standards

### A. Principles and Intent

- Provide an urban environment that allows for a healthy mix of COMMERCE, MULTI-FAMILY and SINGLE-FAMILY RESIDENTIAL uses
- Create SINGLE-FAMILY RESIDENTIAL development that offers a mix of DETACHED and ATTACHED homes providing a greater range of housing choices for families and individuals.

### B. General Development Standards

#### 1. Streets, BLOCKS and ALLEYS

- a. All lots shall front on a public right-of-way or PARK/OPEN SPACE.
- b. No STREET intersection shall occur within one hundred and twenty-five (125) feet of another STREET intersection.
- c. Curb cuts within the URBAN COMMERCE DISTRICT shall be determined during detailed site plan review.
- d. No building shall encroach upon required corner sight distances.
- e. ALLEYS
  - (1) ALLEYS providing two-way traffic shall provide a paved surface of at least sixteen (18) feet in width.
  - (2) ALLEYS providing one-way traffic shall provide a paved surface of at least twelve (12) feet wide.

#### 2. Buildings

- a. BUILDING HEIGHT for COMMERCE and MULTI-FAMILY uses shall be measured in STORIES.
- b. The STORY OF A PODIUM BUILDING with usable area for ground floor and above parking and/or COMMERCE shall be included in the measurement of STORIES.
- c. BUILDING HEIGHT for SINGLE-FAMILY RESIDENTIAL uses shall be measured in feet from the existing grade to the midpoint of a gabled roof line or the top of the parapet or mansard roof.
- d. Mezzanines having a floor area greater than one-third (1/3) of the floor area of the STORY in which the mezzanine is located shall be counted as full STORY.
- e. ATTIC STORIES
  - (1) ATTIC STORIES shall be permitted on all sites and do not count against the maximum STORY limit.
  - (2) ATTIC STORIES having windows shall have only DORMER windows on the building FAÇADE.

#### 3. Building Setbacks

- a. Buildings shall not occupy any portion of a required setback area.
- b. Corner lots shall have the same front building setback on both STREET frontages.
- c. Buildings located along the same STREET or PARK/OPEN SPACE frontage shall have the same front yard setback based upon whichever setback is the greater.
- d. Buildings abutting an ALLEY shall have a minimum side setback from the ALLEY of five (5) feet.
- e. No required side yard setback shall be required when building walls share a common side (abut one another).

#### 4. Setback Encroachments/Building Projections

- a. No portion of a building or building appurtenance shall project into a right-of-way or across a property line of an adjacent property.
- b. Where RESIDENTIAL lots are developed as zero lot lines, there shall be provided a maintenance easement for conducting general maintenance/repairs on the non-zero side of the lot for the benefit of the adjoining lot.
- c. Ordinary building projections and building appurtenance, including, but not limited to sills, belt courses, EAVES, gutters, pilasters, and cornices shall not project more than twelve (12) inches into any setback area, except as provided below:
  - (1) Front building EAVES on COMMERCE uses may project into the front yard setback by no more than three (3) feet if a vertical clear height of at least ten (10) feet is maintained.
  - (2) AWNINGS for COMMERCE uses may project fully into the front yard setback area if a vertical clear height of at least ten (10) feet is maintained.
  - (3) BALCONIES on COMMERCE uses may project into the front yard setback by four (4) feet if a vertical clear height of at least twelve (12) feet is maintained.
  - (4) COMMERCE signs may project into the front yard setback up to three (3) feet beyond the FAÇADE of a building occupied by a COMMERCE use if a vertical clear height of at least ten (10) feet is maintained.
  - (5) Stairs and STOOPS may encroach fully into the front yard setback.
- d. Covered Sidewalks or COLONNADES
  - (1) Covered sidewalks or COLONNADES shall have a minimum interior clear height of thirteen (13) feet except as otherwise provided for signs, lighting and similar appurtenances which shall maintain a clear height of at least ten (10) feet
  - (2) Covered sidewalks or COLONNADES shall have a minimum ten (10) feet clear width between the FACADE and the outside support columns; columns shall be spaced a distance of at least twelve (12) feet on center.
  - (3) Covered sidewalks or COLONNADES shall provide a continuous unobstructed PEDESTRIAN PATHWAY of at least four (4) feet in width running adjacent and parallel to the outside supporting columns.

#### 5. Utilities

All utilities constructed or installed on the Property shall be underground.

#### 6. Energy Efficiency

It is the intent of this PD to encourage all buildings (COMMERCIAL and RESIDENTIAL) to utilize energy efficiency at the standards that are commonly used by the building industry employing such practices as the Home Energy Rating System (HERS) Index, the International Energy Conservation Code (IECC) and International Code Council's (ICC's) International Green Construction Code (IGCC). The exact standards to be employed will be determined at issuance of building permits.

## 7. Pattern Book

All buildings and other features and improvements constructed on the Property shall be designed and constructed in substantial conformity with the architectural styles and materials set forth in the PATTERN BOOK providing for "Texas Tudor." Notwithstanding anything to the contrary set forth in the PATTERN BOOK, to the extent of any conflict between the standards set forth in the PATTERN BOOK and those standards set forth elsewhere in this Ordinance, the higher and/or more restrictive standard shall apply unless otherwise stated in a resolution adopting a Detailed Site Plan for the portion of the Property on which the building or improvement affected by the conflict will be constructed or installed.

## III. Use and Building Envelope Standards

### A. Principles and Intent

This USE AND BUILDING ENVELOPE STANDARDS section sets forth the uses and building envelopment standards that are permitted, permitted with approval of a SPECIFIC USE PERMIT, and prohibited for areas designated on the DEVELOPMENT DISTRICT MAP for the following DISTRICTS:

- Land designated as URBAN COMMERCE DISTRICT is designated for the development of small, single lot, one story, single-purpose COMMERCE uses and larger RETAIL power centers, shopping centers with areas for smaller scale RETAIL, MIXED USE BUILDINGS, corporate OFFICES, and HIGH-DENSITY MULTI-FAMILY RESIDENTIAL, along with other uses permitted upon approval of a SPECIFIC USE PERMIT.
- Land designated as URBAN RESIDENTIAL is designated for the development of a mix of DETACHED and ATTACHED RESIDENTIAL, along with other uses permitted upon approval of a SPECIFIC USE PERMIT.

### B. Urban Commerce District

#### 1. Urban Commerce – Uses

##### a. Permitted uses

- (1) COMMERCE uses including BUSINESS SERVICE, OFFICE, PERSONAL SERVICE, RETAIL SERVICE, RETAIL SPECIALTY, RETAIL TRADE, STUDIO USES, restaurants, coffee shops, except where requiring a SPECIFIC USE PERMIT or prohibited by this Ordinance or the CZO.
- (2) COMMERCIAL INDOOR AMUSEMENT
- (3) FULL-SERVICE HOTEL
- (4) HIGH-DENSITY MULTI-FAMILY RESIDENTIAL, with or without ground-floor COMMERCE uses
- (5) SENIOR/ASSISTED LIVING FACILITY
- (6) SCHOOL, COLLEGE OR UNIVERSITY
- (7) SCHOOL, PRIMARY OR SECONDARY
- (8) AMENITY CENTER

##### b. Permitted ACCESSORY USES

- (1) AFFILIATED RESIDENTIAL USES
- (2) HOME OCCUPATIONS
- (3) Merchandise sales located outside of a retail establishment in accordance with Code of Ordinance sec. 62.19, as amended.
- (4) PARK/OPEN SPACE and accompanying non-commercial recreational facilities for use by residents and guests
- (5) Outdoor seating associated with a restaurant subject to CITY approval
- (6) Special events subject to review and approval by CITY
- (7) STRUCTURED PARKING and/or surface parking

- c. Uses permitted upon review and approval of a SPECIFIC USE PERMIT
  - (1) Alcoholic beverage sales and for any qualified restaurants serving alcoholic beverages on site
  - (2) AMPHITHEATER
  - (3) CIVIC BUILDING
  - (4) DRIVE-THROUGH BUSINESSES
  - (5) Gasoline service station with or without car wash
  - (6) LIMITED SERVICE OR EXTENDED STAY HOTEL
  - (7) Outside display
  - (8) SKILLED NURSING HOME FACILITY
  - (9) Telephonic, radio, television or microwave, communication antennas and tower
  - (10) Used goods or merchandise sales
- d. Prohibited uses
  - (1) COMMERCE use within a RESIDENTIAL unit other than a HOME OCCUPATION
  - (2) Gas wells
  - (3) Industrial, manufacturing, and warehousing uses
  - (4) Outside storage
  - (5) Sexually oriented business
  - (6) Any vehicle related sales, service, repair of any kind
  - (7) Tattoo parlors
  - (8) Check cashing businesses, payday advance/loan businesses, car or motor vehicle title loan businesses, money transfer businesses, credit service organizations, or credit access businesses as such businesses are defined pursuant to applicable provisions of the Texas Finance Code and/or the CZO.

**2. Urban Commerce – Building Lot Dimensional Standards**

a. Dimensional Table

	Min. Lot Width (ft)	Min. Lot Depth (ft)	Min. Front Yard Setback (ft)	Min. Rear Yard Setback (ft) Alley/No Alley	Min. Side Yard Setback (ft)	Min. Zero Side Yard Setback (ft)	Min. /Max. Stories	Min. Int. Story Ht. Ground/Other (ft)	Max. Lot Coverage (%)
<b>Commerce</b>	N/A	N/A	10	5/10	10/10	N/A	1/12	10/9	90
<b>High-Density Multi-Family Residential</b>	N/A	N/A	10	5/10	10/10	N/A	4/12*	10/9	80

\* Minimum number of stories includes the GROUND STORY of a PODIUM BUILDING; number of stories may be reduced to three (3) in the COMMERCE DISTRICT located south of Interstate 635.

- b. Additional Dimensional Standards
  - (1) The maximum permitted lot coverage for uses not listed in the Dimensional Table shall be determined upon approval of a SPECIFIC USE PERMIT or DETAILED SITE PLAN.

- (2) Architectural embellishments not intended for human occupancy that are integral to the architectural style of the buildings, including spires, belfries, towers, cupolas, domes, and roof forms whose area in plain view is no greater than twenty-five percent (25%) of the first floor footprint may exceed the height limits by up to twenty (20) feet.
- (3) Mechanical equipment, including mechanical/elevator equipment penthouse enclosures, ventilation equipment, chimneys, exhaust stacks and flues, fire sprinkler tanks, and other similar constructions may extend up to twelve (12) feet above the actual building height, provided that:
  - (a) The equipment is set back from all exterior walls a distance at least equal to the vertical dimension that such item(s) extend(s) above the actual building height; or
  - (b) The exterior wall and roof surfaces of such items that are set back less than the vertical dimension above the actual building are constructed as architecturally integral parts of the building façade(s) or as architectural embellishments as described in item (2) of this subparagraph b.

## C. Urban Residential District

### 1. Urban Residential – Uses

- a. Permitted uses
  - (1) SINGLE-FAMILY DETACHED RESIDENTIAL (SFD)
  - (2) SINGLE-FAMILY ATTACHED RESIDENTIAL (SFA)
  - (3) AMENITY CENTER
- b. Permitted ACCESSORY USES
  - (1) ACCESSORY BUILDING or STRUCTURE
  - (2) AFFILIATED RESIDENTIAL USES
  - (3) HOME OCCUPATIONS
  - (4) PARK/OPEN SPACE and accompanying recreational facilities for use by residents and guests
- c. Uses permitted upon review and approval of a SPECIFIC USE PERMIT
  - (1) ACCESSORY UNIT
  - (2) AMPHITHEATER
  - (3) CIVIC BUILDING
  - (4) SCHOOL, PRIMARY OR SECONDARY
  - (5) SENIOR/ASSISTED LIVING FACILITY and/or SKILLED NURSING HOME FACILITY and any STRUCTURED PARKING
  - (6) Special events subject to review and approval by CITY
- d. Prohibited uses

Any use that is not expressly set forth as a permitted use in this Subsection C “URBAN RESIDENTIAL DISTRICT” or not considered incidental to the primary permitted use.

2. Urban Residential – Building Lot Dimensional Standards

a. Dimensional Table

Lot Types	Min. Lot Width	Min. Lot Depth <sup>1</sup>	Minimum Building Setbacks				Max. Stories	Max. Height	Max. Lot Coverage
			Front Yard Rear-Load/ Front-Load	Rear Yard Rear-Load/ Front Load	Side Yard	Side Yard Zero Lot Line			
SFD-60	60'	105'	10' / N/A	5' / NA	5' / 5'	N/A	3.0	40'	65%
SFD-50	50'	105'	10' / 10' or 25' <sup>2</sup>	5' / 10'	5' / 5'	N/A	2.5	35'	65%
SFD-40	40'	105'	10' / 10' or 25' <sup>2</sup>	5' / 10'	5' / 5'	.5' / 9.5' <sup>3</sup>	2.5	35'	70%
SFA (Townhome)	22'	90'	5' / NA	5' Rear Load	N/A	N/A	3.5	45'	75%

<sup>1</sup> For lots abutting a street or an alley connector, the lot line furthest from the street or alley connector shall be used to determine required lot depth.  
<sup>2</sup> Front-load lots: 10' garage front setback for garages perpendicular to STREET (j-swing); 25' garage front setback for garages parallel to street. (See Appendix E – Typical Building Lot Setbacks and Coverages)  
<sup>3</sup> Zero lot line side setback is specified as a 0.5 feet on one side to avoid encroachment of gutters or window sills into abutting lot.

b. Additional Dimensional Standards

- (1) Zero lot line development shall have a five (5) foot maintenance easement within the lot that abuts the “zero” side for needed maintenance.
- (2) SINGLE-FAMILY ATTACHED RESIDENTIAL (TOWNHOMES) shall be limited to building groupings that do not exceed two hundred (200) feet in length with each building grouping required to have a building separation of not less than ten (10) feet between building groupings.
- (3) The maximum permitted lot coverage for uses not listed in the Dimensional Table shall be determined upon approval of a SPECIFIC USE PERMIT or DETAILED SITE PLAN.
- (4) Typical building setbacks and lot coverages are illustrated in the **Appendix E – Typical Building Lot Setbacks and Coverages**.
- (5) Conceptual Building Elevations set forth in **Appendix F – Conceptual Building Elevations**.

c. Minimum SINGLE FAMILY RESIDENTIAL Square Footages

- (1) 60-foot lot – 2500 square feet
- (2) 50-foot lot – 2200 square feet
- (3) 40-foot lot – 1800 square feet
- (4) Townhome – 1600 square feet

## IV. Architectural Standards

### A. Principles and Intent

The ARCHITECTURAL STANDARDS set forth in this Section IV serve to establish a coherent character and encourage a high caliber, lasting quality development.

- Building Entrances – The design and location of building entrances are important to help define the pedestrian environment and the architectural significance of a building.
- Building Materials – Building walls should reflect construction techniques and structural constraints of traditional, long lasting, building materials.
- Equivalent or Better – While materials, techniques, and product types are prescribed herein, equivalent or better practices and products are encouraged and shall be submitted to the CITY for review.

### B. Architectural Standards for Commerce and Multi-Family Structures

#### 1. Building FAÇADES

- a. FAÇADE treatments are that portion of a building's STREET FRONTAGE FAÇADE elevation extending from the ground to the roof that consists of a single layer or architectural expression.
- b. The follow FAÇADE treatments shall be required:
  - (1) All building sides shall be consistent with respect to style, colors, and details only to the extent they establish continuity with the STREET FRONTAGE;
  - (2) All building sides shall be architecturally finished on all sides with articulation, detailing, and features unless exceptions are approved as part of DETAILED SITE PLAN;
  - (3) No building FAÇADE shall be longer than four hundred and thirty (430) feet without an unconnected physical separation of at least fifteen (15) feet between buildings;
  - (4) The horizontal dimension of a wall opening shall not exceed the vertical dimension;
  - (5) Wall openings shall not span vertically more than one STORY;
  - (6) MULTI-FAMILY BUILDING FAÇADES shall occupy at least sixty percent (60%) of the required front setback line; provided, however, if a utility easement is located within the area of the front setback, the building may be setback to a point located on the boundary of the utility easement interior to the lot.
  - (7) At least fifty percent (50%) of COMMERCE BUILDING FAÇADES shall be within fifty (50) feet of the required front setback line with parking permitted within this front building setback subject to approval of the Parking Plan required by Section V.C.1.c.;
  - (8) COMMERCE BUILDINGS (not used solely for OFFICES) shall incorporate architectural elements such as AWNINGS, BALCONIES, and COLONNADES, to unify separate parts of a building, and to provide a human scale or backdrop for signage and graphics;
  - (9) COMMERCE and MULTI-FAMILY BUILDINGS shall be designed and constructed in tri-partite architecture so the buildings have a distinct base, middle, and top;
  - (10) COMMERCE BUILDINGS that occupy PAD SITES shall have similar architectural design characteristics as the remainder of the project such as building materials, patterns, rhythms, and proportions; and,
  - (11) Architectural design that does not conform with the specific requirements of this Section IV, but which has merit by making a positive contribution to the visual environment, may be approved as a Special Exception granted as part of the approved DETAILED SITE PLAN.

## 2. Building FAÇADE Materials

- a. Permitted PRIMARY BUILDING MATERIALS (which must cover not less than 75% of the area of the FAÇADE) shall be:
  - (1) MASONRY/STONE
  - (2) Other PRIMARY BUILDING MATERIALS authorized pursuant to a Special Exception granted as a part of the approved DETAILED SITE PLAN.
- b. Permitted SECONDARY BUILDING MATERIAL (no greater than 25% of the area of the FAÇADE) may be:
  - (1) STUCCO/PLASTER
  - (2) Hardie-Plank™ equivalent or better siding
- c. ACCENT BUILDING MATERIALS (no greater than 5% of the area of the FAÇADE) may be:
  - (1) Pre-cast masonry (for trim and cornice elements only)
  - (2) Gypsum reinforced fiber concrete (for trim elements only)
  - (3) Metal (for beams, lintels, trim elements and ornamentation only)
  - (4) Split-faced CMU block (only for piers, foundation walls and chimneys)
  - (5) EIFS
- d. Limits and Location of PRIMARY BUILDING MATERIALS
  - (1) All building elevations shall have not less than seventy-five percent (75%) PRIMARY BUILDING MATERIALS.
  - (2) COURTYARD FAÇADES may have less than seventy-five percent (75%) but not less than sixty percent (60%) PRIMARY BUILDING MATERIALS.
  - (3) ACCENT BUILDING MATERIALS may be used on any of the above building elevations but only in the permitted locations and not exceeding the maximum permitted five percent (5%) on any elevation.
- e. Calculation of the percentage of permitted materials shall not include the area of the FAÇADE containing doors (including garage doors) and window or exterior wall areas built on top of a roof (DORMERS).
- f. Building Configurations and Techniques
  - (1) MASONRY/STONE shall be detailed and placed in an appropriate load-bearing configuration.
  - (2) STUCCO/PLASTER shall be smooth or sand only, with no roughly textured finish.
  - (3) Wood simulation materials (such as Hardie-Plank™) shall be configured as horizontal lap siding except where used for trim, soffits, fascia, or similar adornments.

## 3. Building ENTRANCES

- a. Main entrances to buildings and exterior lease space shall be clearly identifiable to pedestrians and motorists as primary points of access to buildings.
- b. Entrances to COMMERCE BUILDINGS shall be accentuated by AWNINGS or architectural building features such as lintels, pediments, columns, porticos, overhangs, railings, balustrades, and other similar features compatible with the building's architectural style, materials, colors, and details.

#### 4. Building FENESTRATION

##### a. General

The FENESTRATION standards in this paragraph 4 are applicable only to FAÇADES facing a STREET FRONTAGE.

##### b. COMMERCE and MULTI-FAMILY RESIDENTIAL FENESTRATION

- (1) MULTI-FAMILY RESIDENTIAL shall have FENESTRATION comprising not less than forty percent (40%) but not more than ninety percent (90%) on the GROUND FLOOR FAÇADE.
- (2) COMMERCE buildings and MULTI-FAMILY RESIDENTIAL buildings with ground floor COMMERCE shall have FENESTRATION comprising not less than sixty percent (60%) but not more than ninety percent (90%) on the GROUND FLOOR FAÇADE.
- (3) COMMERCE and MULTI-FAMILY RESIDENTIAL buildings shall have FENESTRATION on upper story FACADES comprising not less than thirty percent (30%) of the FAÇADE as measured between STORIES.

#### 5. Building Windows

Placement, type, and size of windows and doors help establish the scale and vitality of the PUBLIC SPACE and for RETAIL shops they allow interplay between the shop interiors and the PUBLIC SPACE. Windows shall be installed and designed in accordance with the following:

##### a. Window Materials

- (1) Window glass shall be clear, with light transmission at the GROUND STORY of not less than eighty percent (80%) and upper STORIES of not less than seventy-five percent (70%) with modifications as necessary to meet any applicable City building and energy ordinance requirements (except if used to provide RESIDENTIAL privacy).
- (2) Specialty windows such as stained, opalescent, or glass block shall be permitted in limited amounts, but in no case greater than fifteen (15) percent of the total window area of the FAÇADE unless approved as a SPECIAL EXCEPTION granted as part of a DETAILED SITE PLAN.
- (3) Window screens shall be black or gray.
- (4) Solar screens are permitted only on FAÇADES not visible from the PUBLIC SPACE.

##### b. Window Configurations

- (1) The horizontal dimension of the window opening shall not exceed the vertical dimension except as noted in (2), below.
- (2) A maximum of five (5) windows may be mulled horizontally together to form a compound window which may be wider than it is tall if each grouping is separated by a mullion, column, pier or wall section that is not less than seven (7) inches wide.
- (3) Windows shall be vertical in proportion by a ratio of 1.25:1 or more (height to width).

#### 6. Building AWNINGS and CANOPIES

##### a. General

- (1) AWNINGS and CANOPIES may be installed and located subject to Section II.B.4, above.
- (2) Structural AWNINGS may be use at ground level to enhance articulation of building volumes.

##### b. Materials, Illumination and Location

- (1) AWNINGS and CANOPIES shall be architectural and constructed with fully opaque materials that complement the building to which they are attached; provided, however, no shiny or reflective materials are permitted.

- (2) AWNINGS and CANOPIES shall not encroach into a PEDESTRIAN PATHWAY or interfere with STREET TREES or STREET lighting.
- (3) AWNINGS and CANOPIES shall not be internally illuminated in a manner that illuminates the AWNINGS or CANOPY material; provided, however, downward lighting limited to lighting the building FAÇADE, sidewalk areas, and seating areas, is permitted to be installed beneath AWNINGS and CANOPIES.
- (4) AWNINGS located on front building FAÇADES shall not exceed forty (40) feet in length.
- (5) CANOPIES shall not be used on front building FAÇADES and shall not exceed one hundred (100) feet in length.
- (6) NO AWNING or CANOPY shall be located closer than five (5) feet from the end of another AWNING or CANOPY.
- (7) Structural columns and support systems supporting CANOPIES shall be MASONRY, steel, or other materials authorized by City's construction codes provided the appearance of such support systems are architecturally compatible with the building FAÇADE.

## 7. Building Roofs and Parapets

The regulations for Roofs and PARAPETS set forth in this Paragraph 7 are designed to encourage developers to demonstrate common sense recognition of the City's climate by utilizing appropriate pitch, drainage, and materials when designing buildings within PD 99 in order to provide visual coherence.

### a. Permitted Roof Materials

#### (1) Authorized Materials

- (a) High definition architectural asphalt shingles (4 tab)
  - (b) Tile, clay or concrete (faux clay)
  - (c) Slate (equivalent synthetic or better)
  - (d) Metal (standing seam, equivalent or better)
  - (e) Roofing material for flat roofs shall be monolithic Thermoplastic Polydefin (TPO) membrane or equivalent determined by Building Official
  - (f) Cornices and soffits may be a combination of wood, vinyl, and/or metal
- (2) Roofing materials shall have a minimum 30-year rated warranty.
  - (3) Any roofing material not authorized by this Subparagraph a. is expressly prohibited.

### b. Authorized Roof Configurations

#### (1) Pitched Roofs

- (a) Hip and gable roofs shall be symmetrically pitched 4:12 or 12:12.
- (b) EAVES
  - (i) For buildings which are three (3) STORIES or less in height, EAVES shall overhang not less than six (6) inches beyond the vertical face of the wall over which the EAVES are constructed on the primary structure
  - (ii) For buildings which are greater than three (3) STORIES in height, EAVES shall overhang beyond the vertical face of the wall over which the EAVES are constructed on the primary structure a distance of not less than (i) six (6) inches plus (ii) six (6) inches times the number of building STORIES constructed above the third STORY, but in no case shall the EAVES project greater than five (5) feet from the wall over which the EAVES extend.
  - (iii) EAVES on accessory buildings and other smaller structures shall overhang the wall over which

they are constructed not less six (6) inches.

(2) Flat Roofs

Roof material interior to the PARAPET shall not be visible from any adjacent ground-level areas.

c. Roofs, Dormers and Chimneys

(1) DORMERS and chimney chases above the roof structure shall be finished with a permitted PRIMARY BUILDING MATERIAL or a siding material of Hardie-Plank™ equivalent.

(2) Fireplace flues shall be enclosed and finished to be complimentary of the building's exterior. Finished construction of exposed pre-fabricated metal flue piping is prohibited.

## 8. Skylights, Solar Panels, Roof Vents and Wind Driven Devices

a. Skylights, solar panels and roof vents are permitted only on the roof plane opposite the STREET FRONTAGE and shall not be visible from a STREET.

b. Solar panels

(1) Approval or denial

(a) Solar panels and related components shall only be installed if approved as part of the DETAILED SITE PLAN.

(b) Solar panels shall not be installed prior to the issuance of any permit required by the CITY or other governmental entity with jurisdiction over such installation.

(c) Nothing in this Ordinance shall be construed as prohibiting the PROPERTY OWNERS ASSOCIATION from denying a request for the installation of solar panels in accordance with the provisions of any recorded restrictive covenants regulating the use and development of the PROPERTY or any portion thereof.

(2) Installation and color

(a) Solar panels shall (i) not project more than six (6) inches above the roof plane, (ii) conform to the slope of the roof, (iii) have a top edge that is parallel to the roofline, and (iv) be laid in a uniform pattern.

(b) All viewable frames, brackets, and wiring shall be painted black or to match the color of the roof tiles or shingles in a manner which blends with the color of the roof.

(3) Maintenance

(a) Solar panels must be properly maintained at all times.

(b) Non-functioning or inoperable solar panels shall be promptly replaced and/or removed.

c. Wind driven devices such as windmills generating electricity or used for pumping water are prohibited except to the extent state and/or federal law pre-empts the City from prohibiting the installation of such wind driven devices.

## 9. Mechanical, Disposal and Loading Facilities and Equipment

- a. Mechanical Equipment
  - (1) Ground level transformers, HVAC equipment, lift stations, utility meters, and other machinery shall be located at the rear of the lot where practical (and, in the case of utility-owned facilities and equipment, when authorized by such utility), but shall in any case not be stored or located where visible from the PUBLIC SPACE.
  - (2) Roof mounted equipment shall be screened from view from the PUBLIC SPACE.
- b. Solid Waste Collection and Disposal
  - (1) Trash compaction and solid waste collection and disposal shall be incorporated into the overall design of the building and located to the rear of the building unless permitted to be located otherwise by an approved DETAILED SITE PLAN.
  - (2) Solid waste facilities including trash compactors shall be screened by a MASONRY wall of a height that is at least one (1) foot above the height of the solid waste facility or trash compactor. Such screening wall shall be built with the same materials as used for the principal building, or an otherwise CITY approved material
  - (3) Access to Solid waste facilities shall be provided by a metal gate or door equal in height of the wall and shall remain closed at all times when not being accessed for purpose of disposing solid waste into, or collecting for off-site disposal from, the facility.
  - (4) Garbage bins (not including public sidewalk waste bins) shall not be stored or located where visible from the PUBLIC SPACE.
- c. Service and Loading Areas
  - (1) Loading docks for the general delivery of goods and services, truck parking, and other service functions shall be incorporated into the overall design of the building and located to the rear of the building unless permitted to be located otherwise by an approved DETAILED SITE PLAN.
  - (2) Service equipment and areas shall be screened so the visual impacts of these functions are fully contained and are not located where visible from the PUBLIC SPACE.

## C. Architectural Standards for Single-Family Residential

All SINGLE FAMILY RESIDENTIAL constructed on the Property shall conform to the following building design and construction standards.

### 1. Architectural Diversity

- a. Floor plans and front FAÇADES of the same PRIMARY BUILDING MATERIAL color for SINGLE-FAMILY DETACHED RESIDENTIAL shall be separated from one another by no fewer than three (3) lots for same floor plans and no fewer than four (4) lots for the same front FAÇADE.
- b. No combination of the same masonry color, mortar color, and sand color shall be repeated for SINGLE FAMILY DETACHED RESIDENTIAL buildings located on adjacent lots.
- c. The following list of architectural elements shall be incorporated into FAÇADES of SINGLE-FAMILY DETACHED RESIDENTIAL buildings with a choice of at least two (2) different elements occurring no more often than every fourth (4<sup>th</sup>) lot:
  - (1) BALCONY
  - (2) Front Porch (may occur more often than every 4<sup>th</sup> lot)
  - (3) Chimney

- (4) Patio courtyard
- (5) MASONRY, stone, or cast stone accents
- (6) Double entry doors
- (7) Covered entry
- (8) DORMERS
- (9) Cedar shutters
- (10) Natural stone (30% front FAÇADE)
- (11) 10:12 or great roof pitch (may occur more often than every 4<sup>th</sup> lot)
- (12) Gables with architecture feature
- (13) Arch top windows
- (14) Circle top windows
- (15) Stained wood columns

d. Architectural diversity must be included in the approved DETAILED SITE PLAN.

## 2. Building FAÇADES

FAÇADE treatments are those portions of a building's STREET FRONTAGE façade elevation extending from the ground to the roof that consists of a single layer or architectural expression.

- a. RESIDENTIAL buildings shall have a finished floor elevation of not less than one (1) foot above the front curb elevation. Notwithstanding the foregoing, the finished floor elevation of every RESIDENTIAL building shall at all times comply with the applicable regulations set forth in Chapter 42 of the Code of Ordinances, as amended or succeeded, or such other applicable federal, state, or city law, ordinance, or regulation relating to flood damage prevention.
- b. The horizontal dimension of a wall opening shall not exceed the vertical dimension.
- c. Wall openings shall not span vertically more than one story.
- d. An architectural design that does not conform with the specific requirements of this Section IV, but which has merit by making a positive contribution to the visual environment may be approved as a Special Exception granted as part of the approved DETAILED SITE PLAN.

## 3. Building FAÇADE Materials

- a. Permitted PRIMARY BUILDING MATERIALS (which must cover not less than 75% of the area of the FAÇADE) shall be:
  - (1) MASONRY/STONE
  - (2) STUCCO/PLASTER
  - (3) Other PRIMARY BUILDING MATERIALS shall be required to obtain a Special Exception as a part of SITE PLAN approval
- b. Permitted SECONDARY BUILDING MATERIAL (which may cover no more than 25% of the area of the FAÇADE) may be:
  - (1) Hardie-Plank™ equivalent or better siding
- c. ACCENT BUILDING MATERIALS (which may cover no more than 5% of the area of the FAÇADE) may be:
  - (1) Pre-cast masonry (limited trim and cornice elements only)

- (2) Gypsum reinforced fiber concrete (limited to trim elements only)
  - (3) Metal (limited to roofing, beams, lintels, trim elements and ornamentation only)
  - (4) Split-faced CMU block (but used only for piers, foundation walls and chimneys)
  - (5) EIFS
- d. Limits and Location of PRIMARY BUILDING MATERIALS
- (1) All building elevations shall have not less than seventy-five percent (75%) PRIMARY BUILDING MATERIALS of the area of the FAÇADE.
  - (2) COURTYARD FAÇADES which do not face an OPEN SPACE may have less than seventy-five percent (75%) but not less than 60% PRIMARY BUILDING MATERIALS of the area of the FAÇADE.
  - (3) ACCENT BUILDING MATERIALS may be used on any FAÇADE but only in the permitted locations and not exceeding five percent (5%) of the area of the FAÇADE.
- e. Calculation of the percentage of the area of permitted building materials on a FAÇADE shall not include:
- (1) The area occupied by doors (including garage doors);
  - (2) The area occupied by windows;
  - (3) The exterior wall areas built on top of a roof (DORMERS), and
  - (4) Other architectural features above the roofline, or areas not in plane with first-floor wall.
- f. Building Configurations and Techniques
- (1) MASONRY/STONE shall be detailed and placed in an appropriate load-bearing configuration.
  - (2) STUCCO/PLASTER shall be smooth or sand only with no roughly textured finish.
  - (3) Wood simulation materials (such as Hardie-Plank™) shall be configured as horizontal lap siding except where used for trim, soffits, fascia, or similar architectural elements.

#### 4. Building Windows

Windows shall conform to the following:

- a. Window Materials
- (1) Specialty windows such as stained, opalescent, or glass block shall be permitted in limited amounts but in no case greater than fifteen (15) percent of the total window area of the FAÇADE unless approved as a SPECIAL EXCEPTION granted as part of a DETAILED SITE PLAN.
  - (2) Window screens shall be black or gray.
  - (3) Solar screens are permitted only on FAÇADES not visible from the PUBLIC SPACE.
- b. Window Configurations
- (1) The horizontal dimension of the window opening shall not exceed the vertical dimension except as provided in subparagraph b. (2), below.
  - (2) A maximum of five (5) windows may be mulled horizontally together to form a compound window which may be wider than it is tall if each grouping is separated by a mullion, column, pier or wall section that is not less than seven (7) inches wide.
  - (3) Windows shall be vertical in proportion by a ratio of 1.25:1 or more (height to width).

## 5. Building Roofs and Parapets

Roofs and PARAPETS set forth in this Paragraph 5 are designed to encourage developers to demonstrate common sense recognition of the City's climate by utilizing appropriate pitch, drainage, and materials when designing buildings within PD 99 in order to provide visual coherence.

- a. Permitted Roof Materials
  - (1) Authorized Materials
    - (a) 30-year dimensional shingles.
    - (b) Tile, clay or concrete (faux clay).
    - (c) Slate (equivalent synthetic or better).
    - (d) Metal on porches and accent roofs.
    - (e) Roofing material for flat roofs shall be monolithic Thermoplastic Polydefin (TPO) membrane or equivalent determined by Building Official.
    - (f) Cornices and soffits may be a combination of wood, metal, and Hardie-Plank™ equivalent or better soffit.
  - (2) Roofing materials shall have a minimum 30-year rated warranty.
  - (3) Any roofing material not authorized by this Subparagraph a. is expressly prohibited.
- b. Authorized Roof Configurations
  - (1) Pitched Roofs

Hip and gable roofs shall be symmetrically pitched 8:12 or greater.
  - (2) Flat Roofs

Roof material interior to the PARAPET shall not be visible from any adjacent ground-level areas.
- c. Roofs, Dormers and Chimneys
  - (1) DORMERS and chimney chases above the roof structure shall be finished with a permitted PRIMARY BUILDING MATERIAL or a siding material of Hardie-Plank™ equivalent
  - (2) Fireplace flues shall be enclosed and finished to be complimentary of the building's exterior. Finished construction that provides for an exposed pre-fabricated metal flue piping (other than gas appliance vent stacks required by applicable construction codes) is prohibited

## 6. Skylights, Solar Panels, Roof Vents and Wind Driven Devices

- a. Skylights, solar panels and roof vents are permitted only on the roof plane opposite the STREET FRONTAGE and shall not be visible from a STREET.
- b. Solar panels
  - (1) Approval or denial
    - (a) Solar panels shall not be installed prior to the issuance of any permit required by the CITY or other governmental entity with jurisdiction over such installation.
    - (b) Nothing in this Ordinance shall be construed as prohibiting the PROPERTY OWNERS ASSOCIATION from denying a request for the installation of solar panels in accordance with the provisions of any recorded restrictive covenants regulating the use and development of the PROPERTY or any portion thereof.

(2) Installation and color

- (a) Solar panels shall (i) not project more than six (6) inches above the roof plane, (ii) conform to the slope of the roof, (iii) have a top edge that is parallel to the roofline, and (iv) be laid in a uniform pattern.
- (b) All viewable frames, brackets, and wiring shall be painted black or to match the color of the roof tiles or shingles in a manner which blends with the color of the roof.

(3) Maintenance

- (a) Solar panels must be properly maintained at all times.
  - (b) Non-functioning or inoperable solar panels shall be promptly replaced and/or removed by the property owners.
- c. Wind driven devices such as windmills generating electricity or for pumping water are prohibited except to the extent state and/or federal law pre-empts the City from prohibiting the installation of such wind driven devices.

## 7. Garages

- a. Rear loaded garage doors shall be constructed of decorative aluminum or real wood cedar veneer.
- b. Front-loaded garage doors shall be constructed of real wood cedar veneer.
- c. Front-loaded garage doors shall be recessed not less than five (5) feet from the front FAÇADE of the dwelling unless the garage door is perpendicular to the STREET (j-swing).

## 8. Mailboxes

- a. Unless prohibited by the U.S. Postal Services or as otherwise determined in accordance with the approved DETAILED SITE PLAN, SINGLE FAMILY DETACHED RESIDENTIAL may install individual mail boxes which shall be located on the front of the lot between the sidewalk and the curb;
- b. ATTACHED RESIDENTIAL shall utilize cluster mailboxes approved by the United States Postal Services.
- c. Mailbox materials shall be consistent throughout the development and constructed of decorative metal or masonry generally consistent with the materials of the building(s) located on the lot where the mailbox is located.

## 9. Mechanical Equipment

- a. Ground level transformers, HVAC equipment, lift stations, utility meters, and other machinery shall be located at the side or rear of the lot where practical (and, in the case of utility-owned facilities and equipment, when authorized by such utility), but shall in any case not be located where clearly visible from the PUBLIC SPACE.
- b. Roof mounted equipment shall be screened from view from the PUBLIC SPACE.

## V. Lighting, Parking and Signage Standards

### A. Principles and Intent

The LIGHTING, PARKING AND SIGNAGE STANDARDS set forth in this Section V are intended to ensure the coherence of the development and to assist property owners with understanding the relationship between the PUBLIC SPACE and their own lots. These standards are also intended to establish an environment that encourages and facilitates pedestrian activity and enjoyment of PUBLIC SPACES.

- Lighting, both within PUBLIC SPACES and private lots, is a strong amenity and as well as safety feature.
- Adequate parking, conveniently located and appropriately designed is an essential element of a successful and enjoyable community that offers a mix of residential, office and retail establishments and services.
- Signage appropriately located and tastefully executed is an asset for COMMERCE activities while ensuring compatibility with nearby residential communities.

### B. Lighting

The Property shall be developed with lighting in accordance with the following standards:

#### 1. PARKWAY Lights

- a. STREET LIGHTS must be located within the PARKWAY spaced a maximum of seventy-five (75) feet on center per BLOCK. Lighting elements must be installed not less than twelve (12) feet nor greater than sixteen (16) feet above grade.
- b. Standards
  - (1) Materials and equipment chosen for lighting fixtures must be durable and weather well.
  - (2) Lighting standards for STREETS shall meet the City's minimum standards, with the design criteria giving equal weight to the lighting of the pedestrian areas and the vehicle areas.
  - (3) STREET LIGHTS shall not cast a perceptively unnatural spectrum of light (such as low pressure sodium) or project light skyward (dark sky friendly lighting).

#### 2. COMMERCE Building and Site Lighting

- a. An exterior Lighting Plan shall be approved as part of the DETAILED SITE PLAN.
- b. Front FAÇADE building lighting shall be mounted not less than six (6) feet nor higher than fourteen (14) feet above the adjacent grade.
- c. Lighting Standards
  - (1) The City may require a Photometric Study be submitted and a lighting design plan to be approved as part of the DETAILED SITE PLAN for any portion of the Property to be developed for non-residential uses which is proposing outdoor lighting internal to the site.
  - (2) Lighting on a non-residential site shall measure no greater than two (2) foot-candles at the property line of the site unless approved as part of a lighting design plan approved as part of the DETAILED SITE PLAN.
  - (3) Site lighting shall be of a design, height and location so as to illuminate only the lot on which the light fixture is located unless illumination across lot lines is by a lighting fixture is authorized by the approved lighting plan included in the approved DETAILED SITE PLAN.
  - (4) Lighting elements shall not cast a clearly/perceptively unnatural spectrum of light (such as low pressure sodium). Lighting elements shall be limited to incandescent, metal halide, or halogen type fixtures.

- (5) No heavy intensity discharge (HID) or fluorescent lights (except compact fluorescent bulbs that screw into standard sockets) shall be used on the exterior of buildings.
- (6) No flashing, traveling, animated, or intermittent lighting shall be visible from the exterior of any building whether such lighting is of temporary or long-term duration.
- d. Flood Lights
  - (1) Floodlights or directional lights (maximum 75-watt bulbs) may be used to illuminate ALLEYS, parking garages and maintenance areas, but must be shielded or aimed in such a way that they do not shine into other lots, STREET FRONTAGES, or direct light up toward the sky.
  - (2) Floodlighting to illuminate non-residential building walls shall be approved as a part of the approved DETAILED SITE PLAN.

## C. Parking

### 1. Parking Standards

- a. SINGLE-FAMILY RESIDENTIAL
  - (1) A minimum of two (2) garage parking spaces per SINGLE-FAMILY RESIDENTIAL dwelling shall be provided and shall remain usable for parking of two (2) passenger vehicles.
  - (2) Where building footprints allow, SINGLE-FAMILY RESIDENTIAL dwellings shall provide two (2) additional parking spaces onsite.
  - (3) On-street visitor parking shall be provided for SINGLE-FAMILY ATTACHED dwellings at a rate of one (1) space per five (5) dwellings, which spaces must be located within six hundred (600) feet of the dwelling.
- b. MULTI-FAMILY RESIDENTIAL
  - (1) A minimum of 1.6 parking spaces per MULTI-FAMILY RESIDENTIAL unit shall be provided.
  - (2) Not less than eighty percent (80%) of required parking spaces for MULTI-FAMILY RESIDENTIAL shall consist of STRUCTURED PARKING. Exceptions to the forgoing requirement may be approved as a SPECIAL EXCEPTION granted at the time of approval of the DETAILED SITE PLAN.
  - (3) The location and design of surface and STRUCTURED PARKING for MULTI-FAMILY RESIDENTIAL shall be offset forth in the DETAILED SITE PLAN.
- c. COMMERCE
  - (1) A Parking Plan prepared by a Texas professional engineer shall be submitted to the CITY that sets forth how COMMERCE uses will accommodate parking demand. The Parking Plan shall be based on the parking standards set forth in this Ordinance or, in the absence of such standard, the standard set forth in the CZO and will become part of the approved DETAILED SITE PLAN.
  - (2) The majority of surface parking shall be located behind the front FAÇADE. No more than twenty-five percent (25%) of the surface parking spaces may be between the STREET and the front FAÇADE.
  - (3) Required parking ratios for COMMERCE uses shall be:
    - (a) Office – 1 space per 300 square foot
    - (b) Retail – 1 space per 250 square foot
    - (c) Restaurant – 1 space per 150 square foot
- d. Shared Parking

- (1) In the case of mixed uses, two (2) or more uses may share the same parking spaces during alternating periods of time if approved as part of the DETAILED SITE PLAN, provided, however, no certificate of occupancy for any completed space shall be issued by the City for any building or portion of a building using such shared spaces until an easement granting perpetual access and shared parking rights approved as to form by the City Attorney has been executed by the owners of all property that will use such shared spaces and recorded in the Official Public Records of Dallas County, Texas. Such access and shared parking easement must include provisions that prohibit the reduction or relocation of parking spaces or the partial or complete termination of the easement without the prior approval of the City Council.
- (2) No more than fifty percent (50%) of the parking spaces required for a theater or other place of evening entertainment whose peak hours of operation are generally after 6:00 P.M., or for an auditorium, stadium, school, place of worship, or similar public assembly use, may be shared jointly with COMMERCE uses which are not open after 6:00 P.M. or otherwise open during the same hours as the public assembly use will be occurring. Prior to commencement of shared parking pursuant to this subparagraph d. (2), the owners of the properties affected shall executed an easement that conforms to the easement required by subparagraph d.(1), above, except that such easement (i) may limit the use to the agreed off-setting days and times and (ii) may terminate without the consent of the City Council if the public assembly use ceases operations and does not use the shared parking spaces for a period of 180 consecutive days.

## 2. On-Street Parking

- a. On-street parking spaces shall not exceed five (5) parallel parking spaces or twelve (12) head-in parking spaces without the provision of a landscaped curb bump-out as provided below:
  - (1) The bump-out shall be eight (8) feet deep and five (5) feet wide.
  - (2) The limitation of no more than five (5) parallel parking spaces or twelve (12) head-in parking spaces without a bump-out may be increased to six (6) parallel spaces or thirteen (13) head-in spaces if there remains only room for one (1) additional parking space.
- b. On-street parking may be counted towards meeting off-street parking requirements is authorized by the approved DETAILED SITE PLAN.
- c. On-street surface parking spaces may encroach along the edges of designated PARK/OPEN SPACE to allow for public parking for PARK/OPEN SPACE users.
- d. On-street parking shall be eight (8) feet in depth and twenty-two (22) feet length.

## 3. Parking Structures

- a. PARKING STRUCTURES shall have an architecturally finished FAÇADE compatible with the surrounding buildings.
- b. PARKING STRUCTURES located within forty (40) feet of a principal building shall not exceed the building EAVE or PARAPET HEIGHT.
- c. PARKING STRUCTURE entries shall be located not less than seventy-five (75) feet from any BLOCK CORNER or any other GARAGE ENTRY on the same BLOCK,
- d. Entries shall have a clearance height of no greater than twenty (20) feet, nor a width exceeding thirty (30) feet.
- e. PARKING STRUCTURE with forty percent (40%) or more of its street level FAÇADE adjacent to a MAJOR STREET shall be developed for active nonresidential uses.
- f. Entries and exits to and from PARKING STRUCTURES shall be clearly marked for both vehicles and pedestrians by materials, lighting, and signage intended to warn pedestrians of the possible approach of crossing vehicles.

## D. Signage

Signs placed on the Property shall comply with this Subsection D in addition to the provisions of Chapter 62 of the Code of Ordinances, as amended and the CZO:

### 1. Signage Plan

- a. A Comprehensive Sign Plan shall be submitted to the CITY for approval of all proposed signage within PD 99 at the time of approval of the first DETAILED SITE PLAN.
- b. COMMERCE signage shall include signs that are pedestrian in scale and located so as to be legible from PEDESTRIAN PATHWAYS.
- c. COMMERCE signs may project from the building FAÇADE up to three (3) feet provided not less than a ten (10) feet of vertical clearance below the lowest portion of such sign is maintained at all times.
- d. COMMERCE directory signs, the location of which are shown on the approved Comprehensive Sign Plan may be provided to help direct people to different on-site businesses and services.
- e. Only individual lettering on a COMMERCE signage may be internally lit.
- f. Lettering on AWNINGS and CANOPIES shall be limited to six (6) inches tall located only on vertically hanging fabric at curbside of AWNING.

### 2. Prohibited or Limited Signs

- a. Billboards, off-premise, pole signs, marquees, animated, flashing or intermittent signs, and roof and painted building FAÇADE signs are prohibited.
- b. Portable or wheeled signs and advertising devices located outside any building shall be prohibited unless approved by the Building Official in accordance with applicable City ordinances.

## VI. Landscaping and Park/Open Space Standards

### A. Principles and Intent

The standards and criteria contained in this LANDSCAPING and PARK/OPEN SPACE STANDARDS section are the minimum standards for all new development. Where regulations of this Section VI conflict with those of the CZO, the greater standard shall apply. General principles are:

- Encourage the use of native and low water demand plants and low maintenance
- Encourage adequate treatment of soils where vegetation is proposed
- Encourage the alternation of ground covers and minimize turf areas
- Locate development in proximity to PARK/OPEN SPACE, PEDESTRIAN PATHWAYS and TRAILS.

### B. Landscaping

#### 1. Landscaping – Trees

##### a. STREET TREES

- (1) MAJOR STREETS shall have STREET TREES planted within the PARKWAY with a spacing of no greater than twenty-five (25) feet on center measured per BLOCK face or on a project by project basis, whichever is the smaller lineal dimension.
- (2) MINOR STREETS shall have STREET TREES planted within the PARKWAY with a spacing of no greater than thirty-five (35) feet on center measured per BLOCK face or on a project by project basis, whichever is the smaller lineal dimension.
- (3) One (1) STREET TREE shall be planted in each bump-out for on-street parking spaces.
- (4) STREET TREES shall be at least three (3) caliper inches in diameter measured four (4) feet above grade and not less than ten (10) feet in height measured from the base of the main trunk showing at grade at time of planting.

##### b. COMMERCE and MULTI-FAMILY

- (1) Where the primary structure is located within ten (10) feet of the front property line, the COMMERCE and MULTI-FAMILY use shall be only responsible for planting STREET TREES in accordance with standards for STREET TREES on MAJOR STREETS.
- (2) Where the primary structure is located greater than ten (10) feet from the front property line, the following tree planting shall be required:
  - (a) One tree at least three (3) caliper inches in diameter measured four (4) feet above grade and not less than ten (10) feet in height measured from the base of the main trunk showing at grade at time of planting for each twenty-five (25) feet of linear STREET FRONTAGE, which trees shall be planted within fifteen (15) feet of the front property line.
  - (b) Trees may be planted in groups with appropriate spacing for species.
  - (c) The trees required by this Subparagraph b. shall be in addition to the required STREET TREES.

##### c. SINGLE-FAMILY RESIDENTIAL

- (1) General
  - (a) Required FRONT YARD TREES shall be in addition to the required STREET TREES

- (b) Required FRONT YARD TREES shall be based upon lot width as measured at the required front setback line.
  - (c) Required FRONT YARD TREES shall be at least three (3) inches in diameter measured four (4) feet above grade and not less than ten (10) feet in height measured from the base of the main trunk showing at grade at time of planting.
- (2) Required Trees
- (a) No fewer than two (2) FRONT YARD TREES and no fewer than four (4) five (5) gallon shrubs and twelve (12) one (1) gallon shrubs shall be planted on lot with widths of fifty (50) feet or greater.
  - (b) No fewer than one (1) FRONT YARD TREE and no fewer than three (3) five (5) gallon shrubs and eight (8) one (1) gallon shrubs shall be planted on lots with widths of forty (40) feet or greater but less than fifty (50) feet wide.
  - (c) No fewer than one (1) FRONT YARD TREE and no fewer than two (2) five (5) gallon shrubs and six (6) one (1) gallon shrubs shall be planted on lots with widths of less than forty (40) feet.
  - (d) In addition to the requirements of Subparagraph c. (2)(a), (b), or (c), above, whichever is applicable, no fewer than one (1) FRONT YARD TREE, four (4) five (5) gallon shrubs, and twelve (12) one (1) gallon shrubs shall be planted within the secondary frontage of a corner lot.

## 2. Landscaping – Yards

- a. All unpaved ground area shall be planted with turf grass, vegetative groundcover, or flowering vegetation.
- b. Decorative rocks shall be permitted in limited amounts and within areas between structures where plant material is difficult to maintain.
- c. SINGLE-FAMILY RESIDENTIAL lots shall have full sod installed within any portion of the yard area not covered by walkways, driveways, trees, shrubbery, ground cover or planting beds, or other approved landscape materials.
- d. All turf grass must be solidly sodded at installation. Seeding, sprigging, or plugging of turf grass at time of initial installation is prohibited.

## 3. Landscaping – Parking Lots

- a. Five (5) linear feet of landscaped evergreen screening at a height of three (3) feet shall be planted between the STREET right-of-way and the parking area in all parking areas within a parking lot abutting a STREET.
- b. The following interior landscaping shall be planted in off-street, surface parking that contains twenty (20) or more parking spaces:
  - (1) Twenty (20) square feet of landscaping for each parking space shall be installed within the paved boundaries of the parking area;
  - (2) Landscaped islands shall be located at the ends of all parking rows and one (1) landscaped island for each fifteen (15) parking spaces in a parking row shall be located on the interior of each parking row. The location the landscape islands within parking areas shall be determined and approved as part of the DETAILED SITE PLAN. No fewer than one (1) tree, three inch (3) caliper inch minimum as measured four (4) feet above grade and not less than ten (10) feet in height measured from the base of the main trunk showing at grade at time of planting shall be planted in each parking area landscape island.
  - (3) Landscaped islands shall be not less than six (6) feet wide, not less than ninety percent (90%) of the abutting parking space in length, and planted with approved ground cover.
  - (4) Landscaped areas shall be protected by a raised six (6) inch concrete curb with pavement placed no closer than three (3) feet from the trunk of a tree if no CITY-approved root barrier has been installed.

Special thought should be given as to pedestrian circulation within the parking area such as special paving accents.

#### 4. Landscaping – Fences/Walls and Street Furniture

##### a. Fences/Walls – General

- (1) Metal fencing shall be ornamental iron, tubular steel or similar material with a consistent design and finished in black.
- (2) MASONRY walls shall be constructed with MASONRY compatible with adjacent buildings.
- (3) Wood fencing at locations other the side lot or rear lot lines of interior lots shall be board-on-board with capping, pre-stained cedar, with steel posts in a color approved as part of the DETAILED SITE PLAN.
- (4) Fences and walls exceeding eight (8) feet in height are prohibited except to screen service areas of COMMERCE and MULTI-FAMILY RESIDENTIAL.
- (5) Fences and walls shall be located outside the public right-of-way and located within a maintenance easement under the responsibility of the PROPERTY/HOME OWNERS ASSOCIATION or the individual property owner.

##### b. Walls – MAJOR STREETS

- (1) MASONRY walls not exceeding eight (8) feet in height shall be permitted along MAJOR STREETS.
- (2) MASONRY walls may include decorative metal fencing of a similar height inserted at intervals no more often than every one hundred and fifty (150) feet unless a different design is approved as part of the DETAILED SITE PLAN.

##### c. Fences/Walls – RESIDENTIAL

- (1) No fence or wall shall be permitted within front yards except on corner lots, wherein approved ornamental iron fences, not exceeding five (5) feet in height, may be installed within the front yard not serving as the main entry point to the dwelling (i.e. the side yard along the STREET).
- (2) All fences and walls installed within five (5) feet of an ALLEY may be ornamental iron or board-on-board wood fencing not exceeding eight (8) feet in height.
- (3) On RESIDENTIAL lots abutting or facing a PARK/OPEN SPACE, only ornamental iron fencing shall be used on the side of the lot facing the PARK/OPEN SPACE unless another material approved as part of the DETAILED SITE PLAN.
- (4) Fences and walls consisting of materials or placed in locations not otherwise authorized by this Subparagraph c. may be approved as a SPECIAL EXCEPTION granted at as part of the approved DETAILED SITE PLAN.

##### d. Street Furnishings

- (1) Street furnishings installed within PARK/OPEN SPACE and rights-of-way shall be consistent in design and materials and be approved as part of the DETAILED SITE PLAN.
- (2) Street furnishings may include seating, planters, trash receptacles, street lights, street signs, wayfinding signs, media boxes, public art, and water features.

## 5. Landscaping – Irrigation

- a. Permanent automatic irrigation systems shall be designed, installed, and operated in accordance with applicable City ordinances related to landscape irrigation systems shall be installed to irrigate required landscaping. Landscaping – Rainwater Harvesting Systems

In addition to other applicable City ordinances that may be in effect or adopted from time to time, the installation and operation of a rainwater harvesting system shall comply with the following:

- b. The location of rain barrels or rain water harvesting systems and related components must be approved as part of the DETAILED SITE PLAN.
- c. Rain barrels shall be located in the side or rear yards in a manner not visible from the PUBLIC SPACE.
- d. Rain barrels shall be of color that is consistent with the color scheme of the primary use and may not contain any text or image not typically displayed on such rain barrels as manufactured.
- e. Rain barrels must be covered and properly maintained at all times or removed by the owner.

## 6. Landscaping – Maintenance

- a. The record owner of a lot shall be responsible for maintaining the portion of the PUBLIC SPACE between the lot line(s) and the back of the curb and any portion of the ALLEY abutting the lot.
- b. The record owner of a lot shall be responsible for watering, maintaining and preserving in a growing healthy condition all landscaping located on said owner's lot, including, but limited to, trees, shrubs, planting beds, and groundcover located on the lot, and including PARK/OPEN SPACE within the lot.
- c. The record owner of a lot shall promptly replace dead trees and/or plant materials not later than sixty (60) days after written notification from the City to replace such trees and/or plant materials.
- d. Trees shall be maintained to provide a seven (7) foot clearance over PEDESTRIAN PATHWAYS and a fourteen (14) foot clearance over travel and parking lanes. The foliage of newly planted trees may intrude into this area until the tree has sufficient growth to allow such a clear trunk height.
- e. Shrubbery shall be maintained to keep a clear view between two (2) and eight (8) feet above grade and to prevent encroachment into PEDESTRIAN PATHWAYS or the STREET.
- f. No trees or landscape materials shall be planted in a manner or in an area that creates a visibility obstruction at intersections and driveways in violation of any City ordinance.
- g. Nothing in this Paragraph 7 shall be construed as prohibiting a PROPERTY/HOME OWNERS ASSOCIATION from maintaining any landscaping or irrigation system for the record owner of a lot, whether pursuant to terms of an agreement between the lot owner and the PROPERTY/HOME OWNERS ASSOCIATION or pursuant to the PROPERTY/HOME OWNERS ASSOCIATION's obligations set forth in any recorded covenants to which said lot is subject. Notwithstanding the foregoing, the record owner of the lot shall at all times be obligated to comply with this Paragraph 7.
- h. At no time shall the landscaping located on any lot within the Property be reduced to less than the minimum required by the Subsection B or that which is required by an approved Landscape Plan or DETAILED SITE PLAN, whichever requires greater amount of landscaping.

## 7. Landscaping – Approved Tree and Shrub Species

- a. The following list of trees and shrubs shall be the only species which may be used for plantings within the Property. Species of trees and shrubs may be added to or deleted from the following list of approved species as part of the approved DETAILED SITE PLAN.
  - (1) STREET TREES and FRONT YARD TREES – First Preference
    - (a) Gleditsia Triacanthos var. Inermis (Thornless Honey Locust)
    - (b) Pistacia Chinensis (Chinese Pistache, male only)

- (c) *Quercus Shumardi* (Shumard Oak – specified where grown to avoid Pin Oak)
- (d) *Quercus Buckleyi* Red Oak
- (e) *Quercus Muhlenbergii* (Chinquapin Oak)
- (f) *Quercus Virginia* (Live Oak)
- (g) *Ulmus Parvifolia* (Lacebark Elm)
- (h) Texas Ash *Fraxinus*
- (2) STREET TREES or FRONT YARD TREES – Second Preference
  - (a) *Taxodium Ascendens* (Pond Cypress)
  - (b) *Taxodium Distichum* (Bald Cypress)
- (3) Public space trees
  - (a) *Carya Illinoensis* (Pecan)
  - (b) *Cercis Canadensis* var. *Texensis* (Texas redbud)
  - (c) *Cercis x Texensis* (Oklahoma Redbud)
  - (d) *Lagerstromia Indica* (Crepe Myrtle)
  - (e) *Magnolia Grandiflora* (Magnolia)
  - (f) *Quercus Macrocarpa* (Bur Oak)
  - (g) *Vitex Agnus-Castrus*
  - (h) Desert Willow
- (4) Trees and shrubs along masonry walls between neighborhoods and streets
  - (a) Cedar
  - (b) Cypress (But NO Leyland Cypress)
  - (c) *Ilex Nellie R Stevens*
- (5) Other approved shrubs
  - (a) *Abelia*
  - (b) *Berberis Trifoliata* (Agarito)
  - (c) *Rhus Aromatic* (Aromatic Sumac)
  - (d) *Dasyllirion Wheeleri* (Desert Spoon)
  - (e) *Raphiolepis Indica* (Indian Hawthorn)
  - (f) *Ilex Cornuta Burfordii Nana*' (Burford Holly)
  - (g) *Eysenhardtia Texana* (Texas Kidneywood)
  - (h) *Hesperaloe Parviflora* (Red Yucca)
  - (i) *(Leucophyllum F. 'Silverado')* (Texas Sage. Silverado)
  - (j) *Yucca Recurvifolia* (Soft-leaf Yucca)
  - (k) *Yucca Rupicola* (Twist-leaf Yucca)
  - (l) Rose of Sharon
  - (m) Dwarf Crape Myrtle
  - (n) Flowering Quince
  - (o) *Nandina*
  - (p) Ornamental Grasses
  - (q) *Salvia Gregii*
  - (r) Barberry
  - (s) *Juniperus*
- (6) Ground cover, plants and other recommended materials
  - (a) Vines
  - (b) Asian Jasmine

- (c) Winter Creeper
- (d) Coral Honeysuckle
- (e) Cross Vine
- (7) Prohibited plants
  - (a) Bradford Pears
  - (b) Leyland Cypress

**8. Landscaping – Completion**

No certificate of occupancy for any building on any lot may be issued until all required irrigation systems, trees and other plant materials required by this Subsection B. have been installed and/or planted on the lot unless, because of on-going drought conditions the City has implemented water conservation measures that restrict the watering of new plant materials, the City Manager or designee authorizes a delay in the planting of new landscape materials, in which case, a certificate of occupancy may be issued. In the event of such authorized delay, all landscape materials shall be planted not later than the date provided in the authorization. Failure to install all landscaping by the date set forth in the delay authorization shall be a violation of this Ordinance.

**C. Park/Open Space**

**1. Available PARK/OPEN SPACE and other recreation amenities**

The table below summarizes the area to be allocated to PARK/OPEN SPACE, TRAILS and other Recreation amenities within PD 99, the general location of which are depicted on **Appendix G – Parks, Open Space, Trails, and Other Recreation Facilities Map**.

**Park/Open Space, Trails and Other Recreation Facilities and Planned Development**

Category	Type	Acres
<b>Parks, Recreation Facilities &amp; Open Space</b>		
	Parks	20.4
	Linear Parks	1.8
	Amenity Center	4.2
	Valwood Open Space	4.9
	Multi-Family Open Space (10%)	4.2
<b>TOTAL</b>		<b>35.5</b>
<b>Recreational Trails &amp; Boardwalks</b>	<b>Total Linear Feet</b>	<b>20,900 LF</b>

**2. PARK/OPEN SPACE – COMMERCE and MULTI-FAMILY RESIDENTIAL**

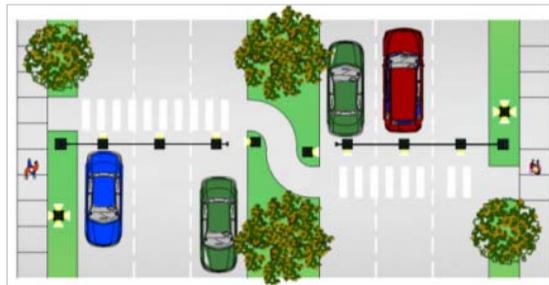
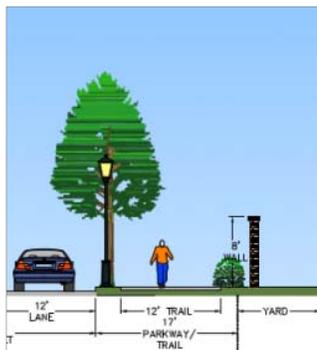
- a. COMMERCE uses shall not be required to set aside a percentage of lot area for PARK/OPEN SPACE. Development devoted to COMMERCE uses are encouraged to create outdoor areas that enhance the pedestrian experience through conveniently located informal seating areas, PLAZAS and COURTYARDS.
- b. MULTI-FAMILY RESIDENTIAL shall allocated and develop not less than ten percent (10%) of the lot(s) on which the development is to be constructed to PARK/OPEN SPACE
  - (1) Landscaped parking areas, walkways, yards and entries shall be considered PARK/OPEN SPACE.
  - (2) Areas designated as PARK/OPEN SPACE shall be shown on the approved DETAILED SITE PLAN and if applicable, the Plat.
- c. PARK/OPEN SPACE shall be maintained by the PROPERTY OWNERS ASSOCIATION or individual property owner.

**3. PARK/OPEN SPACE – SINGLE-FAMILY RESIDENTIAL**

- a. All SINGLE-FAMILY RESIDENTIAL development shall be within nine hundred (900) feet of land designated as “PARK” on **Appendix C – Land Use Map** or on an approved DETAILED SITE PLAN, as measured in a straight line from the nearest point of the lot to the PARK.
- b. The percentage of available PARK/OPEN SPACE for SINGLE-FAMILY RESIDENTIAL shall be based on the aggregate acreage of PARK/OPEN SPACE available throughout PD 99, excluding acreage contained within MULTI-FAMILY RESIDENTIAL or part of a non-RESIDENTIAL use.
- c. Areas designated as PARK/OPEN SPACE shall be shown on all approved DETAILED SITE PLANS.
- d. PARK/OPEN SPACE shall be maintained by the PROPERTY/HOME OWNERS ASSOCIATION.

**4. RECREATIONAL TRAILS and PEDESTRIAN PATHWAYS**

- a. RECREATIONAL TRAILS
  - (1) TRAILS shall be provided along one side of MAJOR STREETS as shown in **Appendix G – Parks, Open Space and Trails Map** and as illustrated here.
  - (2) TRAILS shall be not less than ten (10) feet nor greater than twelve (12) feet wide along MAJOR STREETS and eight (8) feet in width in other locations.
- b. PEDESTRIAN PATHWAYS
  - (1) PEDESTRIAN PATHWAYS shall be six (6) feet in width on MAJOR STREETS and five (5) feet in width on MINOR STREETS.
  - (2) PEDESTRIAN PATHWAYS shall be installed at all required locations on a lot prior to issuance of a certificate of occupancy of the first building constructed on the lot or, if the issuance of a certificate of occupancy is required, the commencement of the provision of utilities to any building on the lot..
- c. TRAILS and PEDESTRIAN PATHWAYS shall be constructed of concrete in accordance with applicable CITY ordinances and/or specifications.
- d. A “HAWK” (High-Intensity Activated crosswalk) signal, used to allow pedestrians to cross highways safely, shall be installed at Valley View Lane near Mercer Parkway as illustrated here.



## VII. Street Standards

### A. Principles and Intent

The STREET STANDARDS contained in this Section VII establish the minimum rights-of-way, lane and parkway widths, RECREATIONAL TRAIL and PEDESTRIAN PATHWAY locations and widths and embody the following principles and intent:

- Balance the needs of all forms of vehicular and pedestrian traffic to maximize mobility and convenience while minimizing conflicts between pedestrians and automobiles.
- Create attractive, pedestrian-friendly streets for the enjoyment of residents, employers, employees and visitors.

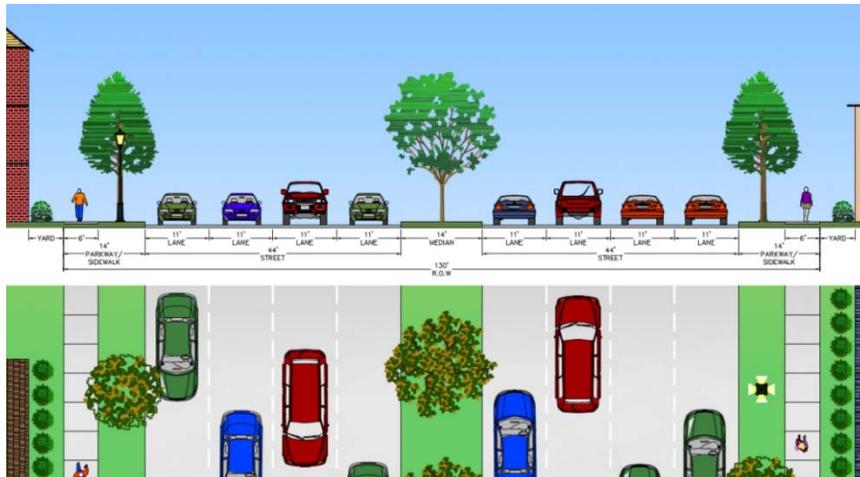
### B. Existing Streets and Modifications

- a. Existing STREETS – STREETS existing on the effective date of this ORDINANCE that are not consistent with the STREET TYPE cross sections shall not be required to be reconstructed to conform to the requirements of this Section VII; provided, however upon development of property abutting an existing STREET, the improvements as shown in the STREET TYPE cross section of this ORDINANCE shall be installed.
- b. STREET TYPE Modifications – Minor modifications to specific STREET TYPE cross sections contained within this ORDINANCE may be approved by the Director of Community Services and the City Engineer if necessary to accommodate or respond to specific conditions once engineering design of STREET improvements is underway. The modifications shall be the minimum necessary to address a specific situation or circumstance and shall not alter the general layout of the STREETS as depicted on approved DETAILED SITE PLAN related to the portion of the Property where the subject STREET is located.

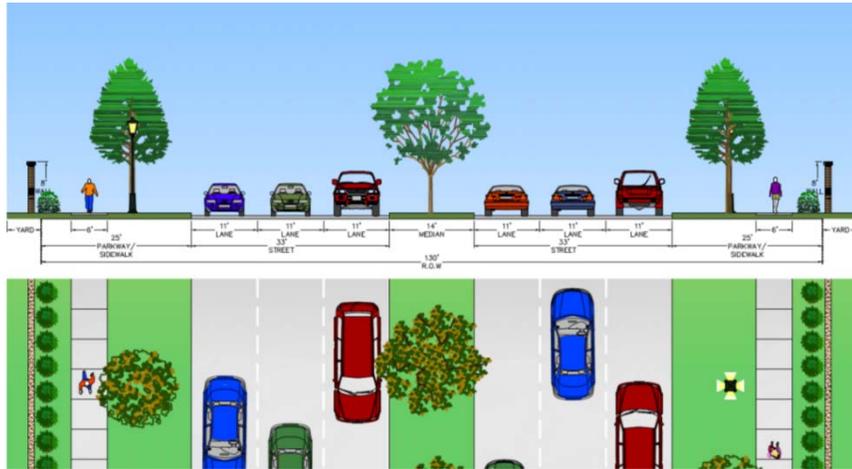
### C. New Street Type Cross Sections

- a. STREET Classifications – The Street Classifications Map (see **Appendix H – Street Classifications**) identifies which STREETS are classified as MAJOR STREETS, which are classified as MINOR STREETS, and highlights where ALLEYS are located to serve rear-loaded RESIDENTIAL lots.
- b. STREET TYPE Cross Sections – Illustrated below are the typical STREET TYPE cross sections depicting lane and parkway widths, treatment of on-street parking, TRAILS and PEDESTRIAN PATHWAYS. These illustrations are also contained in the **Appendix J – Street Cross Sections**.

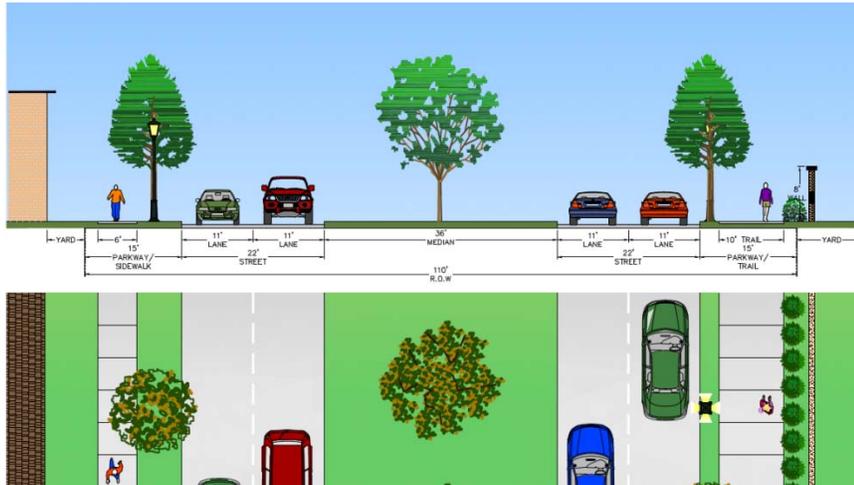
(1) Luna Road – North of Wittington Place (Looking North)



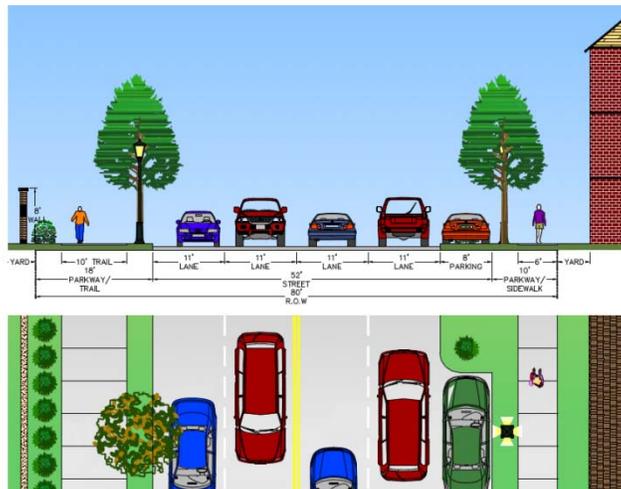
(2) Luna Road – South of Wittington Place (Looking South)



(3) Wittington Place East – East of Luna Road (Looking East)



(4) Wittington Place North/West – West of Luna Road (Looking West) \*



\* Final alignment intersection to be addressed during street design

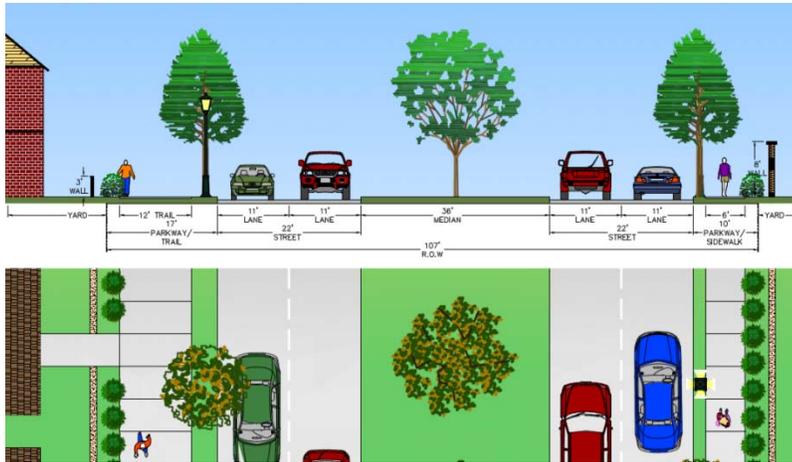
of Wittington and Luna

(5) Mercer Parkway East – East of Luna Road (Looking East)



Looking West)

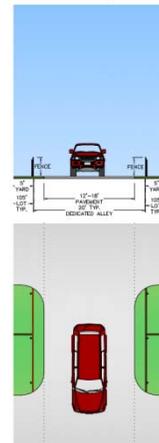
(6) Mercer Parkway West – West of Luna Road (Looking North)



(7) Residential Street – 50-Foot Right-of-Way



(8) Alley



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## VIII. Administration

### A. Intent

This Section VIII sets forth the provisions for reviewing and approving development applications within Mercer Crossing/West Planned Development District. The intent is to ensure that all development occurring in PD 99 is consistent with the provisions of this ORDINANCE.

### B. Development Districts and Land Use Plan

#### 1. Purpose

- a. The URBAN COMMERCE and URBAN RESIDENTIAL DEVELOPMENT DISTRICTS delineate general boundaries of development areas for COMMERCE, MULTI-FAMILY RESIDENTIAL and SINGLE-FAMILY RESIDENTIAL uses.
- b. The LAND USE MAP illustrates general boundaries and mix of proposed locations for respective land uses, densities, circulation plans, and PARK/OPEN SPACE.

#### 2. Allocation of Land Uses

- a. The required allocation of SINGLE-FAMILY RESIDENTIAL land uses within the 172.5 acres of the URBAN RESIDENTIAL DISTRICT shall be as follows:
  - (1) Sixty-foot (60') SINGLE-FAMILY RESIDENTIAL lots shall comprise a minimum of ten percent (10%) of all SINGLE-FAMILY RESIDENTIAL LOTS.
  - (2) Fifty-foot (50') SINGLE-FAMILY RESIDENTIAL lots shall comprise a minimum of fifty percent (50%) of all SINGLE-FAMILY RESIDENTIAL LOTS; however, if more sixty-foot (60') lots were developed, the percentage of fifty-foot (50') lots may be reduced by a commensurate percentage.
  - (3) Forty-foot (40') SINGLE-FAMILY RESIDENTIAL lots shall comprise no more than twenty percent (20%) of all SINGLE-FAMILY RESIDENTIAL LOTS; however, if fewer townhome lots are developed, the percentage of forty-foot (40') lots may be increased by a commensurate percentage.
  - (4) TOWNHOME lots shall comprise no more than twenty percent (20%) of all SINGLE-FAMILY RESIDENTIAL LOTS.
- b. The number of MULTI-FAMILY RESIDENTIAL units within the 94.4 acres of the URBAN COMMERCE DISTRICT shall not exceed the following:
  - (1) North of I-635, a maximum of twelve hundred and fifty (1250) units of MULTI-FAMILY RESIDENTIAL shall be permitted.
  - (2) South of I-635, a maximum of five hundred (500) units of MULTI-FAMILY RESIDENTIAL shall be permitted.

#### 3. Modifications and Adjustments

- a. If development constraints are determined to exist when preparing the final engineering design relating to the development of a portion of the Property, then at the time of approval of the preliminary plat or, if no preliminary plat is required, approval of a final plat of the portion of the Property to be developed:
  - (1) The DEVELOPMENT DISTRICT boundaries may be adjusted a maximum of one-hundred feet (100') from the location of the boundaries as shown on Appendix A as long as the number of acres allocated to SINGLE-FAMILY RESIDENTIAL and MULTI-FAMILY RESIDENTIAL and the lot size percentages set forth in Section VIII.B.2 do not change; and

- (2) Relocation of any DEVELOPMENT DISTRICT boundary more than one hundred feet (100') from where the boundary is shown on Appendix A shall require an amendment to this ORDINANCE prior to approval of the preliminary plat or, in absence of a preliminary plat, the final plat, of the portion of the Property being developed.
- b. If development constraints are determined to exist when preparing the final engineering design related to the development of a portion of the Property for COMMERCE, MULTI-FAMILY RESIDENTIAL, and SENIOR LIVING, then at the time of approval of the preliminary plat or, if no preliminary plat is required, approval of a final plat of the portion of the Property to be developed:
  - (1) The boundaries of the COMMERCE, MULTI-FAMILY RESIDENTIAL, and SENIOR LIVING uses shown on Appendix C may be adjusted by a maximum of one-hundred feet (100') from the location of the boundaries as shown on Appendix C as long as the acres allocated to SINGLE-FAMILY RESIDENTIAL and/or MULTI-FAMILY RESIDENTIAL set forth in Section VIII.B.2 are not increased; and
  - (2) Relocation of any boundary on Appendix C for COMMERCE, MULTI-FAMILY RESIDENTIAL, and SENIOR LIVING more than one hundred feet (100') from where the boundary is shown on Appendix C shall require an amendment to this ORDINANCE prior to approval of the preliminary plat or, in absence of a preliminary plat, the final plat, of the portion of the Property being developed.
- c. Modifications to the location of lots or to the lot types of SINGLE-FAMILY RESIDENTIAL uses as shown on Appendix C may be required based upon engineering constraints determined at the time of final engineering design of the portion of the Property being developed. The portion of the LAND USE MAP for the portion of the Property being developed shall be finalized at time of preliminary plat and may be adjusted as follows as long as the required acreage of the Property allocated to SINGLE FAMILY RESIDENTIAL used and lot size ratios defined in Section VIII.B.2 above are not changed:
  - (1) Lot locations may be moved or lot types changed within the SINGLE FAMILY RESIDENTIAL areas as shown on Appendix C at the time of approval of a final plat without requiring an amendment to Appendix C, provided such moves or changes do not exceed a cumulative total for the entire Property of two percent (2%) of lots within the SINGLE FAMILY RESIDENTIAL areas shown on Appendix C.
  - (2) Modifications of lot locations or alteration of lot types in numbers exceeding a cumulative total of two percent (2%) of the lots shall require an amendment to Appendix C of this Exhibit C of this ORDINANCE.
- d. Modifications to the location of PARKS, OPEN SPACE, TRAILS, AND OTHER RECREATION FACILITIES shown on Appendix G – Parks, Open Space, Trails, and Other Recreation Facilities Map and the STREET CROSS SECTIONS shown on Appendix I – Street Cross Sections, may be approved as part of an approved DETAILED SITE PLAN within requiring an amendment to this ORDINANCE provided total acres of PARKS, OPEN SPACE, TRAILS AND OTHER RECREATIONAL FACILITIES remains unchanged.

## C. Detailed Site Plan

### 1. Purpose

- a. A DETAILED SITE PLAN provides detailed information regarding the portion of the Property being developed including, but not limited to building locations, numbers and locations of required parking areas, landscaping, signage, fences/walls, lighting, PARK/OPEN SPACE, RECREATION TRAILS and PEDESTRIAN PATHWAYS, egress and ingress into individual sites including location of all streets and alleys, site amenities, and relationship of buildings to adjacent development.
- b. A DETAILED SITE PLAN shall comply with all provisions of this ORDINANCE and when approved, shall be an amendment to this Ordinance relating to the development of the area of the Property controlled by the DETAILED SITE PLAN.
- c. Submittal Requirements:

- (1) No development shall occur on any portion of the Property until a DETAILED SITE PLAN relating to the development and use of the portion of the Property to be developed has been approved by the City Council in accordance with this Ordinance.
- (2) An application for DETAILED SITE PLAN shall contain the following:
  - (a) A vicinity map at a scale of 1" = 1000 feet to be placed on the DETAILED SITE PLAN.
  - (b) A boundary survey of the portion of the Property to be developed and governed by the DETAILED SITE PLAN including the following:
    - (i) Metes and bounds of all boundary lines of the building site.
    - (ii) Total land area within the portion of the Property to be developed.
    - (iii) Graphic scale and north arrow.
    - (iv) Names and route numbers of boundary streets and rights-of-way.
    - (v) Existing topography with a maximum contour interval of two (2) feet.
- (3) A copy of the recorded warranty deed showing current ownership of the portion of the Property to be developed.
- (4) An aerial photograph of the portion of the Property to be developed and all adjacent properties within five hundred (500) feet stating the date of the photograph.
- (5) A DEVELOPMENT PATTERN BOOK comprised of two main chapters:
  - (a) One chapter describing and illustrating the overall **architectural character of the area** by showing, pictures, general façade diagrams to illustrate the volume, massing, elements, proportions and relation between elements; list of architectural elements: pictures, general illustrations and diagrams (those mentioned IV.C.1.c – balconies, porches, entries, doors, windows, chimney, dormers, columns, cornices & rakes); and site planning elements: typical lots arrangement along streets, corners, intersections. This chapter will translate and adapt the Ordinance standards into illustrations, pictures for the specific area subject to DSP;
  - (b) A second chapter describing and illustrating all **architectural styles** by each style by setting forth an overall view with 3D home (or row of homes) to explain the elements of composition, the list of possibilities for each element of the architectural style: rhythm, openings, detailed elements (all types of windows, doors, roof elements, porches, balconies, entries, chimney, dormers, columns, cornices and rakes mentioned IV.C.1.c. This chapter will look closer in all design details for each style, to be used as an architectural style manual of each area.
- (6) A detailed and to-scale DETAILED SITE PLAN showing:
  - (a) Existing and proposed public or private STREETS and curb cuts.
  - (b) Existing and proposed building and PARKING STRUCTURE locations including size in number of square feet, number of floors, number of spaces and size of spaces in PARKING STRUCTURE, and height above grade.
  - (c) Existing and proposed utility easements and fire lanes.
  - (d) Building elevations for all facades including dimensions, materials, and colors.
  - (e) Detailed Sign Plan graphically showing the location of all signs on the portion of the Property to be developed.
  - (f) Lighting plans.
  - (g) Location and screening of mechanical equipment.
  - (h) Location of all fences, walls, awnings, and other streetscape elements.

- (i) A landscape plan for all areas within the property showing the proposed locations, types and sizes at time of planting for all required landscaping materials including, but not limited to, trees, shrubs, groundcovers, and planting beds; provided, however, a landscape plan for a SINGLE FAMILY RESIDENTIAL area shall not be required to show the landscaping to be installed on individual residential lots that are not common areas or PARK/OPEN SPACE.
  - (j) Location of trees identified in the tree inventory required by Item (11), below, and identification of which trees will be preserved, which trees will be relocated, and which trees will be removed without being relocated.
- (7) Proposed at-grade parking lots and loading facilities, including the identification of any areas where shared parking is intended to occur, inclusive of the uses that will be using shared parking and the intended hours each will be using the shared parking.
  - (8) A statement of proposed floor area ratio, building site coverage ratio and landscape area ratio.
  - (9) Permitted and accessory uses, and uses to be permitted following approval of a SPECIFIC USE PERMIT, to be allowed on the portion of the Property being developed.
  - (10) Location of existing and proposed utilities, including size and tap location and fire hydrants, above or below ground transformer vaults, lift stations, storm water drainage facilities.
  - (11) Any other information requested by City Staff reasonably necessary to determine compliance of the SITE PLAN with the COMPREHENSIVE ZONING ORDINANCE, as amended hereby.
  - (12) An inventory of trees over six (6) inches in diameter existing at time of submission of the application for the DETAILED SITE PLAN.
  - (13) Site utility plan.
  - (14) Description of all SPECIAL EXCEPTIONS the approval of which are being requested as part of the approval of the DETAILED SITE PLAN, including a detailed narrative explaining the reason each SPECIAL EXCEPTION is being requested.
  - (15) Such other studies, reports, plans, data, and information required by other sections of this Exhibit C to be submitted with the application and approved as part of the DETAILED SITE PLAN.

## 2. Review/Approval

Each DETAILED SITE PLAN relating to the use and development of a portion of the Property within PD 99 must be approved by the City Council following receipt of a recommendation from the PLANNING AND ZONING COMMISSION in the same manner as an amendment to the CZO, the City's Zoning Map, and this ORDINANCE. No permits authorizing any type of development or construction of the portion of the Property proposed for development shall be issued by the City prior to approval of a DETAILED SITE PLAN for such portion of the Property.

## 3. Site Plan Modifications and Waivers

- a. The Director of Community Services or appointed designee may, at this sole discretion, but subject to subparagraph a., below, authorize minor deviations from an approved DETAILED SITE PLAN and waive the requirement of a DETAILED SITE PLAN for construction or installation of site improvements (e.g.: signs, limited parking lot modifications, small building additions, accessory structures, fences, etc.)
- b. An administratively approved minor deviation to a DETAILED SITE PLAN without amendment to the DETAILED SITE PLAN, or waiver of the requirement to obtain an approved DETAILED SITE PLAN, is permitted only if:
  - (1) The basic relationship of the improvements does not adversely affect adjacent property;
  - (2) The change or waiver does not result in a conflict with, or non-conformance with, the provisions of this ORDINANCE;

- (3) The fundamental character of the development as a whole is not detrimentally changed or altered;
  - (4) The deviation or waiver does not result in the approval of a land use on the portion of the Property being developed not otherwise authorized in this ORDINANCE or not permitted in accordance with the DETAILED SITE PLAN or LAND USE MAP or, to the extent not modified by this Ordinance, City's Zoning Map;
  - (5) The deviation or waiver does not increase the allowable intensity or density of any land use under this Ordinance the DETAILED SITE PLAN relating to the portion of the Property being developed;
  - (6) The deviation of waiver does not effectively result in an amendment to the CZO to an extent beyond the amendments established by this Ordinance.
- c. The Director of Community Service or appointed designee shall have the sole discretion to require a request for a minor deviation to an approved DETAILED SITE PLAN be submitted as an application to amend the existing DETAILED SITE PLAN and approved in the same manner as required for approval of a DETAILED SITE PLAN.
  - d. The installation of solar panels to a structure already approved as part of a DETAILED SITE PLAN shall constitute a minor modification which may be approved by the Director of Community Services or designee provided such installation complies with the standards for solar panel installations set forth in this ORDINANCE.

## D. Special Exceptions

### 1. Purpose

In circumstances where the owner/applicant believes that, due to unique characteristics of the portion of the Property to be developed or other special circumstances, strict compliance with the standards outlined in this ORDINANCE is not feasible or desirable and that deviation from the standards will allow for equal or better results, the PLANNING AND ZONING COMMISSION and CITY COUNCIL may be petitioned to grant a special exception to this ORDINANCE'S standards.

### 2. Review and Approval

- a. All requests for SPECIAL EXCEPTIONS shall be considered at the time of approval of the DETAILED SITE PLAN.

## E. Specific Use Permit

This ORDINANCE establishes certain land uses that are only permitted upon approval of a SPECIFIC USE PERMIT (SUP). Application for and approval of an SUP for any portion of the Property shall be reviewed and approved in the same manner as set forth in CZO.

## F. Phasing of Development

In approving this ORDINANCE, the City Council expresses its intent to adopt regulations that require the Property to be developed as a mix of COMMERCE and RESIDENTIAL uses as described in Section I.A. of this Exhibit C. In order to ensure that COMMERCE uses and the AMENITY CENTER are developed along with RESIDENTIAL use, and specifically, SINGLE-FAMILY RESIDENTIAL, no more than 300 building permits for construction of SINGLE-FAMILY RESIDENTIAL dwellings on the Property shall be issued by the City until the following are substantially started or, in the case of the hotel described in Paragraph 2.b., completed (**see Appendix J – Development Phasing Map**):

### 1. Proposed Development North of Wittington Place East

- a. One AMENITY CENTER and one or more SHELL BUILDINGS containing cumulatively not less than 25,000 square feet of gross floor area designed for restaurant and retail uses and constructed in the URBAN COMMERCE SUBAREA bounded by Valley View Lane on the north, Luna Road on the east, and Whittington Place East on the south as shown on Appendix J, hereto.
- b. One or more SHELL BUILDINGS, designed to be used as OFFICE BUILDINGS containing cumulatively not less than 65,000 square feet of gross floor area located in the area east of Chartwell Crest Drive as shown on Appendix J.

## **2. Proposed Development South of I-635**

- a. A FULL SERVICE HOTEL with no fewer than 135 guest rooms constructed in the URBAN COMMERCE SUBAREA located south of I-635.
- b. One or more SHELL BUILDINGS containing cumulatively not less than 25,000 square feet of gross floor area designed for restaurants and retail uses and constructed in the URBAN COMMERCE SUBAREA located south of I-635.

For purposes of this Section VIII.F. “substantially started: means that construction of all utilities, STREETS, PARKS, OPEN SPACES, PARKING (whether ground level or STRUCTURED PARKING) are completed and construction of the AMENITY BUILDING and SHELL BUILDING for the particular use has reached the point that, in accordance with the DEVELOPMENT REGULATIONS, the City’s Building Official is able to issue a certificate of occupancy.

For purposes of this Section VIII.F, construction of the FULL SERVICE HOTEL required to be constructed pursuant to Paragraph 2.a. shall be deemed completed when a certificate of occupancy is issued by the City building official and said hotel is operating and open to the public for business.

## IX. Definitions

The following words and phrases as used in this ORDINANCE shall have the following meanings unless the context of such use clearly indicates otherwise. Words and phrases not defined in this Section IX but which are defined in the CZO shall have the meaning provided such words and phrases in the CZO. Wherever a word or phrases is printed in CAPITAL LETTERS, it is being used as defined herein.

**ACCESSORY BUILDING OR STRUCTURE (RESIDENTIAL DISTRICT)** – A subordinate building or structure, detached and used for a purpose customarily incidental to the main structure such as a private garage for automobile storage, tool house, lathe or greenhouse as a hobby (no business), home workshop, children's playhouse, storage house, garden shelter or swimming pool, but not involving the conduct of a business.

**ACCESSORY UNIT** – A building that is not the primary structure, located on a lot that can be used as additional residential or HOME OCCUPATION space by the occupant of the primary structure.

**ACCESSORY USE (see USE).**

**AFFILIATED RESIDENTIAL USES (see USE).**

**ALLEY** – A public space or drive which affords secondary means of access to abutting property..

**AMENITY CENTER** – An OPEN SPACE area developed as a recreational center for the use by neighborhood residents and their guests that may include pools, hot tubs, meeting rooms, workout spaces, bathrooms, playgrounds and similar uses.

**AMPHITHEATER** – an OPEN SPACE devoted to an open-air venue used for entertainment and similar events.

**AWNING** – A cantilevered, projected or suspended cover over the sidewalk portion of the PUBLIC SPACE. This also includes roof-like coverings, usually of canvas or metal and often adjustable, placed over the sidewalk, windows, or doors to provide protection from sun and rain.

**ATTIC STORY** – Space situated immediately below a pitched roof building not intended as habitable space or considered a regular STORY.

**BALCONY** – An exterior platform attached to the building FAÇADE extending outward from an interior room located above a ground story.

**BAY WINDOW** – Generally, an interior enclosure with windows extending outward from the building FACADE.

**BLOCK** – An area enclosed by streets and occupied by or intended for buildings; or if said word is used as a term of measurement, it shall mean the distance along a side of a street between the nearest two streets which intersect said street on said side

**BLOCK CORNER** – The outside corner of a BLOCK at the intersection of any two STREETS.

**BUILDABLE AREA** – The area of the LOT that building(s) may occupy behind the REQUIRED BUILDING SETBACK LINE, excluding any required setbacks or permitted encroachments into the REQUIRED BUILDING SETBACK LINE.

**BUILDING ENVELOPE STANDARDS (BES)** – The part of this ORDINANCE that establishes basic parameters regulating building form.

**BUILDING HEIGHT** – For COMMERCE and MULTI-FAMILY uses, BUILDING HEIGHT is measured in STORIES; for SINGLE-FAMILY RESIDENTIAL uses, BUILDING HEIGHT is measured from the existing grade to the midpoint of a gabled roof line or the top of the parapet or mansard roof.

**BUILDING LINE (FRONT SETBACK)** – The line at which the building FACADE shall be located adjacent to or behind.

**BUILDING MATERIALS, ACCENT** – Pre-cast masonry (for trim and cornice elements only); gypsum reinforced fiber concrete (for trim elements only); metal (for beams, lintels, trim elements and ornamentation only); split-faced block (only for piers, foundation walls and chimneys), and EIFS.

**BUILDING MATERIALS, PRIMARY** – MASONRY/STONE or STUCCO/PLASTER.

**BUILDING MATERIALS, SECONDARY** – Hardie-Plank™ equivalent or better siding.

**BUILDING SHELL** - A building the construction of which is sufficiently completed with roof, foundation, and exterior walls in accordance with the applicable Development Regulations to obtain a certificate of occupancy, certificate of completion/temporary certificate of occupancy from City.

**CANOPY** – An architectural projection of canvas or similar material that provides weather protection over an area and is supported by the building to which it is attached and at the outer end by not less than two posts.

**CITY** – City of Farmers Branch, Texas.

**CITY COUNCIL** – The City Council of the City of Farmers Branch, Texas

**CIVIC BUILDINGS** – Publicly- or privately-owned buildings that are open to the public for non-COMMERCE purposes.

**CODE OF ORDINANCES** – The Code of the Ordinances of the City of Farmers Branch, as amended, or recodified from time to time.

**COLONNADE** – A roofed or built structure, extending over the sidewalk open on all sides except for supporting columns, piers, or arches.

**COMMERCE (see USE)** – synonymous with “COMMERCIAL.”

**COMMERCE BUILDING** – Any building used for the purpose of COMMERCE and includes MIXED USE BUILDINGS.

**COMMERCIAL INDOOR AMUSEMENT (see USE).**

**COMMISSION or PLANNING AND ZONING COMMISSION** – The Planning and Zoning Commission of the City of Farmers Branch, Texas.

**COMMON LOT LINES** – Lot lines shared by adjacent lots.

**COMPREHENSIVE ZONING ORDINANCE or CZO** – The Comprehensive Zoning Ordinance of the City of Farmers Branch, as amended from time to time, including any future codifications.

**CONVENIENCE COMMERCIAL** – COMMERCE uses such as convenience stores or small-scale strip centers.

**COURTYARD** – A paved or partly paved OPEN SPACE that is surrounded completely or partly by a building or a group of buildings; may also be defined as a PLAZA.

**COVERED SIDEWALK** – A roofed or built structure attached to the FAÇADE and extending beyond the REQUIRED BUILDING SETBACK LINE and over the sidewalk or SQUARE, open to the PUBLIC SPACE except for supporting columns, piers, or arches.

#### **DEVELOPMENT DISTRICTS**

**URBAN COMMERCE DISTRICT** – Land designated on the DEVELOPMENT DISTRICT MAP as URBAN COMMERCE intended for more flexible development standards allowing for COMMERCE uses ranging from single lot projects such as big-box stores and hotels to larger-scale shopping centers and business centers as well as MULTI-FAMILY RESIDENTIAL uses.

**URBAN RESIDENTIAL DISTRICT** – Land designated on the DEVELOPMENT DISTRICT MAP as URBAN RESIDENTIAL intended for a mix of DETACHED and ATTACHED RESIDENTIAL.

**DEVELOPMENT REGULATIONS** - City’s ordinances and regulations applicable to the development and use of the Property and the construction of any buildings or other structures or improvements on any portion of the Property, including, but not limited to, applicable provisions of the Code of Ordinances, the CZO, City’s Subdivision Regulations, as amended or succeeded, and this Ordinance, as amended from time to time.

**DRIVE-THROUGH BUSINESSES** – An establishment that sells products or provides services to occupants in vehicles, including drive-up, drive-through, and in-vehicle food services.

**DRIVE-THROUGH BUSINESSES, NON-RESTAURANTS** – A business that includes the operation of drive-up or a drive-through service at a bank or financial institution, food sales (for off-site preparation), personal services, and retail sales (e.g., pharmacy).

**DRIVE-THROUGH BUSINESSES, RESTAURANTS** – A business that includes the operation of drive-up or a drive-through service in conjunction with a restaurant or fast food restaurant, including food services offered to patrons seated in vehicles.

**DORMER** – Small, roofed ancillary structures with windows providing light and air to habitable space within the roof.

**EAVE** – The overhanging edge of a roof.

**EXTERIOR INSULATION AND FINISH SYSTEM or “EIFS”** - a no-load bearing, exterior wall cladding system that consists of an insulation board attached either adhesively or mechanically, or both, to the substrate; an integrally reinforced base coat; and a textured protective finish coat.

**FAÇADE** – Exterior building face.

**FENESTRATION** – Openings in the building wall allowing light and views between interior and exterior measured as glass area.

**FRONT YARD TREE (see TREE, FRONT YARD).**

**GARAGE ENTRY** – An opening (with curb cut) in the building FAÇADE where vehicles may enter into the interior for general parking and business servicing.

**GROUND STORY (see STORY, GROUND).**

**HEIGHT (see BUILDING HEIGHT)**

**HOTEL, EXTENDED STAY** – An establishment offering extended stay lodging facilities consisting of efficiency units, regular rooms or suites with complete or limited kitchens suitable for occupancy rentals by the week or month.

**HOTEL, FULL SERVICE** – An establishment offering temporary lodging facilities consisting of regular rooms or suites suitable for short-term stays with one or more restaurants and lounges, food and beverage catering, conference meeting rooms, recreational amenities and STRUCTURED PARKING.

**HOTEL, LIMITED SERVICE** – An establishment offering temporary lodging facilities consisting of regular rooms or suites suitable for short-term stays that may offer a business center, pool/whirlpool, workout room, a meeting room and a lobby marketplace for snacks and beverages; the establishment may offer restaurant services geared to primarily hotel guests.

**HOME OCCUPATION** – An occupation conducted solely by a residing member of the occupant’s family, in the main structure only and which does not: offer goods or services to a client(s) at the premises or; involve the employment or assemblage of assistants or other persons at the premises or; require structural alterations to the building or, involve the installation of machinery or equipment not customarily found at a residence or; involve any advertising or signage at the premises or; involve the dedication of greater than 20% of the building area to the storage or warehousing of any goods, equipment, materials, or other matter associated with the occupation at the premises or; cause the generation of additional traffic in the street or; cause additional parking at or around the premises or; cause the parking or storage of commercial vehicles at the premises or; create or emit any noise, odor, glare, or smoke outside of the main residence or; require additional utilities (other than telephone) to the premises. Exception: This definition is not intended to preclude the occasional visit of a person to a premises due to a home occupation such as tutoring, piano lessons, or other similar non-disruptive home occupation.

**J-SWING GARAGE** – A residential building design wherein the garage door is situated perpendicular to the STREET and results in the building FAÇADE projecting forward toward the front building line.

**LAND USE PLAN** – Proposed land uses as shown on the LAND USE MAP.

**LOT, CORNER** – A lot that is bounded by intersecting STREETS.

**LOT COVERAGE** – The percentage of the total area of a lot occupied by the base (first story or floor) of buildings located on the lot or the area determined as the maximum cross-sectional area of the building; eaves, drives, uncovered patios/porches, sidewalk and similar improvements are excluded from LOT COVERAGE computations.

**LOT LINE** – The lines bounding a lot.

**LOT WIDTH** – The width of the lot as measured at the building line.

**MAJOR STREET (see STREET, MAJOR).**

**MASONRY/STONE** – Defined as construction material three (3) inches or thicker composed of natural stone, kiln fired clay brick, decorative concrete block or other masonry material approved by the CITY'S building official.

**MINOR STREET (see STREET, MINOR).**

**MIXED USE BUILDINGS** – Multi-storied building having a different use on the ground floor than on upper floors (e.g. ground floor RETAIL and upper floor RESIDENTIAL uses).

**OFFICE BUILDING** – A building used to house OFFICE USES.

**ORDINANCE** – City of Farmers Branch Ordinance No. 3359, amended by Ordinance No. 3249 and as may be further amended from time to time, inclusive of all exhibits and appendixes.

**PAD SITE** – A freestanding parcel within a shopping center generally leased or sold to COMMERCE uses such as fast-food outlets, chain restaurants, financial institutions, and similar uses.

**PARAPET** – A low wall projecting from the edge of a platform, terrace, or roof.

**PARAPET HEIGHT** – Where used to limit building height, PARAPET HEIGHT is the distance measured at the top of the parapet, including any coping.

**PARK (see OPEN SPACE)**

**PARK, LINEAR** – A linear strip of primarily landscaped grassed OPEN SPACE land often traversed by PEDESTRIAN PATHWAYS in proximity to development to provide additional OPEN SPACE for passive recreational use.

**PARK, NEIGHBORHOOD** – An OPEN SPACE area of a size intended primarily for the outdoor recreational use of nearby residents and their guests.

**PARK/OPEN SPACE** – Land and water designed for active and/or passive recreational enjoyment, but also including small vegetative spaces and includes AMPHITHEATERS, AMENITY CENTERS, COURTYARDS, development entries, PLAZAS, NEIGHBORHOOD PARKS, PEDESTRIAN PATHWAYS, RECREATIONAL TRAILS, and undeveloped land under the control of the VALWOOD IMPROVEMENT AUTHORITY DISTRICT; areas located within a SINGLE-FAMILY RESIDENTIAL LOT or within a public right-of-way shall not be considered PARK/OPEN SPACE.

**PARKING SETBACK LINE** – A setback line from the street right-of-way or adjoining property line delineating the point at which surface parking may occur (does not include driveways).

**PARKWAY** – An area located immediately between the street curb and sidewalk in which STREET TREES and street lights and other such infrastructure are placed.

**PATTERN BOOK** – That certain document titled *Mercer Crossing Design Guidelines* (Draft Four – November 7, 2016) prepared by G&A Consultants, LLC, a true and correct copy of which is on file in the Office of the City Secretary and incorporated into this Ordinance as if fully set forth herein by reference to the date and number of this Ordinance.

**PEDESTRIAN PATHWAY** – A paved walkway/sidewalk that provides pedestrian access throughout a community to COMMERCE and RESIDENTIAL uses; PEDESTRIAN PATHWAYS are not considered appropriate for bicycle use.

**PLAZA** – A paved OPEN SPACE area offering places often surrounded in whole or in part by buildings; may also be defined as a COURTYARD.

**PODIUM BUILDING** – A multi-story building where the GROUND STORY (and sometimes above STORIES) serves as the building's foundation and may provide areas for parking and other uses.

**PRIMARY BUILDING MATERIALS (see BUILDING MATERIAL, PRIMARY)**

**PROPERTY/HOME OWNERS ASSOCIATION** – An association to oversee the management of commonly held property and to ensure property owner compliance with the covenants, restrictions and conditions governing the use of property within PD 99

**PUBLIC ART** – Art that is visually or physically accessible to the public (within the public realm e.g.) and that is provided by a public or private entity as a community benefit, including monuments and statues, or building ornament.

**PUBLIC SPACE** – The public domain commonly referred to as the public STREETS, ALLEYS and rights-of-way but can include travel lanes, parkways, PEDESTRIAN PATHWAY, and PARK/OPEN SPACE.

**REAR LOT LINES** – Lot lines located at the rear of the property and often abutting ALLEYS.

**RECREATIONAL TRAIL (see TRAIL, RECREATIONAL)**

**REQUIRED BUILDING SETBACK LINE** – A line/plane which extends vertically and generally parallel to a street, at which the building FAÇADE may not extend past.

**RETAIL (see USE).****RESIDENTIAL (see USE)**

**RESIDENTIAL, MIXED-USE** – A multi-storied building having ground floor retail and/office uses and residential on upper floors.

**RESIDENTIAL, SINGLE-FAMILY ATTACHED (TOWNHOME)** – A SINGLE-FAMILY RESIDENTIAL use constructed in a group of two (2) or more attached units separated by property lines in which each unit extends from foundation to roof.

**RESIDENTIAL, SINGLE-FAMILY DETACHED** – A free-standing, SINGLE-FAMILY RESIDENTIAL use occupying a single lot not sharing any walls in common with adjacent SINGLE-FAMILY RESIDENTIAL use.

**RESIDENTIAL, HIGH DENSITY MULTI-FAMILY** – A MULTI-FAMILY RESIDENTIAL use with densities ranging from thirty-six (36) to one hundred (100) units per gross acre.

**RESIDENTIAL, MULTI-FAMILY** – A multi-storied residential building containing multiple separate housing units above one another for residential purposes within one building or complex, commonly referred to as “apartments” and includes HIGH DENSITY MULTI-FAMILY RESIDENTIAL uses; this definition does not include a HOTEL or any short-term stay facility (stays of less than six months).

**RESIDENTIAL, SINGLE-FAMILY** – A residential dwelling occupied by persons living as a single household unit (does not include MULTI-FAMILY RESIDENTIAL).

**RESIDENTIAL, TOWNHOME (see SINGLE-FAMILY ATTACHED RESIDENTIAL)**

**SCHOOL, PRIMARY OR SECONDARY** – A school operated by an independent school district, religious entity or private corporation providing a kindergarten, elementary and/or secondary curriculum.

**SCHOOL, COLLEGE OR UNIVERSITY** – An academic institution of higher learning, accredited or recognized by the State and offering a program or series of programs of academic study.

**SECONDARY BUILDING MATERIALS (see BUILDING MATERIALS, SECONDARY).**

**SENIOR/ASSISTED LIVING FACILITY** – A residential living facility for older adults that may include independent living arrangements designed exclusively for seniors, generally those 55 years or older, to live independently within an apartment-style facility or freestanding home; it may also include, as an accessory use, living facilities that offer a larger range of services for residents as their level of care expands, as long as the resident does not need skilled 24-hour nursing care.

**SITE LIGHTING** – Light fixtures and light standards located on a lot or parcel outside the public right-of-way.

**SKILLED NURSING HOME FACILITY** – State-licensed long-term care residential living facility offering 24-hour medical care provided by registered nurses, licensed practical nurses and/or certified nurse assistants for residents who are totally dependent on nursing care or short-term rehabilitation between hospital and home.

**STOOP** – An unenclosed, roofed or unroofed entry platform at the front entry of a building.

**STORY.** That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above and includes a PODIUM BUILDING STORY when designed for parking or other uses. It is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters.

**STORY, GROUND** – The first level of a building at or above grade.

**STREET** – A public thoroughfare used for vehicular traffic usually within dedicated right-of-way; this definition does not include ALLEYS, CITY fire lanes, driveways, or access aisles or easements.

**STREET CLASSIFICATION** – STREETS are classified as to their function as MAJOR or MINOR STREETS or ALLEYS.

**STREET LIGHT** – A luminaire installed on both sides of a STREET within the public right-of-way.

**STREET, MAJOR** – A STREET having four or more travel lanes with rights-of-way of greater than sixty (60) feet.

**STREET, MINOR** – A STREET having three or less travel lanes with rights-of-way exceeding forty (40) feet.

**STREET FRONTAGE** – That portion of the lot or building that is coincident with the front building setback area.

**STREET TREE (see TREE, STREET).**

**STREET TYPE** – A specific STREET cross section that depicts number of lanes, widths of travel lanes, PARKWAYS, and PEDESTRIAN PATHWAYS.

**STRUCTURED PARKING** – A structure for parking of vehicles typically more than one STORY but can include parking within a PODIUM BUILDING and tuck-under parking.

**STUCCO/PLASTER** – Stucco/Plaster material shall only be considered as meeting the masonry requirement when applied using a 3 step process over diamond metal lath mesh to a 7/8 inch thickness or by other processes producing comparable cement stucco finish with equal or greater strength, durability and fire resistive specifications.

**SUBAREAS** – These are areas for development of distinct types of land uses such as SINGLE-FAMILY DETACHED and MULTI-FAMILY RESIDENTIAL, COMMERCE, etc.

**TREE, STREET** – A tree planted in the PARKWAY.

**TREE, FRONT YARD** – A tree planted in a front yard area.

**TRAIL, RECREATIONAL** – A paved pathway for use by pedestrians and bicyclists with widths of eight to twelve (8 – 12) feet intended to provide intra-CITY recreational opportunities; this definition does not include sidewalks primarily intended to serve pedestrians.

## USES

**ACCESSORY USE** – A use of land or building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use; within a RESIDENTIAL DISTRICT this may include a pool, children’s play equipment, gazebo, picnic table, etc.

**AFFILIATED RESIDENTIAL USE** – A use intended for the residents and their guests of a RESIDENTIAL use that includes a leasing office, fitness center, game room, laundry, pool, amenity center and other residential-related services and uses.

**BUSINESS SERVICE USE** – Establishments primarily engaged in rendering services to business establishments on a fee or contract basis, including but not limited to advertising and mailing; building maintenance; employment service; management and consulting services; equipment rental and leasing (does not include outside storage or heavy construction equipment); commercial research; development and testing; photo finishing; and supplies services.

**CIVIC USE** – Community uses including: meeting halls; libraries; schools (kindergarten through college); police and fire stations; post offices (retail operations only, no primary distribution facilities); places of worship; museums; cultural, visual and performing art centers; transit centers; government functions open to the public; and, other similar uses.

**COMMERCE USE (COMMERCIAL)** – Any use that is defined herein as a BUSINESS SERVICE, OFFICE, PERSONAL SERVICE, RETAIL SERVICE, RETAIL SPECIALTY, RETAIL TRADE, and STUDIO uses but specifically excluding any uses prohibited by this ORDINANCE.

**COMMERCIAL INDOOR AMUSEMENT USE** – Commercial establishments wholly contained within a building that provide amusement, entertainment or games of skill for a fee or admission charge including, but not limited to, billiards, bowling, video or game arcades, movie theaters, and skating rinks.

**PERSONAL SERVICE USE** – Establishments primarily engaged in providing services involving the care of a person or his or her apparel, including laundry, cleaning and garment services, garment pressing, coin operated laundries, beauty shops, barber shops, shoe repair, reducing salons and health clubs, clothing rental, doctors, dentists, chiropractors, veterinarians, etc.

**OFFICE USE** – Includes, but are not limited to lawyers, engineers, architects, landscape architects, accountants, insurance agencies, economic consultants, general business offices, or other similar professions.

**RESIDENTIAL USE** – A range of housing uses that encompass SINGLE-FAMILY and MULTI-FAMILY uses, and SENIOR/ASSISTED and/or SKILLED NURSING HOME FACILITIES.

**RETAIL SERVICE USE** – Establishments providing services, as opposed to products, to the general public, including restaurants, FULL SERVICE HOTELS, finance, real estate and insurance, travel agencies, health and educational services, and galleries.

**RETAIL SPECIALTY USE** – Include, but are not limited to the sale of gifts, antiques, flowers, books, jewelry, wearing apparel or craft shops making articles exclusively for sale at retail on the premises. Establishments selling used goods or merchandise and retail store sales consisting primarily of specialty and novelty items as defined by City of Farmers Branch Resolution No. 77-028 are specifically excluded.

**RETAIL TRADE USE** – Establishments engaged in selling new goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Establishments primarily engaged in the selling of used goods or merchandise are specifically excluded.

**STUDIO USE** – Includes, but is not limited to dance, art, music, photography, radio or television and specifically excluding any type of sexually oriented business.

**VALWOOD IMPROVEMENT AUTHORITY DISTRICT** – A conservation and reclamation district established under Section 59, Article XVI, Texas Constitution that has all of the rights, powers, privileges, and functions provided by the general law of this state applicable to a levee improvement district.

## X. Appendix

- A. Appendix – Development Districts Map
- B. Appendix – Development Subareas Map
- C. Appendix – Land Use Map
- D. Appendix – DELETED
- E. Appendix – Typical Building Lot Setbacks and Coverages
- F. Appendix – Conceptual Building Elevations
- G. Appendix – Parks, Open Space, Trails, and Other Recreation Facilities Map
- H. Appendix – Street Classifications Map
- I. Appendix – Street Cross Sections Map
- J. Appendix – Development Phasing Map







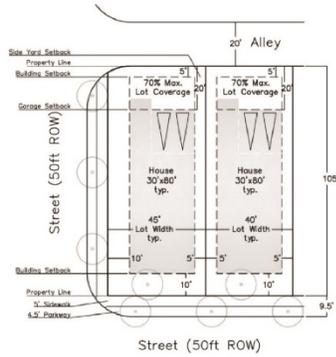


D. Appendix – DELETED

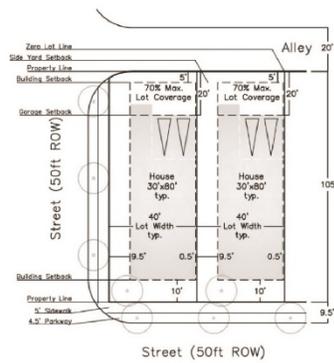


## E. Appendix – Typical Building Lot Setbacks and Coverages

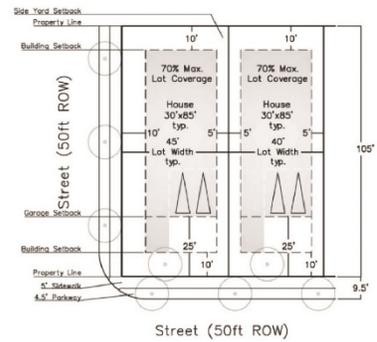
### Typical Lot Configuration



**40'  
Rear-Loaded Lots  
(Typical)**

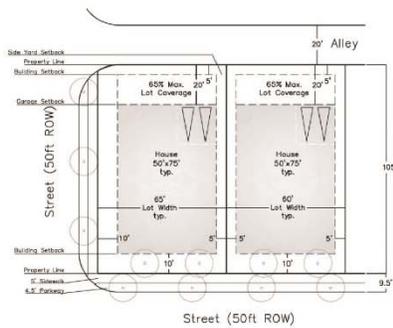
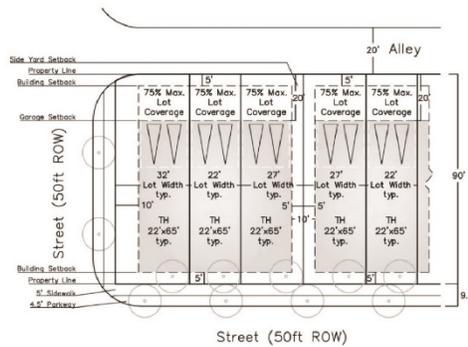


**40'  
Rear-Loaded Zero Lot Lines  
(Typical)**

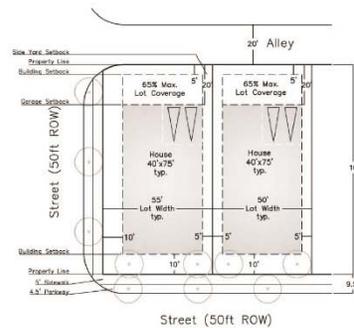


**40'  
Front-Loaded Lots  
(Typical)**

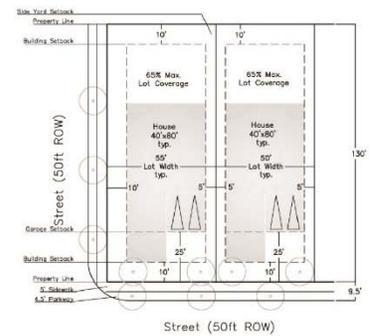
**Townhomes  
(Typical)**



**60'  
Rear-Loaded Lots  
(Typical)**



**50'  
Rear-Loaded Lots  
(Typical)**



**50'  
Front-Loaded Lots  
(Typical for 130' Deep Lot)**

F. Appendix – Conceptual Building Elevations

Conceptual Elevations

40' Rear-Load Lots



50' Rear- / Front-Load Lots





# H. Appendix – Street Classifications Map



# I. Appendix – Street Cross Sections Map

Luna Road - North of Wittington Place (Looking North)



Wittington Place North/West - West of Luna Road (Looking West)



Residential Street - 50-Foot Right of Way



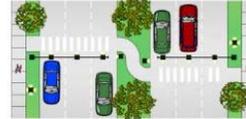
Luna Road - South of Wittington Place



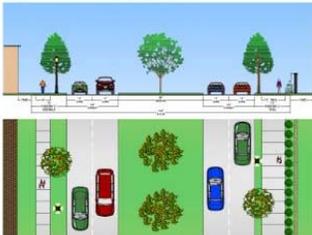
Mercer Parkway West - West of Luna Road (Looking North)



Valley View Lane Pedestrian Crosswalk with HAWK Signal



Wittington Place East - East of Luna Road (Looking East)



Mercer Parkway East - East of Luna Road (Looking East)



Dedicated Alley



## STREET CROSS SECTIONS (TYP.)

Note:  
Images are for illustration purposes only. Final street cross sections shall be determined at platting.

Final alignment of Wittington and Luna Intersection to be addressed during street design.

NOTE:  
Arranges, land uses, lot yields, road alignments, park/open space and trails are illustrative in nature and may change due to final surveys, final conditions and environmental findings, utilities, final site plans, and City of Forest Branch and other governmental agency reviews and approval. Ion Design Group, LLC is not responsible for loss of title and land use charges due to these conditions. Owner retains right to modify land use allocations and densities by 10%.



